

LOK SABHA DEBATES

(English Version)

Eighth Session
(Fifteenth Lok Sabha)



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LOK SABHA DEBATES

LOK SABHA

Saturday, August 27, 2011/Bhadra 5, 1933 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MADAM SPEAKER in the Chair]

[English]

MADAM SPEAKER: Item No. 1, Secretary-General

11.01 hrs.

MESSAGE FROM RAJYA SABHA

SECRETARY-GENERAL: Madam Speaker. I have to report a message received from the Secretary-General of Rajya Sabha:-

"In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 26th August, 2011 agreed without any amendment to the Transplantation of Human Organs (Amendment) Bill, 2011 which was passed by the Lok Sabha at its sitting held on the 12 August, 2011."

11.01½ hrs.

STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT

Statements

[Translation]

SHRI DARA SINGH CHAUHAN (Ghosi): Madam, I beg to lay the following Statements (Hindi and English versions) of the Standing Committee on Social Justice and Empowerment:-

- (1) Action taken by the Government on the recommendations contained in Chapter-I and

final replies in respect of recommendations contained in Chapter-V of the Twelfth Report of the Standing Committee on Social Justice and Empowerment (2010-2011) (Fifteenth Lok Sabha) on Action Taken by Government on the recommendations contained in Sixth Report (Fifteenth Lok Sabha) of the Standing Committee on Social Justice and Empowerment (2010-11) on Demands for Grants (2010-11) of the Ministry of Minority Affairs.

- (2) Action taken by the Government on the recommendations contained in Chapter-I and final replies in respect of recommendations contained in Chapter-V of the Fourteenth Report of the Standing Committee on Social Justice and Empowerment (2010-11) (Fifteenth Lok Sabha) on Action Taken by Government on the recommendations contained in Fifth Report (Fifteenth Lok Sabha) of the Standing Committee on Social Justice and Empowerment (2010-11) on Demands for Grants (2010-11) of the Ministry of Tribal Affairs.

11.02 hrs.

STATEMENT BY MINISTER

Issues relating to setting up of a Lok Pal

[English]

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): Madam Speaker I rise to make a statement on issues relating to setting up of Lokpal on which a debate has been going on within the House and outside the House.

At the outset, even taking the risk of repetition, I would like to once again request Shri Anna Hazare to end his fast in view of the appeal made by the hon. Prime Minister in his statement and the sentiments expressed by the hon. Leader of the Opposition and by the hon. Speaker of this August House on 25th August, 2011.

Madam Speaker, I seek your indulgence to recount the sequence of events which brought us to where we are today.

On 5th of April, 2011, Shri Anna Hazare went on an indefinite fast. Of course, oral correspondence between the Government representatives and his representatives took place and ultimately on 8th April, 2011, the Government constituted a Joint Drafting Committee (JDC) consisting of five nominees of Shri Anna Hazare including himself and five nominee-Ministers appointed by the Government to prepare a draft of the Lokpal Bill. Shri Hazare ended his fast on 9th April, 2011.

The Joint Drafting Committee met nine times during April-June 2011. In the first meeting of the Joint Drafting Committee on 16th April 2011, preliminary discussions were held to draft the legislation for the Lokpal. During the second meeting of the Committee, 40 Basic Principles and the Statement of Objects and Reasons were circulated by Shri Anna Hazare's team which formed the basis of discussions in subsequent meetings of the Committee. There were extensive deliberations on these basic principles' wherein the scope and vision of the proposed Lokpal were discussed. Out of the 40 Basic Principles, we had agreement on 20 issues; we had agreement with some editorial changes on seven issues; on seven issues, we had agreement in principle subject to further discussions. That takes into account 20+7+7 = 34. There were divergences of views between the representatives of the Government and the representatives of the Civil Society on the vision and scope of the Lokpal on six major issues. I would like to explain these six major issues.

Should one single Act be provided for both the Lokpal in the Centre and Lokayukt in the States? Would the State Governments be willing to accept a draft provision for the Lokayukt on the same lines as that of the Lokpal?

Should the Prime Minister be brought within the purview of the Lokpal? If the answer is in the affirmative, should there be a qualified inclusion?

The third issue was: Should judges of the Supreme Court and High Court be brought within the purview of the Lokpal?

The fourth issue was: Should the conduct of the Members of Parliament inside Parliament (speaking and voting in the House) be brought within the purview of the Lokpal? This protection to Lok Sabha Members, Members

of Parliament is provided under Article 105, Clause 2 of the Constitution.

The fifth issue was: Whether Articles 311 and 320 (3) (c) of the Constitution notwithstanding members of a civil service of the Union or an All-India Service or a civil service of a State or a person holding a civil post under the Union or State, be subject to enquiry and disciplinary action including dismissal/removal by the Lokpal/Lokayukta, as the case may be.

The last point was: What should be the definition of the Lokpal, and should it itself exercise quasi-judicial powers also or delegate these powers to its subordinate officers? Because, it was agreed that the Lokpal would be a totally independent organisation, it would have its own set up, officers will be appointed by the Lokpal and the expenditure of the Lokpal will not be voted by the Parliament. It will be charged as the amounts spent by the Supreme Court are charged, not voted by Parliament.

On 31st May 2011, I wrote to the Presidents of various political parties and the Chief Ministers of States soliciting their views on these six contentious issues. Responses were received from 25 Chief Ministers and six Party Presidents and leaders. I would like to give some extracts from these letters because all these letters are in the domain of the public knowledge. It is on the website of the Ministry of Personnel and Public Grievances.

The BJP President, in his letter dated 2nd June 2011 stated, I am quoting a few lines:

"Expecting political parties to give their views to a drafting committee comprising of Civil Society representatives for acceptance or otherwise would be upsetting the constitutional propriety where parties, parliamentarians and the Parliament have the last word. They are the decision makers and not suggestion givers."

The General Secretary of CPI stated that "as a political party, they will most certainly state their views and suggestions during the discussions on the Bill within the Parliament."

The President of the BSP expressed her inability to respond to the issues raised as no BSP representative had been included in the discussions of the JDC. She also stated that in parliamentary democracy, the Bill has to be examined by the Parliament and the Standing Committee where detailed discussions are held.

The General Secretary of Samajwadi Party in his letter stated that Government was holding a direct discussion with the so called representatives of the Civil Society in the JDC. On the other hand, leaders of the political parties have been sent a questionnaire. This was not acceptable to the Samajwadi Party and hence they will not send any reply.

The Joint Drafting Committee concluded its deliberations on 21st June 2011 and both sides exchanged their drafts for the Lokpal Bill. Both these drafts were forwarded to the Government for further action.

To solicit the views of various political parties, an all party meeting was convened on 3rd July 2011. In course of discussions, the representatives of various political parties emphasized that can be summed it up as:

- The supremacy of the Constitution of India has to be maintained. Institutions of democracy cannot be undermined and the checks and balances visualized in the Constitution cannot be adversely affected.
- Laws have to be made by the Parliamentarians who are elected representatives of the country. A few nominated members of the Drafting Committee cannot have precedence over elected Members of Parliament.

On the conclusion of this meeting, it was unanimously resolved that "Government should bring before the next session of Parliament a strong and effective Lokpal Bill, following the established procedures". We did exactly the same – following the established procedures—brought the Bill and introduced it on 4th August 2011. Whether it is strong or effective is a matter of judgment; we will decide about it.

This meeting was followed informally by a round of informal consultations by some of my colleagues including myself with not all, but some political leaders and their inputs were also incorporated in the Bill which has been introduced in the House.

In pursuance of the decisions of the All Party Meeting, the Government worked on the draft Lokpal Bill prepared by the Joint Drafting Committee and after following the formal process of inter-ministerial consultations and Cabinet approval, the Bill was introduced in Parliament on 4th August 2011.

Unfortunately, even before the Bill could be introduced in the Parliament, Shri Anna Hazare's representatives restarted the agitation by burning copies of the draft Lokpal Bill. Shri Hazare also declared that if the Jan Lokpal Bill is not passed by the Parliament by 15th August 2011, he would proceed on indefinite fast with effect from 16th August 2011.

The Prime Minister through his Independence Day Address on 15th August, again implored Shri Hazare to abstain from the fast. However, this appeal was ignored.

On 16th August 2011, Shri Anna Hazare has again proceeded on fast. In view of his deteriorating health and Government's increasing concern for Annaji's condition, Prime Minister wrote a letter to him on 23rd August 2011, making a fervent appeal for ending the fast.

To carry the negotiations forward, the Prime Minister directed me and Shri Salman Khursheed to hold discussions with the representatives of Shri Anna Hazare. A meeting was held on 23rd August 2011 and it was clarified to Shri Anna Hazare's representatives that the Lokpal Bill is now before the Standing Committee.

All options are open before the Standing Committee to consider not only the Bill introduced by the Government but the Jan Lokpal Bill as well as other versions sent by eminent members of the Civil Society.

In deference to the wish expressed by Annaji, the Government is prepared to request the Speaker, Lok Sabha to formally refer the Jan Lokpal Bill to the Standing Committee for their consideration along with other proposals before the Standing Committee.

About time and speed, the Government can formally request the Standing Committee to try, subject to its convenience, fast tracking their deliberations to the extent feasible.

I explained to Annaji's representatives that Lokpal Bill alone cannot root out corruption. We need multi-layered laws to deal with corruption at various levels. In addition to the Lokpal Bill, we are willing to strengthen the Judicial Accountability Bill and the Whistle Blowers Bill and the inputs of Shri Anna Hazare and his associates will be taken into consideration. We are also working on a Grievance Redressal Bill to tackle corruption at local level.

I again requested Annaji's representatives to convey our earnest request to him to end the fast and give us the space to proceed in the matter.

At this stage, Annaji's representatives made the following demands, and I quote:

"If the Government can agree to introduce Jan Lokpal Bill - I am exactly quoting without any editorial comments, because I got this on a piece of paper written by themselves - (after removing those items on which we have differences) after clearing by the Law Ministry within four days and also provide a commitment that the Bill will not be referred to the Standing Committee and will be discussed and passed (with minor amendments adopted by Parliament) during this Session of Parliament (even if it is extended), we can then hopefully persuade Annaji to stop this fast. (Above to be a written commitment with timelines)."

The meeting ended around 10.15 in the night, maybe this side or that side a little bit. I told them that it would not be possible for me to make any commitment right now. I shall have to consult the Prime Minister. I requested the Prime Minister. He was kind enough to call the CCPA meeting at 11 in the night. In the CCPA meeting, it was discussed and ultimately, the decision was taken, and I was entrusted to communicate this decision to them in the next meeting.

Apart from these issues, three other issues were also brought up by Annaji's representatives in that meeting, which I would discuss in a little greater detail later here I am just mentioning these issues - 1. Public Grievances and Citizen Charter; 2. Lokayukta; and 3. Lower bureaucracy.

Their demand was that these substantive issues be the part of the Jan Lokpal Bill. Thereafter, the next day, all-Party meeting was scheduled to be held in the afternoon, 3.30 or so, I decided that I will report these to the representatives of the all-Party meeting, which I did.

For the information of hon. Members, I am just reproducing the Resolution which was adopted in the All Party Meeting. It says:

"This meeting of all political parties in Parliament requests Shri Anna Hazare to end his fast. The meeting was also of the view that due consideration should be given to the Jan Lokpal Bill so that the Final Draft of the Lokpal Bill provides for a strong and effective Lokpal which is supported by a broad national consensus."

This was the unanimous Resolution passed there. In a late evening meeting held with Annaji's representatives on 24th August 2011, the same day, I conveyed the inability of the Government to accept the conditions put forward by them on 23 rd August 2011 and referred to by me earlier.

The Prime Minister made a statement in this House on 25th August 2011 reiterating our Government's commitment to the passage of a strong Lokpal Bill. Prime Minister also stated that he would welcome the Members of this House to discuss the Lokpal Bill before the Standing Committee, the Jan Lokpal Bill as well as other draft Bills and views of members of Civil Society which have been brought to the attention of the Government. I believe that the entire House is committed to the eradication of corruption at all levels. These are extracts from the Prime Minister's statement.

Our Government is committed, therefore, to bring appropriate legislation as well as put in place mechanisms that will reduce discretion and bring transparency in the functioning of public offices as well as take strong measures against those who indulge in corruption. Apart from other issues, the three issues are of much significance because these have been again reiterated by Shri Anna Hazare in his letter to the Prime Minister and which is being widely debated. Here I would like to seek the considered views of this House and, perhaps, after the deliberation is over, at the end of the debate, we can arrive, if possible, at a consensus which will reflect the sense of the House, but that part will come later on. Now I am posing those questions. They are as follows:

- (i) Whether the jurisdiction of the Lokpal should cover all employees of the Central Government?
- (ii) Whether it will be applicable through the institution of the Lok Ayukt in all States?
- iii) Whether the Lokpal should have the power to punish all those who violate the 'grievance redressal mechanism' to be put in place?

The specific issues raised by Shri Anna Hazare are important. They deserve our serious consideration. In case a consensus emerges at the end of the discussions, the Standing Committee will, in the course of their

deliberations, take into account their practicability, implementability and constitutionality. We have to keep in mind that everything that we do, must be consistent with the principles enshrined within our Constitutional framework.

Madam Speaker, we are at a crossroad. No doubt, an agitation is going on. All of us want to end this agitation. At the same time, we must remember that all of us have taken an oath, three times in the case of Ministers and two times in the case of Members, while filing nomination, after getting elected and entering into the House. We have taken an oath and the basic tenet of the oath is that we have to abide by the Constitution and uphold the Constitution. Therefore, whatever we do, we shall have to do it within the framework of the Constitution.

My respectful submission to my colleagues would be: 'give your considered views on these issues which are being raised'. I am told that if these issues are resolved, perhaps it may be, I do not know whether it is sure, possible for Shri Anna Hazare to take a view on it. Therefore, my most respectful submission to my colleagues, on both sides, is that let us have a discussion dispassionately.

We are at a crossroad, if I am not exaggerating then perhaps this is one of the rare occasions when the proceedings of this House is drawing attention of the entire nation and perhaps even outside the nation because the largest functional democracy of the world is at a very crucial stage.

Keeping that in view, my most respectful submission to our colleagues and the House — of course, this is not a part of my written statement, I may be excused for that, but if you want I can incorporate it and later on authenticate it—should be to have a dispassionate and objective discussion, try to find out a solution within the constitutional framework, without compromising the parliamentary supremacy in the matter of legislation and at the same time to ensure that we can resolve this impasse.

Thank you, Madam Speaker, for giving me the opportunity.

[Placed in Library, See No. LT 4998/15/11]

11.27 hrs.

DISCUSSION UNDER RULE 193

Statement made by Finance Minister on issues relating to setting up of Lok Pal

[*English*]

MADAM SPEAKER: Thank you, hon. Leader of the House. The hon. Leader of the House, in his statement, has proposed certain issues for consideration by the House. Is it the wish of the House that we may now immediately take up the discussion on the statement made by hon. Leader of the House?

SEVERAL HON. MEMBERS: Yes.

MADAM SPEAKER: I would also request the House to allot time for this discussion.

[*Translation*]

SEVERAL HON. MEMBERS: Madam, we all, would like to express our viewpoint on this issue ...(*Interruptions*)

MADAM SPEAKER: Some time.

...(*Interruptions*)

MADAM SPEAKER: Yes, but some time.

...(*Interruptions*)

[*Translation*]

MADAM SPEAKER: All of you please sit down. I am asking this to all of you.

...(*Interruptions*)

[*English*]

MADAM SPEAKER: I have requested the House to allot the time. Please take your seats. I am not deciding on it.

...(*Interruptions*)

MADAM SPEAKER: I have requested the House.

...(*Interruptions*)

MADAM SPEAKER: Nothing will go on record.

...(*Interruptions*)*

MADAM SPEAKER: Please take your seats. Yes, Advani Ji. Nothing else will go on record.

...(Interruptions)*

[Translation]

SHRI L. K. ADVANI (Gandinagar): I am happy that the hon'ble leader of the House has made a statement in the House and proposed certain issues for consideration by the House. It is on the basis of this discussion, it will be decided whether Shri Anna Hazare should end his fast or not, till then it will remain undecided. Therefore, my request is that we should have discussion on this the entire day but should unanimously decide today evening itself ...(Interruptions)

MADAM SPEAKER: Let him speak. Advaniji is on his legs. You please sit down, Advaniji is giving suggestions.

...(Interruptions)

SHRI L.K. ADVANI: It will be decided today itself if the opinion of the House is conveyed to Shri Anna Hazareji. I would request you to allow more and more Members to express their viewpoints and even I also want everyone to express his or her viewpoint. ...(Interruptions). However, it is true that on the Lokpal Bill. ...(Interruptions)

MADAM SPEAKER: Advaniji is speaking. Therefore, you please sit down.

SHRI L.K. ADVANI: We will take the Lokpal Bill a step further and have to take several steps against corruption. However, today's discussion would be more meaningful. Shri Anna Hazare should end his fast following the appeal made by the entire House through the hon'ble Prime Minister, the Leader of the House and yourself. ...(Interruptions)

MADAM SPEAKER: Hon. Minister, now you can speak.

...(Interruptions)

SHRI LALU PRASAD (Saran): Madam, my viewpoint may also be heard. ...(Interruptions)

MADAM SPEAKER: You please speak after him.

...(Interruptions)

SHRI LALU PRASAD: You please listen to me for a minute. MADAM SPEAKER: Lalu Prasadji, you please don't get angry. You speak without getting angry.

SHRI LALU PRASAD: My viewpoint may be heard.

MADAM SPEAKER: Yes, we are listening.

SHRI LALU PRASAD: Madam, Pranabji explained about the attitude of the Government with regard to the entire movement and just now he has made a concluding remark that talks will be held within the constitutional framework and keeping supremacy of the parliament intact. I want to know as to whether we should hold discussion on this statement, give our opinion in this regard and whether the Government is not violating this by saying that it will be discussed under the purview of Standing committee or the constitution only.

MADAM SPEAKER: Talk about the present.

SHRI LALU PRASAD: I may please be heard.

MADAM SPEAKER: You are again loosing you temper why are you getting so angry. Please tell us about the present time.

SHRI LALU PRASAD: I am saying that the Committee with which this matter is pending must not be by passed, infact, an open discussion must be held on the same. You are violating the norm. If there is any matter with the Standing Committee and anybody wants to say something on that then one can say so in front of the Committee or must be referred there, this is all I wanted to say.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): Madam Speaker, I agree with Shri L.K. Advani Ji's view that in view of the importance of this matter maximum number of Members must be able to speak on this matter and this is why I would suggest that we should not take the afternoon lunch and continue with the House proceedings. In the evening we must have this target in our mind that this issue must be raised there and we should be able to conclude the same by evening. If we are able to put forth all over views by evening Six O'clock then from now on we have seven hours in hand. A normal debate is of four hours but in this we will get seven hours and Members from all the parties shall be able to speak something on this matter. ...(Interruptions)

SHRI SHARAD YADAV (Madhepura): Madam, I would like to speak for a minute.

MADAM SPEAKER: Sharad Ji, please talk about the relevant issue.

SHRI SHARAD YADAV: I will conclude in two sentences. Echoing what Advani Ji has just now mentioned, I would request hon. Minister of Parliamentary Affairs, Shri Pawan Kumar Bansal Ji that today's discussion would require a lot of time. It must be ensured properly that all the Parties in the House have certain time period allotted to them. The discussion which is to take place today in this regard must be a deep and thorough. I would request that if we need to extend the House till late in the evening then we must do so in order to complete this discussion. ...*(Interruptions)*

SHRI REWATI RAMAN SINGH (Allahabad): Hon. Madam Speaker, I would urge to you that as Pranab Dada, Shri Advani Ji and Shri Sharad Ji had said that this is an important matter. Madam, there are four Bills. Will the discussion be held upon all four Bills or only on the Jan Lokpal Bill. ...*(Interruptions)*

MADAM SPEAKER: Alright, please stay relevant.

SHRI REWATI RAMAN SINGH: As per the present context the demand made by him is that ...*(Interruptions)* House agrees upon three matters then he will call off his fast. I would urge that he may be requested to call off his hunger strike. The entire House must keep that same demand that the House will reconsider the matter. ...*(Interruptions)* and take a consensual decision on this.

[English]

MADAM SPEAKER: Hon. Members, I have requested the House to tell me the time that should be allotted for this discussion.

...*(Interruptions)*

MADAM SPEAKER: In my opinion, initially. I am emphasising the word 'initially'—seven hours will be sufficient.

...*(Interruptions)*

[Translation]

MADAM SPEAKER: Sit down, please listen. *[English]* Since, so many hon'ble Members want to participate in the discussion, later on, if required, the time may be extended.

[Translation]

SHRIMATI SUSHMA SWARAJ (Vidisha): Madam Speaker, today the Leader of House has made a detailed statement with regard to all the details pertaining to the constitution of Lokpal. I rise to speak upon the same. Before I begin I would like to request one thing to all our colleagues that today we are having notice discussion in the House. Be the discussion for seven hours, eight hours, ten hours or may even be extended upto twelve hours but we must have a peaceful discussion. I would like to tell the Members from my party that it may be that they may not like something that I may say and as a result they may get over excited but they should keep temper cool and maintain silence. I would like to tell the same to all of them that if they do not like something in my speech then their party Member who is going to speak on the matter may give a reply to my statement. The reply may be very aggressive but today we must let the country see that so far they have seen the interruptions of the House but this House can actually discuss certain issues with such peace and sincerity. They must see this today.

Madam Speaker, first of all I would like to give an information to the House that this Bill presented on 4th August 2011 by the Government is not the first Bill on Lokpal. It is the ninth time that Lokpal Bill has been presented in the House. Before this Lokpal Bill was presented eight times in different Lok Sabha's. Some people would be surprised to know that the first Bill came in the year 1968, then in 1971, 1977, 1985, 1989, 1996, 1998, and in the year 2001. For some or the other reason these eight Bills could not be passed. This Bill has been circulating here for the last 43 years. The tennure of the Lok-Sabha expires and the Bill gets cancelled and then it again waits to be presented in new Lok-Sabha. During one time also this Bill was presented twice in the year 1998 and year 2001. We were also unable to get it passed.

This Bill has come for the first time during the seven years tennure of UPA. Therefore, this time it is my humble request that the manner in which Anna team is giving them time again and again which has not pleased some of the people as to how can one dictate us and say that it must be passed in four days or in this session itself. The background of it says that we have been unable to get this Bill passed for the last 43 years. I hold my own tennure guilty of that, we had also brought this Bill twice in the year 1998 and year 2001 but were unable to get it passed. Today the entire country, is looking up to us

and this is why my conscience is telling me that every idea has a time. There is a particular time for every idea today the time has come for this idea. This House is going to create history and this history will not allow the Bill to get cancelled infact this House will give an effective and strong Lokpal to this country. There is a reason behind this confidence and this confidence stems from the fact that this Bill has now become a public movement.

Madam, all the Bills which came before this were limited to only certain intellectuals. The Bill use to come and a few seminars were held and the common man would never know as to when the Bill was presented and where it went and what happened to it. For the first time Anna Hazare has brought this Bill to the public in the name of Jan Lokpal Bill movement. The public has also accepted this and vowed to get it passed, which is why we are getting to view such scenes where Lakhs of people are holding Indian flag in their hands and are shouting Bharat Mata Ki Jai, Jai Hind and Vande Mataram and these people are saying only one thing that Corruption must be checked and Jan Lokpal must be brought in. Bhrashtachar Mitao, Jan Lokpal lao. This has become a public movement and that is not so without any reason. A few days back I had only two minutes to make a statement and then I had said that the reason behind this is the corruption cases that have come to light during the last two years. Corruptions issues have been raised in the past also. It has never been so that the country has remained free from corruption. But during the last two years corruption has crossed all the limits. One after another, corruption cases have been exposed and the figures were so huge that one would get-frustrated by even listing to them. These allegations have not been made by the opposition so they cannot blame it for having any motive behind it, or can be said that we are doing so out of our opposition, all the allegations are based upon the CAG Report.

Madam, CAG is that Constitutional institution which looks after the Government's account. It is named Comptroller and Auditor General, the Comptroller and Auditor of the Government.

If the CAG says that a scam worth Rs. 1 lakh 76,000 crore took place in 2G Spectrum allocation, another scam worth Rs. 70,000 crore took place in the CWG; another few scams worth crores and crores of rupees took place in Air India and K.G. Basin, then what would people do when a number of such reports are there in the pipeline also? People were offended, got aggressive and had a lot of anger within them. *...(Interruptions)*

MADAM SPEAKER: All of you please be quiet. Please listen quietly.

...(Interruptions)

MADAM SPEAKER: Please be quiet.

...(Interruptions)

SHRIMATI SUSHMA SWARAJ: Madam, people are angry that on the, one hand, they cannot even afford to have one time meal of dal and chappati and they can rarely afford to have any vegetables, tea and sugar whereas on the other hand, people at the higher posts are doing scams worth lakhs and crores of rupees. People are upset that on one hand, crores of rupees of the country are stashed in foreign banks and on the other hand, they are deprived of even a handpump in their village. That is why, people are almost burning with anger and this Bill brought by the Government has further added fuel to the fire. People want to know that corruption is taking place right under the nose of the Government and that Government itself is saying that we are committed towards eradicating corruption completely, so they must show their commitment and bring such a weapon, such a Bill which can actually convince the people that it can fight against corruption Pranab da, the Bill brought earlier did not have any section into it and this is why, people had their doubts as to whether the Government is actually committed to fighting corruption? Is the Government actually committed towards fighting against corruption? Pranab da has left the House now but hon. Prime Minister is sitting here, he has discussed it fully and has given all the details but there are a few gaps in the details given by him. Today, Anna ji's hunger strike has entered its 12th day, 11 days have got over. A 74 year old person is fighting here. People are with him. They are participating in large numbers in this movement. The hon. Prime Minister had to call an all-party meeting at his residence to find a solution to this peculiar situation. The proposal drawn out of that meeting was referred to by Hon. Pranab da in his statement. I would like to read that once again. It is a four line proposal-*[English]* "The meeting of all political parties in Parliament request Shri Anna Hazare to end his fast. The meeting was also of the view that due consideration should be given to Jan Lokpal Bill so that the final draft of the Lokpal Bill provides for a strong and effective Lokpal, which is supported by a broad national consensus. *[Translation]* This proposal indicates that there were two objectives/that meeting. First objective was to get Annaji to snap his fast and another was to provide

an effective and strong Lokpal to the country. After this proposal, we thought that the talks between the Government and the representatives of Anna ji would be conclusive. We will proceed further and something would happen in the House as well but to our surprise when Annaji's representative came out and spoke to media two hours after the meeting to say that the Government is playing a different tune, *i.e.*, the Government is talking about something else. Till yesterday, the Government which was listening to us and was talking to us, was now dictating us and scolding us. I failed to understand' as to what was their objective behind the all-party meet and then what was the impression that they get? Why was there so much of a gap between both? The way which had been thought over in the all-party meet was actually pointing towards a solution but what happened was exactly opposite to that and when they said the same thing at Ramleela ground, then the situation got worse and people got agitated. Anyway, I was relieved when around 12 O'clock in the night, a statement was issued by Shri Pranab ji saying, *[English]* "My words were twisted." *[Translation]* Then around 12.30 am, another interview of Shri Salman Khursheed was shown in which he said that the talks were still going on. We had the talks yesterday. We have a talk today and we will continue the same in future also. It was comforting a little. Next day, I myself moved an adjournment notice and had asked to which Pranabda replied that he had not said anything like that, then how come such an impression was conveyed. I am unaware. But the same, was later made up by hon. Prime Minister. He was replying to a discussion in the House on corruption and he himself said that while appreciating his efforts *[English]* "I applaud him; I salute him." *[Translation]* He said that I appeal him to break his hunger strike and he assured him that they would bring an effective and strong Lokpal. Prime Minister's feeling must become the feeling of the House, which is why, I rose to associate myself with this matter. It almost seemed like some solution would come out soon. *...(Interruptions)* Yes, he said that all the Bills would be discussed in the House. But I failed to understand as to what hon. Prime Minister was saying on that basis, the next day the Government was supposed to bring some Motion, some Resolution or was going to initiate in some way because on that night, Anna ji's representative had come to us for the first time and that representative told us that the Government is going to bring a Motion in the form of a Resolution, which would contain three demands of Anna ji and they had come to us to seek our support on this. We had some doubts and questions in one mind. We spoke to them. On some

points, they understood us and on some we understood their point and finally, we reached upon a consensus on those questions. I contacted the Minister of Parliamentary Affairs regarding whether they were going to bring any Resolution or Motion? He replied that nothing has been decided so far. Next day again, I contacted him and asked whether they were going to bring any Resolution? He said that it has not been decided so far and I would only be able to tell around 10 O'clock. I again contacted him at 10 O'clock and he replied that they were thinking to take up some notices under Rule 193 and have some discussion on those. Madam Speaker, I was shocked it was time so I came to the House straightaway. I met Shri Gurudas Das Gupta ji and Shri Basu Deb Acharia. They asked me if we have also been told by the Government that we must give some notice under Rule 193. I said yes, I was told so. He asked me as to how come Government changed its mind? Why should we give any notice? The Government was supposed to initiate this and bring a Motion or Resolution in this regard. Why are they putting this burden on our shoulders and asking the Members to bring a notice and to have a discussion on the same, this was beyond my understanding. Shri Gurudas Das Gupta ji had told me that on the previous day, he had given a suggestion at the Iftar party that if not a Motion, the Government can at least issue a statement and we will hold a discussion/debate over that statement. But I failed to understand as to why the Government was going on backfoot in this regard. At the same time, around 11.30 am, my Chief Whip came and told me that there is a news circulating in Media that Shri Rahul Gandhi would issue a statement on Anna ji. When I got this news, I believed it to be true and I turned back to see that Shri Rahul Gandhi was sitting in the House also because otherwise, he does not come to the House very often. I thought that he would speak during the Zero Hour. This is a right of any Member. Then, I saw the list I received about items scheduled for the Zero Hour. I found that his name did not appear on that. I thought that was no issue. A number of times, it happens that Members, whose name due to the ballot, does not appear on the list, seek the permission of hon. Speaker as a matter of privilege and Madam, you have been kind enough to grant such permission to the Members. He might have sought that and you might have given it. May be he spoke in the House under that privilege only. As soon as the paper laying got over, he started to speak and we started listening to him. During the same time, I saw that hon. Prime Minister almost came rushing to the House and took his seat. I thought that may be Shri Rahul Gandhi ji is going to say something very important.

Hon. Prime Minister has himself walked in, so it must be important. Shri Rahul Gandhi ji is the General-Secretary of Congress but it is only for the second time that he was elected to the House. Madam, you gave permission to him. You have been giving permission and that too a number of times. You give that permission for raising some important matter during the Zero Hour, not for giving any sermon. You give this permission for three minutes. ...*(Interruptions)* I am not saying anything like this ...*(Interruptions)*

Madam Speaker, you give permission for three minutes, which we drag for about five minutes and it takes a lot of effort to do so. It only gets from 3 to 5 minutes. But he read out a statement of five pages and took almost fifteen minutes. ...*(Interruptions)* I only want to say one thing. I am not challenging the decisions of the Chair. I am saying that it is our compulsion to accept that decision and we did so. ...*(Interruptions)*

Madam Speaker, Pranab Da had given some details and I, in the very beginning, had informed that there are some gaps in those details. I am filling those gaps, therefore, I am not saying anything irrelevant. Infact I am trying to focus on the issue as to why the Government is getting on its back foot with regard to the statement made by the hon. Prime Minister on the very first day? Shri Rahul Gandhi who is the hon. Member of this House said- *[English]* I believe we need more democracy within our political parties. It makes me laugh I believe in Government funding of our political parties. I believe in empowering our youth in opening the doors of our closed political system in bringing fresh blood into politics and into this House. I believe in moving our democracy deeper and deeper into our villages and our cities. Let us commit ourselves to truth and probity in public life. We owe it to the people of India. ...*(Interruptions)*

[Translation]

Madam Speaker, I would like to know as to whether he was addressing the nation or intervening in the Zero Hour ...*(Interruptions)*

MADAM SPEAKER: Please take your seat.

...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL: In the beginning Sushma Ji said to hold the debate of high standard. I feel it would be better to maintain that only ...*(Interruptions)*

MADAM SPEAKER: Please take your seat.

...*(Interruptions)*

[English]

SHRIMATI SUSHMA SWARAJ: Madam Speaker, was his speech an address to the nation or a Zero Hour intervention? I am asking you ...*(Interruptions)*

MADAM SPEAKER: Please, sit down. Nothing will go in record.

(Interruptions)...*

[Translation]

MADAM SPEAKER: Take your seat please.

...*(Interruptions)*

MADAM SPEAKER: The point on behalf of the Congress will be made. Later on it is the turn of the hon. Members belonging to the Congress Party. Please take your seat.

[English]

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT JENA): I am on a point of order.

MADAM SPEAKER: What is the Rule?

SHRI SRIKANT JENA: I am only quoting from the Rule Book. It is about the authority of the Speaker. Can any Member in this House, whoever he or she may be, raise any question about the decision of the hon. Chair? This is my question.

...*(Interruptions)*

[Translation]

SHRIMATI SUSHMA SWARAJ: Madam Speaker, what ruling you will give on this will you decide the context of Zero Hour? ...*(Interruptions)*

MADAM SPEAKER: You take your seat please.

...*(Interruptions)*

MADAM SPEAKER: Jagdambika Pal Ji you too please take your seat.

...*(Interruptions)*

[English]

MADAM SPEAKER: Please, sit down. Nothing will go in record.

(Interruptions)...*

[Translation]

SHRIMATI SUSHMA SWARAJ: Madam Speaker, in fact later on we understood as to what he wanted to say. He said [English] It is not the matter of how the present impasse will resolve; it is a much greater matter. There are no simple solutions. [Translation] Then we came to know that he came here to speak on party's line. Therefore I understood as to why the Government was in dilemma. Why the Government was getting in its back foot. Now you have come to know as to why I was discussing about this, I am filling the gap. At that time we understood as to why the Government was seeking such a path where it would not need to commit anything rather to give the notice of 193 or through some Member[^] to fulfill the formality. I just wanted to tell you all this.

12.00 hrs.

In addition to this I wanted to inform you that whatever statesmanship was shown by the hon. Prime Minister in the House yesterday, the General Secretary of the Congress Party tried to undo all that, therefore, we have understood that no motion, no resolution will come on behalf of the congress and the Government. Then, the entire Opposition put forth its objection. Gurudas Dasgupta Ji, Sharad Yadav Ji, Basu Deb Acharya Ji, Dara Singh Chauhan Ji, all were with us. We all got together and said that discussion under Rule 193 will not take place. We said either the Government has to give a statement or we will give the notice under Rule 184 for discussion. I am glad to inform that the hon. Prime Minister has taken the rein into his hands. Today, I welcome you that the statement made by Pranab Mukherjee Ji has put forth all those three issues in the House.

The Government is not making any commitment alright, but if there is any sense of the House, it will become clear at the time of voting as to what the Government expects. But the hon. Prime Minister put forth all those three issues in the statement which are the demands of Shri Anna Hazare and asked the House to find out the way through the constitution and by maintaining Parliament dignity. Reply in this regard.

Now, I take up those issues. Madam Speaker, for many days we have been saying that there must be an effective, empowered, and independent Lok Pal Bill. But what will be its structure? What kind of Bill can be considered effective and empowered? The entire country wants to know. Therefore, the first point out of the point which will decide the effectiveness of the Bill is that whether the Prime Minister will be under the purview of the Lok Pal Bill. You must be remembering that I had objected when this Bill was being introduced. My point was that the Prime Minister has not been brought under the purview of this Bill. It is the violation of constitution and our criminal justice system. I had said that our constitution provides right to equality. Our constitution does not make any discrimination between the rich and poor. Everyone is equal before Indian Penal Code (I.P.C) and Prevention of Corruption Act. Today, when we are bringing a Bill to remove corruption, if the Prime Minister is not taken into its purview, what message will it convey to the country? The Prime Minister is in the purview of Prevention of corruption Act, I.P.C but he is out of the purview of the Lok Pal Bill that too is at such a time when a Minister states that the Hon. Prime Minister was aware of his deeds. Another Minister says that he had informed the Hon. Prime Minister in advance. Advocates are demanding to call the Hon'ble Prime Minister in the court as a witness. In such a scenario if you will keep the Prime Minister out of the purview of Lok Pal will the countrymen consider such a Lok Pal effective?

This debate took place in our time too. When we introduced the Bill in 1998 and 2001, a debate took place regarding inclusion of the hon'ble Prime Minister in its purview. But I have already admitted by mistake that we were not able to pass it but I am talking about the content of the Bill. At that time, Shri Atal ji came forward and stopped that debate. ...(Interruptions) Shri Atal ji asked to stop that debate and wanted to come under its purview and the Prime Minister should be brought under its purview. All of the opponents. ...(Interruptions) I am coming to the point. I am coming to the same point. ...(Interruptions)

SHRI PAWAN KUMAR BANSAL: We are saying this only that even you did not pass it ...(Interruptions)

SHRIMATI SUSHMA SWARAJ: Please sit down. [English] Nothing will go on record.

...(Interruptions)*

[Translation]

SHRIMATI SUSHMA SWARAJ: I am coming to the same point. My next sentence is only this; Atal ji said this and we immediately agreed. But even today, the present Prime Minister is saying the same thing. I am saying that the present Prime Minister is saying that he wants to come under its purview but nobody is listening to him. This is why, I am saying this....(Interruptions) Mr. Chairman, Sir, I am saying that our hon. Prime Minister speaks less and when he speaks, nobody listens to him. I am saying, listen to him. The Hon. Prime Minister is willing to come under its purview, I am just asking you to listen to him. He is right, obey him....(Interruptions) Therefore, I would like to say that the Hon. Prime Minister should have the last word and we should decide to bring the post of the Prime Minister under the purview of Lokpal but with two exceptions-national security and public order. These two areas are sensitive and the Hon. Prime Minister has to usually do a lot of work in this regard. In public interest, these cannot be brought in the public domain. I am saying this as a responsible opposition Member, not for cheap publicity. I am saying this as a responsible opposition representative that the hon. Prime Minister should come under its purview but with two exceptions.

Madam Speaker, second issue is of judiciary. Whether the judiciary should come under the purview of Lokpal or not. I have had a long connection with the judiciary. I was only 21 years old in the year 1973 when I came to Supreme Court for advocacy. At that time, there used to be 13 Judges in the Supreme Court. I am lucky to have witnessed judges like: Justice Bhagwati, Justice Chandrachud and Justice Krishna Iyer. I got the opportunities to appear in their courts. Justice Bhagwati invited me in his farewell speech. I addressed him as the saviour of the poor because I had witnessed him accepting a poor man's plea written on a postcard as petition and took cognizance of it. The judgement pieces of Justice Krishna Iyer used to be pieces of literature. Justice Chandrachud's cabin used to be filled with fresh air. We have seen their magnificence. Justice Krishna Iyer had invited me to Kerala for Sharada memorial lecture after his wife's demise. I witnessed the respect he commanded in his hometown. Shri Kapil Sibal is present here. I do not know if he witnessed this or not. At the time of Justice Venkatchaliah, four hundred advocates stood in line to touch his feet. I have seen that judiciary. ...(Interruptions) But today, there is so much degradation that a senior advocate stood up in

the hon. Supreme Court of India to handover a closed envelope to the Chief Justice and said that the names of eight Chief Justices guilty of corrupt conduct are in the envelope. When the list was out for people to discuss, nobody said that any wrong name has been included in it. In fact, people said that a few names were mistakenly left out. This is unfortunate. Judiciary is the name given by the Constitution. In reality, these are temples of justice where a person goes with hope and expectations. Judges are considered equivalent to God in our country. The judge seated in the court is equivalent to God but what do we do if he becomes guilty of corrupt practices. Bringing them under the purview of Lokpal is not the solution to the problem. The Judicial Accountability Bill being brought by the Government is not the solution either. We have given a recommendation in that Bill- of National Judicial Commission. I would like to say that a round table conference was held on this Lokpal Bill in which Justice Venkatchaliah Justice Krishna Iyer and Justice J.S. Verma were present. They had said this while acknowledging and recognizing National Judicial Commission. First of all, I would like to read out what they said on the pitiable state of Judiciary at present-

[English]

"Recent Distortions in Judiciary: Certain distortions and glaring inadequacies are endangering the credibility of higher judiciary. In recent years, several credible allegations have been leveled against individual Judges. While the judiciary on the whole is conducting itself with admirable dignity and propriety, the actions of a few black sheep are damaging the entire institution. Now is the time to press for genuine judicial reform. An honest judiciary enjoying full public confidence is clearly the need of the hour."

[Translation]

After that, they talked about Judicial Commission. I am reading two small paragraphs of National Judicial Commission.

[English]

"Creation of a National Judicial Commission for transparent appointments in the Supreme Court and High Courts: this mechanism would combine the impact from the elected branches of the Government and the judiciary and chaired by the Vice President."

[*Translation*]

This is the first recommendation and the second one is.

[*English*]

“Replacing the present cumbersome and unsatisfactory constitutional mechanism of impeachment under Article 124 (4) with a more effective mechanism for removal of errant Judges functioning under the NIC framework.”

[*Translation*]

They mentioned these two points and concluded by saying this-

[*English*]

“The above proposals mesh harmoniously and synergistically with the provisions contained in the Judicial Standards and Accountability Bill, 2010 now in the Parliament. Together they create a permanent, independent and empowered body to ensure judicial accountability in the form of National Oversight Committee and Scrutiny Panels.”

[*Translation*]

Hon. Prime Minister, far as the Judiciary is concerned, it is our suggestion that instead of bringing the Judiciary under the Lokpal, we should constitute a National Judicial Commission which will formulate rules for appointment and retirement of the judges. The provision for the appointment and the retirement of the judges should be fixed. There is need of such judicial system in India, on which no question could be raised ...(*Interruptions*) It is not the matter of saving the Judiciary System in India but making it more effective.

Hon. Madam Speaker, the third issue is related to the CBI. The Jan Lokpal states that the anti-corruption wing of the CBI should come under the Lokpal. We have been demanding for very long time that the CBI should be an autonomous institution. We have submitted the notice for the purpose so many times that we want to have discussion on the misuse of the CBI but the discussion could not take place due to some reasons. But for having the proof of the misuse of the CBI, there is no need to go outside. Many victims of the CBI are sitting here, who have experienced the misuse of the

CBI. The senior most Member of Parliament, Shri Advani Ji is sitting beside me. He has been charged with the case of hawala.

Showing the highest point of the sanctity of the public life, he said that he would not enter the premises of the Parliament till he is acquitted from this charge. Shri Yashwant Sinha Ji is sitting behind me. The CBI charged him with the case of hawala. Shri Sharad Yadav also is sitting here. This case lingered on for many years and the CBI made hawala case but the outcome was zero. Shri Madam Lai Khurana could not be the Chief Minister again as the CBI implicated him in the false case of hawala. Look at all the leaders of the opposition parties and the Treasury bench. All leaders of the opposition parties have been the victims of the CBI. Shri Lalu Yadav Ji, Shri Mulayam Singh Yadav, Shrimati Jayalalitha ...(*Interruptions*)

SHRI LALU PRASAD: You trapped me ...(*Interruptions*)

SHRIMATI SUSHMA SWARAJ: We did not trap you ...(*Interruptions*)

Do not make wrong statement.

MADAM SPEAKER: Please, sit down.

...(*Interruptions*)

SHRIMATI SUSHMA SWARAJ: Look at the parties of the south, you will find Madam Jayalalitha. Start from one place, if we look at Punjab, the victim is the Badal family. If you look at Haryana, the chautala family. If you look at Uttar Pradesh, both Mulayam Ji and Mayawati are the victims. Corruption is being done by the leaders of the opposition parties only. All leaders of the treasury bench are innocent.

Hon. Madam Speaker, the fresh example of Shri Jagan Mohan Reddy is very horrible. He has been the Congress MP till yesterday. His father, Shri Y. S. Reddy was the Chief Minister of Andhra Pradesh, when the congress party was in the power in the state. He was the most loved Chief Minister among the Congress leaders. But as soon as he left the Congress Party, he has been raided and charged in different cases by the CBI ...(*Interruptions*) I want to ask. ...(*Interruptions*)

MADAM SPEAKER: Please, sit down.

...(*Interruptions*)

[English]

MADAM SPEAKER: Nothing will go on record.

...(Interruptions)*

[Translation]

SHRIMATI SUSHMA SWARAJ: Hon. Madam Speaker, the CBI did not leave him even after his death ...*(Interruptions)*

MADAM SPEAKER: Please sit down.

...(Interruptions)

[English]

MADAM SPEAKER: Nothing will go on record.

...(Interruptions)*

[Translation]

SHRIMATI SUSHMA SWARAJ: Hon. Madam Speaker, he had such a good relation with the Congress Party and after death, he had been made an accused. He had been put into the column of the accused after his death. I want to ask one thing. Is it so that as long as one is within the congress party, he is clean, and no sooner he leaves the Congress Party then he becomes the corrupt one ...*(Interruptions)*

MADAM SPEAKER: Please, sit down.

...(Interruptions)

[English]

MADAM SPEAKER: This will not go on record.

...(Interruptions)*

[Translation]

SHRIMATI SUSHMA SWARAJ: People say that the CIB is Congress Bureau of Investigation. I negate it. whenever the question of voting arises in the House, Shri Sharad Yadav keeps saying me to avoid it. When I enquired, he said that it put many of his colleague into dilemma. I say yes. The CBI is not just the Congress Bureau of Investigation it is Congress Bachao Institution.

...*(Interruptions)*. The most Striking example has come out just now. There has been case of cash for vote. Shri Amar Singh, Shri Sudnindra Kulkarni and our two ex-MP were chargesheeted. But those who were the direct beneficiary and whose parties were in power, were acquitted. This is the CBI ...*(Interruptions)*. If Shri Amar Singh was doing so then for whom he was doing so? ...*(Interruptions)*. We are talking of whistle blower is Lokpal but those who worked as whistle blower are the accused and culprit and those who saved the Government and who were beneficiaries, were acquitted. This is the conduct of the CBI. Therefore, I want that there should be an autonomous institution instead of the Congress Bachao Institution and we support the Jan Lokpal with the provision of bringing the anti-corruption wing of the CBI under Lokpal.

Hon'ble.Madam Speaker, then comes the matter of jurisdiction over the MPs. The leader of the House just now said that we should talk within the limits of Constitution. When we enter the Parliament, we take oath by the Constitution. We will not give any suggestion beyond the jurisdiction of the constitution. The Article 105 of the Constitution provides immunity to the MPs for their behaviour and conduct within the House. That immunity should continue. This House is supreme. I would like to say this also that this House has shown its strength showing its supremacy. The House Committee constituted by this House had just investigated in the allegation of taking money for asking question is the House. I am using the word allegation because the agency has not investigated into it very deeply. But total eleven MPs of both these Houses were expelled from their Memberships of the House due to the allegation of taking only Rs. 5000 for asking question. Their political career had been ended. This is the power of this House. But as far as outside behaviour is concerned. We are just the ordinary citizens. The prevention of Corruption Act applies on us outside. After the judgement of Shri Narsimha Rao, we are supposed to be a public servant. Therefore, we have no objection in bringing the outside conduct under the purview of Lokpal. But as far as the behaviour within the House is concerned, the House should be supreme on such issues.

Hon. Madam Speaker, now I come to the composition of the Lokpal because how the Members of the Lokpal are elected is the most important thing for an effective Lokpal. If any composition of the selection committee has the majority of the members from the Government side, then Government Lokpal will come out of it because nobody has more direct experience then me that what

happens in the committee which has the majority of the Government people

...(Interruptions). I will tell everything one by one

...(Interruptions) I am leaving some issues for you

...(Interruptions) Now, I come to its jurisdiction.

Hon. Madam Speaker, the committee of the CVC has got the majority of the treasury benches. It consists of the Prime Minister, the Home Minister and the Leader of the opposition, means 2:1. But ignoring the dissenting opinion anyhow, the decision the majority is thrust upon and I have firsthand experience in this regard. I kept expressing my opinions but I was not listened to. With grace of God, I fought against both of them and I got up only after registering my dissent in writing. On the basis of that, this issue reached its logical conclusion in the Supreme Court. But it gave me the experience that how selection is being done in the committee which has the majority of the people of the Government. Therefore, I want to say that any committee which is constituted, should have less people from the Government side and more from the non-Government side only then we can have an independent and unbiased Lokpal. But the other extreme side of it; we saw in the appointment of Lokayukta of Gujarat yesterday.

That Government has been completely by-passed. People say as to why Lokayukta has not been appointed in Gujarat? ...(Interruptions)

Madam Speaker, it is asked as why Lokayukta has not been appointed in Gujarat? ...(Interruptions) After taking the consent of the Leader of opposition the Chief Minister of Gujarat had sent the name proposed by the Chief Justice to the Governor. Then Governor did not moved the file for six years. After that the same person was given appointment in the NHRC, Maharashtra but Lokayukta of Gujarat was not appointed. After that meeting was called, the Leader of opposition gave a miss to the meeting. Now what happened yesterday? Yesterday, the Governor made the appointment by by-passing the entire Government. This is another extreme ...(Interruptions) Therefore, I would like to say that it is very essential to maintain the balance at the time of composition so that neither the Government has the dominance and nor it is ignored completely, then we would be able to constitute a balanced Selection Committee and would also be able to evolve a balanced selection process.

Madam Speaker, after that three questions arise, which have been raised by the Leader of the House in his statement. First issue is that whether Lokpal and

Lokayukta can be appointed under the same Act? Many Constitutional experts are present here. They will say that State services is a state subject, it is entry of state. The issue of Legislative Competence will be raised. How can we appoint both the persons from the same Act. I would like to tell them the title of the Bill brought in the year 1968 and 1971 was - Lokpal and Lokayukta Act. Therefore there is nothing new in it. Secondly, Constitutional provision is of State Entry and Central Entry. It gives us right under Article 252 of the constitution that with the consent of the two States, the Lok Sabha can enact such an Act with an enabling provision which may be acceptable to state. I would like to quote the Article 252, it is written.

[English]

Power of Parliament to Legislate for two or more states by consent and adoption of such legislation by any other state.

[Translation]

Under this Article, we can appoint Lokpal and Lokayukta under a single Bill with the consent of two states and can make an enabling provision for the rest of states which can be adopted by the other state Governments so that the State Government may not be able to say that they are not having any model Bill.

Second issue is of Grievance Redressal Mechanism. I am happy to say that two State Governments of Bharatiya Janta Party and one State Government of the NDA have already established Grievance Redressal Mechanism. The State Government of Madhya Pradesh has enacted Public Service Guarantee Act. Bihar Government has enacted such a Bill and, I got the information that Himachal Pradesh has also enacted Public Service Guarantee Act only yesterday...(Interruptions). It has also been done in Punjab ...(Interruptions). As far as Grievance Redressal Mechanism is concerned, very effective Public Service Guarantee Acts have been enacted, in which it has been fixed or provided that if any Patwari does not give Girdabri within 15 days, if any Tahseeldar does not undertake registry within 30 days, he will have to pay fine, it will be deducted from his salary, and the amount of fine will be paid to the individual whose work was not done within the stipulated time frame of 15 days or 30 days. These Bills were drafted by taking citizen charter into account. We do not agree with the deemed corruption conceptualised in Jan Lokpal Bill because there is a provision of awarding punishment directly under deemed

corruption for not doing work within 15 days. We say that inefficiency and deemed corruption cannot be considered as one thing, but it seems that representatives of Anna Hazare are also ready to accept that our Public Service Guarantee Act has brought a very good form of Citizen Charter. All State Governments and the Union Government can enact Public Service Guarantee Acts with this kind of citizen charter so that the common man may be aware as to in how many days his work will be done and if not, then the concerned officers will have to pay fine, and that amount will be paid to the person who has suffered loss due to delay.

After that third issue of lower bureaucracy. As for as lower bureaucracy is concerned, I would like to say that something make psychological effect also. There is only one argument against it that it will become un-wieldy body, but if balance is maintained. Then what psychological impact it will have. Today the common man is angry with the corruption committed by big people, but not distressed because he does not have to deal with him. He reads about all this in newspapers he gets about all this in newspapers, he gets annoyed he feels that as to why the big people are looting his hard earned money deposited by him as tax. He gets angry, but not distressed. He get distressed by low ranking offices. He goes to get his ration card prepared, it is not done he goes for preparing license, it is not done. Somewhere Jan Lokpal Bill has raised the expectations of the people, they feel that this weapon will save them from corruption at lower level. The people are thronging not against those big scams, but are coming with the hope that Jan Lokpal Bill will solve their problem, as lower bureaucracy is covered in this Bill. Therefore I would like to say that mechanism can be set up, Appellate Authority can be set up. 11 more Lokpal can be appointed under Lokpal. But low-ranking offices are not brought under the ambit of Lokpal, the common man will be cheated and will feel that corruption at lower level has not been checked, but they have checked corruption at top level only. Our party is also of the view to bring lower bureaucracy in its ambit. Therefore, my party agrees with the three issues raised in the statement given by the Leaders of the House.

Madam Speaker, I again come to the point that today is a historic day. Our generation has suffered maximum corruption, our generation has become victim of it. But our future generations should not suffer. Our future generations may not become its victim, therefore the history has given us this opportunity. We should not fail to grab this opportunity, do not go into various

technicalities. Today the entire country is agitated, entire country is looking upon us. This Bill should not meet the same fate, like that of the eight other old Bill. This Bill is pending for the last forty three years. But today, I rise not only to get this Bill passed, but to give a suggestion and indication to the Government. I rise to give a message to the entire country from this House. Today their message from this House should go to the Government that an effective, empowered, independent and non-partisan Lokpal should be appointed in the country, who may get rid the country from corruption.

SHRI SANDEEP DIKSHIT (East Delhi): Madam Speaker, after the statement of respected Pranab Mukherjee Saheb, the first point put forth by the leader of Opposition was that, that day was a historical day. There will be rarely any Member who does not consider this day as a historical day(*Interruptions*)

MADAM SPEAKER: Please be quiet.

SHRI SANDEEP DIKSHIT: The only thing disappointed me that on this historical day, the Leader of the Opposition talked about historical speech in an effective manner. I was expecting that the way she said that they would initiate, I was expecting that the issues for which we have assembled here will be taken up for discussion. Her manner of speaking is very effective. She put forth the logical points and presented her view very well. The thing which disappointed me was that on this historical day, she delivered a normal speech. You allege the Opposition that is not a problem. You make us aware about our mistakes that is not a problem. We too can do that. I have two options today, what should I say? Should I say that our condition is due to C&AG report, then what is happening in other states? Is it important for today? Should I say that when they prepared the list of people indulged in Hawala case, why they did not mention the name of the father of respected Shri Jyotiraditya Scindia ji. They could have mentioned his name also.

Why the Members of the team Anna got annoyed and left when the point was being discussed at night? Should I reveal about the people who attend the meeting by putting their dignity at stake. When she told that she did not favor cheap publicity. Should I talk about that cheap publicity or take up the issue with regard to the great leader holding fast unto death for the sake of the country. I understand that if I go in this direction, I will not be able to work honestly in respect of the issues for which I have come to the House. Therefore, keeping the

fact in mind that a Speaker should not leave the issue which are direct assault on him or his party. Today, I am leaving that field because today, our country and Anna ji want to know the reaction and the stand of the Parliament in respect of the provisions of Lokpal Bill.

Madam Speaker, I would like to request that today, we have two important issues before us. Firstly, to clear our stand over the points for which respected Anna ji is holding fast at Ramleela ground and secondly, all the issues related to corruption and Lokpal Bill. I know that all the Members wish to express their view over those points. I am not going against the decision of the House but would like to give an advice that if after some rounds of discussion, sense of House comes and the Leader of the Opposition and the Leader of the House accept this proposal, we will be able to convince Anna ji and it will help in breaking his fast and rest of the points we will be able to discuss later on.

SHRI HARIN PATHAK (Ahmedabad East): Your advice is accepted ...(*Interruptions*)

SHRI SANDEEP DIKSHIT: My suggestion is that we should keep both the issues parallel, because there are many issues. Today, a lot of discussion took place on the Bill. We can take those points for discussion on Monday, Tuesday and Sunday. Today, we have limited target because such a situation has been created due to which a leader of masses is holding fast unto death. He has put forth three issues only. He said that the Government should clear its stand on those three points only, then he would decide whether to break the fast or not.(*Interruptions*)

SHRI ANANTH KUMAR (Bangalore South): We have accepted your suggestion....(*Interruptions*) The Leader of the Opposition has conceded to the suggestion ...(*Interruptions*)

MADAM SPEAKER: Alright, listen to him. Please take your seat.

SHRI SANDEEP DIKSHIT: You listen to me please....(*Interruptions*) Madam Speaker, I am unable to understand which point of mine has created so much objection. I am just giving a suggestion. You listen to me please.

SHRI GOPINATH MUNDE (Beed): We have no objection, we support it....(*Interruptions*)

SHRI SANDEEP DIKSHIT: Madam Speaker, I would like to put forth two or three points in the House with regard to Lokpal Bill. Hon. Sushma ji has accepted the

fact that Lokpal Bill has been brought to the House 6-7 times and the House did not accept it. She even recalled the history of the past few months. I do not want to plunge into it. But I would definitely submit that an atmosphere was created for Lokpal Bill but the discussion on Lokpal Bill was initiated when the National Advisory Committee initiated discussion on its draft. I would like to submit that the commitment of the Government is clear from that meeting....(*Interruptions*)

SHRI GANESH SINGH (Satna): You talk about the Constitution....(*Interruptions*)

SHRI SANDEEP DIKSHIT: Constitution cannot be discussed about....(*Interruptions*) discussion can be made about any procedure.

MADAM SPEAKER: You take your seat please, why are you interrupting?

SHRI SANDEEP DIKSHIT: Madam Speaker, from where the matter of the Constitution arose here, I am unable to understand. Procedure is being discussed here, many meetings are mentioned in the procedure. If meetings can be mentioned, the-meeting of the National Advisory Committee can also be mentioned. In that very meeting, some of the Members of team Anna were invited. There may be some reasons, the way the discussion took place, they may have objection on that. Thereafter, they began their fast unto death with Anna ji and the entire process, which is known to everyone has started.

I would like to submit something about Jan Lokpal Bill. The first draft of Jan Lokpal Bill was prepared long back. Anna ji and his team were not agreeing fully to all the procedures of the Bill and they revised their own Bill 10-12 times. The current version is 2.3. It has many versions such as 2.1, 2.2, 2.2 (1). I want to mention it because there is a feeling in the country regarding this Bill and not about any other Bill. Anna ji understood this feeling and talked to more people in order to improve it and revised his own Bill 10 to 12 times. I am saying so because the Bill is not sacrosanct in itself. When the opinion of the public, the Government, the Opposition, political parties, etc. are included into the Bill, it becomes more effective and empowered. Anna ji revised his own draft many times, therefore, to say that only that Bill will be more effective, I would like to submit that listen to me please. After that the way Bill is brought, that Bill does not raise any question on Jan Lokpal Bill. When we say that make some amendments in it because it is a

procedure created by him, we merely request to accept our points also. Take the opinion of the entire House, experts and public in order to make it an effective Bill. Therefore, revision of this Bill is being sought. It is not like that a perfect Bill is created and if anyone gives his suggestion, that will be against the draft of the Bill. Nobody was against the draft of the Bill. These days, it is not possible to say anything about the Bill among public because public is excited. Therefore, it is not possible to say anything. People like us can express our thoughts in the House. Therefore, I thought to express my views in the House today.

The Government introduced the Bill and the leader of the opposition called it toothless, weak, feeble, etc. Most probably, the weakness would have been in the first Bill presented by the Government. Pranab Dada, in his statement, told that the Joint Drafting Committee had zeroed on thirty to forty points on which there were difference between them. He, himself told that 34 out of 40 provisions, such were accepted in the Bill. I have been a Member of Parliament for seven years, there are many members who are sitting in the House senior to me. Perhaps, it was first time in the history of the Parliament that 34 out of 40 recommendations given by private citizens were accepted. It was also possible that rest of the six amendments would also have been accepted. But it is an issue related to the future. Today, the atmosphere is such that questions are not only being raised on the Government but also on the Parliament, as if the Parliament like a monster were standing between the public and this Bill. I would like to submit that this is not entirely correct. Your Government has also accepted 34 out of 40 recommendations. The mood of the Government is undergoing a change. The leader of the Opposition has stated about the items which were not included into the Government Bill and clearly stated that all the members wish to associate themselves with it. The leader of the Opposition says that two days ago team Anna came to them and cleared their doubts. I would like to submit that they could have cleared our doubts by coming to us even one month ago. I have some objection regarding as to why we had been segregated from that process. This is the Parliament and the Members are elected to enact laws. If you can share your view with the leader of the Opposition and her friends, you can share your thought with the leaders of other parties also. In that case, the situation would not have been like this and we would have found out many solutions in advance.

I was listening to the discussion on the regular basis which had been going on for a few days. I would like to express my views over the points which have been put forth by Anna ji and perhaps, those views will be in sync with the thoughts of the party also. The leader of the Opposition talked about three to four important points. I too would like to submit about those points. The first point is about the hon. Prime Minister. I feel that at that time also the hon. Prime Minister had told that he had no problem on the inclusion of his name in the Bill. As far as I remember, at that time the Government had said that the Government has decided to keep the Prime Minister out of its purview. They had their own logic. But at that time, they said that the decision by the Standing Committee and the Parliament will be acceptable to them. Today, the leader of the Opposition gave an example that at that time, they had accepted the suggestion given by Atal ji. But I would like to say it cheap publicity because the acceptance of something does not matter. The main point is to get the Bill passed. You made Atal ji happy but did not pass the Bill. It is not today's matter and I am feeling sad while telling all this but the reason why I told this is that the thoughts of human being change with time. To understand the demand of time and change in outlook accordingly is a sign of maturity for any person, party or any organization. I think Mahatma Gandhi is the best example who has inspired the people and said publicly that time had changed, situation had changed, so he had changed his thoughts and experience and came to know that earlier he had committed mistakes but it was greatness to rectify his mistakes then. Today, the Government is considering those amendments which, according to the Government, were not practical and unnecessary three months ago. Accepting the point, we all should join hands in order to bring an effective and powerful but practical Bill in the House.

The point was raised to bring CBI under the Lokpal's purview. We have two options before us. Today, the leader of the Opposition said that the Investigation Wing of the CBI could be included into it. Even today, many people think so. I would also like to submit the same. The team Anna also thinks that if the Government does not want to include CBI into it, those powers of CBI, relating to the provision of the Prevention of Corruption Act or others laws related to it can be included into Lokpal, though, I am not an advocate to exactly tell what they want, and some Cabinets are formulated and CBI is not allowed to interfere in them, then it may be a solution. But it is a matter of dialogue, design and can easily work in detail.

Now, the point arises about the selection procedure as to who will be its members. The leader of the Opposition shared her experience. There is some truth in that experience. The Bill which was presented by the Government had the Government officials as members whereas it had very few non-government members. But in this too apart from team Anna, the other members such as Aruna Rai ji, Dr. Jaiprakash ji, the members of the Dalit community etc. contributed a lot. A new process can be formulated for the selection process and the committee by considering the suggestion of all the members which will select the Lokpal. It is not such an issue wherein there is a difference of view between the team Anna and us. It is such an issue which can be resolved easily through dialogue ...*(Interruptions)* I am saying yes. You just listen to me. You also did not say yes. You too said the number of Government officials should be reduced. Thereafter, neither you nor I gave the details.

Now, the question arises about the Members of Parliament. It is a fact that some rights have been given to us under Section 2 (Article 105). The objective of the rights is to allow an MP to express his points freely. Sometimes, we express the pain and problems of the people and region respectively of our Parliamentary Constituencies in the House. While putting forth the problems of our Parliamentary Constituency, sometimes, we level allegations against someone. Sometimes, we appreciate someone, albeit we know it may have some undesirable results outside. But if we think about the results all the time, the Members will not be able to express their thoughts freely and sometimes will not be able to vote. Therefore, the view of the leader of the Opposition and the Government is that the rights of the Members should be protected. The protection which is given to the Members under Article 105 should be maintained. Moreover, Prevention of Corruption Act is applicable on the Members also, it is such a point which can be accepted without any problem.

Now, the matter comes to those three important issues on which the stand and reactions of the Parliament are being awaited by Anna ji. When the matter comes to the Lokayukta, whether Lokayuktas will be constituted in the states in the same ways in which Lokpal has been brought. Shrimati Sushma Swaraj has expressed her opinion to have enabling provision that if the Lokayukta cannot be constituted in any form as per the Constitution, can we have a model bill? Both these options have been talked about. It is a very simple matter. It can have leaders and 4-6 Constitutional experts. Our Law Minister

is sitting here. I would like to clear this thing that the Government has been talking about the enabling provisions for a long time. It should be implemented in the states in any form. Some states may object to it. It is the matter of the state, so we should not bother about it. I do not think that any state will lag behind in the condition when there will be model bill before the state as there will be pressure of NGOs, and the civil society, the people but it is the matter of the State Government and the citizens of the state. I do not want to go into the details of it. When the Lokayukta Bill is framed and if enabling provision can be included, they should be included, otherwise the Government of India should say to the states along with it that the Government of India will bring a model Bill which will be applicable to the Lokayukta representatives. If the Government put these matters before Shri Anna ji, and hopefully he will accept these things.

Now, we talk about the matter related to grievances. The leader of the Opposition, very cleverly, had talked about the state in which her party is in power. She forgot the fact that the team of Anna ji had expressed this matter before everything else. I will not take the names of those states. When she herself put the names of the states in which her party is in power and while mentioning the names of the states where there is model public delivery grievance system, she took the names of the states where the Congress Party is in power. Therefore, I will not mention names because I do not want to change it into the Congress versus the BJP debate. ...*(Interruptions)* But he took the names of the states where BJP is ruling. I said, no other states where the parties their than the BJP are ruling, also ...*(Interruptions)* No, I do not want to get into it. we would setup a grievance redressal mechanism ...*(Interruptions)* I would tell you outside but not here ...*(Interruptions)* I am not telling you on purpose ...*(Interruptions)* I would not like to say it because the state you are living in is the state whose system has been considered ideal ...*(Interruptions)* You can term it whatever you would like to ...*(Interruptions)* This is why I did not want to tell ...*(Interruptions)* I have quote from his document, not mine ...*(Interruptions)* But everyone knows that the Government is trying to bring an effective grievance redressal system and it is about to formulate the act. My colleague Shri Milind Ji is present here; he was telling me that we can have grievance redressal system by using electronics. A lot of states have experiences regarding this and Government of India is incorporating these experiences in its act. It would not be an issue of citizen charter which would be made for all the programmes of Government of India after this Bill.

It would not be an issue of grievance redressal mechanism, which would be set up. But this is a small problem. If this leads to criminal or corruption activity, whose jurisdiction would it fall under? It is necessary to say that public grievance is not necessary in every instance to find the corruption angle. If we start looking for corruption in each and every thing, it would lead to chaos. This does not mean that it does not cover corruption. There are about 750 MPs here. On an ordinary day we usually receive at least seven to ten public grievance cases. This means a total of 7000 such cases are received on any given day. If we calculate the work of 300 days, then by dividing 2000 by 300 it would be around 20 to 21 lakh cases. Thus it would not be possible to conduct a criminal investigation on each and every thing in so many cases. I humbly submit that the Government has come up with a citizen charter and the public grievance redressal system that Anna Ji has demanded but the process that he is proposing which criminal intent or corruption would be included in Lokpal might undermine the Lokpal itself. We would like this system to be in place. This system can be introduced in the current processes of government. It can be linked as desired. But basically I am saying the same thing which the Leader of opposition has said. I think that the rest of the House would also express their views in the same manner.

Madam Speaker, the third thing which Anna Ji has said is probably the most important one and it is about lower bureaucracy. Most of the people have to deal with lower bureaucracy. From SHO to a head constable on patrol, from District Forest officer to Tehsil officer, from Tehsildar to Patwari, everyone harasses people. Patwari's name sends shivers down the people's spine. Not only this when we visit hospitals many time we have to fight with the 'seva' in front of the hospitals. I think, it is not in people's interest to keep the lower bureaucracy separate from such system. But what process should be adopted for bringing it? A model like central vigilance commission is being talked about. A lot of people are saying that CAG type model can be considered and it would be linked with all kinds of institutions. The most important thing is to set up an institutional framework. It should be strengthened with law. Anna Ji says that lower bureaucracy should not be spared and I think everyone agrees. This recommendation is the most effective one to reduce corruption. I think it would be effective. There is a need to give some time for linking institutions and determining roles to implement it. I do not know the opinion of the House but if Anna Ji is listening I would urge him to believe that we are with him but the process

and institutional form of Lokpal is a matter of debate. These are the main points of the discussion and contemplation in your team. Hence, if you give it some time, it would be possible to make it better and effective.

Madam, I think three-four main issues have been identified. To say that something has been said about judiciary today ...(Interruptions) I am coming to it ...(Interruptions)

[English]

MADAM SPEAKER: Please do not do this.

...(Interruptions)

MADAM SPEAKER: Nothing will go on record. Shri Dikshit, please address the Chair.

...(Interruptions)*

[Translation]

MADAM SPEAKER: Now please be quiet. You speak. Enough is enough, do not cross limits.

...(Interruptions)

SHRI SANDEEP DIKSHIT: I am going to it ...(Interruptions)

MADAM SPEAKER: Sit down. You too sit down. What are you doing?

SHRI SANDEEP DIKSHIT: Out of the four-five important things said by the Members, the main one is that judiciary should not be kept under Lokpal. It should be included in a strong and effective Judicial Accountability Bill. That bill is ready. If there are still some flaws in that bill then the Government is ready to include all the suggestions of Shri Anna Hazare's team, as soon as possible, so that a strong Judicial Accountability Bill is passed. But regardless of the history of Judiciary I would like to urge to not restrict the independence of Judiciary. We have some institutions whose independence must be protected least I have such a view in this matter ...(Interruptions)

MADAM SPEAKER: Please be quiet. What are you people doing?

SHRI SANDEEP DIKSHIT: Madam, only two-three points are left. As I myself had said that the debate should be mainly focused on three points and other forms of corruption are as horrible. I do not think that it is possible to have a debate on them today ...*(Interruptions)*

MADAM SPEAKER: What are all of you doing? Atleast do not do this. Let him speak, do not do this. Why are you doing this. Please do not do this. Be quiet. Lalu Ji, please sit down. Let him speak. You speak.

...*(Interruptions)*

[English]

MADAM SPEAKER: Nothing else will go on record except the speech of Shri Sandeep Dikshit.

...*(Interruptions)**

[Translation]

MADAM SPEAKER: You address the Chair. Do not look anywhere else.

SHRI SANDEEP DIKSHIT: Madam, I do not think that Lokpal can cover three major forms of corruption. But even for that the Government and all other state holders should think about the connection of corporates with corruption ...*(Interruptions)*

MADAM SPEAKER: Nothing will go on record.

...*(Interruptions)**

SHRI SANDEEP DIKSHIT: Now, let us talk about NGOs. This is one field with which I have been involved for 15 years and if on one hand there are organizations that serve the country and contribute in its development then on the other hand there are also such organizations which have brought shame on this field. There are such people too in this field and I am saying this seriously. Some of these are my friends with whom I have spent 15 years of my life. I am saying this in all seriousness that if you do not draw a line for NGOs, they would do as they please.

13.00 hrs.

I am not saying that our intentions are wrong ...*(Interruptions)*. But any society ...*(Interruptions)*

[English]

MADAM SPEAKER: This is not done.

...*(Interruptions)*

[Translation]

SHRI SANDEEP DIKSHIT: Madam Speaker, I am only talking about the NGOs ...*(Interruptions)*

MADAM SPEAKER: Please sit down. You can speak when your party's turn will come.

SHRI SANDEEP DIKSHIT: Madam Speaker, I would like to say this once again that I do not think it appropriate to include these two-three things in the Lokpal bill. You cannot make Lokpal so comprehensive and impractical institution... ...*(Interruptions)* it would need much more facets ...*(Interruptions)*. But I am saying that...*(Interruptions)*

[English]

MADAM SPEAKER: Nothing else will go on record.

...*(Interruptions)**

[Translation]

SHRI SANDEEP DIKSHIT: Madam Speaker ...*(Interruptions)*. You please listen to me for two minutes. I am about to conclude ...*(Interruptions)*. Madam, I am talking about NGOs because this field has a different kind of impact on society. Therefore, it is necessary to bring it under some sort of control ...*(Interruptions)* Whatever is in Lokpal ...*(Interruptions)* Government's ...*(Interruptions)*. Sir, one second ...*(Interruptions)*. Please, at least listen ...*(Interruptions)*. Government's ...*(Interruptions)*

MADAM SPEAKER: This ongoing debate is very important. It was said in the beginning only that today is a historic day and a historic debate. We must take it seriously. Everyone would get a chance to speak. The debate will take time. Everyone would get a chance to

speak. You can put forth your views. But let the hon. Member speak peacefully at the moment. Now, please all of you stay quiet.

....(Interruptions)

SHRI SANDEEP DIKSHIT: Madam Speaker, the Government's bill which is being called Lokpal bill by us..(Interruptions) there are self help groups in(Interruptions)

[English]

MADAM SPEAKER: Shri Dikshit, kindly address the Chair

....(Interruptions)

[Translation]

SHRI SANDEEP DIKSHIT: May be the members are unaware of inclusion of the self-help groups' in Government's bill(Interruptions)

[English]

MADAM SPEAKER: Shri Lalu Prasad, please do not interrupt.

...(Interruptions)

MADAM SPEAKER: Nothing will go on record.

...(Interruptions)*

[Translation]

SHRI SANDEEP DIKSHIT: Madam Speaker, I would like to say that(Interruptions). There is a provision which brings all the NGOs under its purview. I would like to ask politely whether it is fair to bring these organizations under the control of Lokpal which cannot receive or are not receiving funds from the Union Government or the State Government. This is only one point on which the Government should contemplate again(Interruptions) I would not like to particularly comment on anything else. I would like to urge once again that we have come here to speak on a little bit on corruption and Lokpal bill. We have come to put forth our views on the three important issues on which Anna ji shared his views with us. But what caveats should we include with these

three issues? It should be done to only facilitate effective implementation of those things among the public. We should accept those recommendations. The entire House should express its views and we should thank Anna ji for showing us the way. If the citizens in the country would have been asked about Anna ji six months back, they would have probably hurled back the same question, Today the same nation is singing paeans to Anna. This person has carved out his space among the people in this country. For me it is a matter of honour that he made a request to the Parliament and we honoured that request. We are inching towards a strong and effective Lokpal bill by considering these suggestions. I would like to urge the Government to immediately refer this bill to the Standing Committee. Lalu ji is present here. He knows the process. It should be completed. We should strive to make the dreams of the nation come true.

SHRI REWATI RAMAN SINGH (Allahabad): Madam, I would like to thank you for giving me an opportunity to speak ... (Interruptions)

MADAM SPEAKER: Please keep quiet. If you want to go out them leave peacefully.

....(Interruptions)

SHRI REWATI RAMAN SINGH: Madam, see how serious they are?

MADAM SPEAKER: You speak. They will be quiet in a while.

SHRI REWATI RAMAN SINGH: Madam, Sushma Ji was saying that this is a historic moment. I would like to remind her to look at her past. Now they have nothing to do with it.

Madam, today we have come to the House to discuss the Lokpal Bill. There are three more Bills alongwith this Bill. I would want that a collective discussion should be held up all the four Bills i.e., the Jan Lokpal Bill, Shrimati Aruna Rai's Bills Shri jai Prakash Narayanji's Bill and the Government Lokpal Bill. I would urge you that you have kept seven hours time for discussion. Hon. Members from both the sides want to speak on this Bill. I would want that maximum number of Members may be given an opportunity to speak on this very important issue, even if the debate continues for the next 2-3 days but all may be given an opportunity. This is my request to you.

Madam, why has this situation arised today? All the decisions and attitude of the Government are responsible

for today's unusual circumstances. If the Government had taken the entire House into confidence then this situation would not have come up. Hon. Pranab dada had called all the opposition leaders but it was too late by that time. If they had called upon all the Leaders of Opposition instead of Civil Society and had spoken to them then this situation would not have had come. The Government is totally responsible for creating this situation.

Madam, I mean to say that this House is sovereign.
...(Interruptions)

[English]

MADAM SPEAKER: Hon. Member, please do not than your back to me.

[Translation]

SHRI REWATI RAMAN SINGH: Madam, no one can challenge the powers granted to Lok Sabha under the constitution, be it anybody. I would like to say that it is become a laughing stock in the entire country as who are Members? The Members of Parliament are being defined by various different names.

Madam, this is a very condemnable act. I have read about Gandhi Ji's Satyagrah movement. Such kind of language has never been used for any movement run by Gandhi Ji. Such kind of a language is being used for the Members of Parliament. I am surprised as all the Members still go to listen to that I would request you that there is a dignity of the Members and of the House. This House is not made merely out of walls and this dome, this is constituted by the hon. Members. This is Parliament. But today they are trying to hijack this House. Sushma Ji was speaking and I was surprised that she has been in Lok Sabha and in Rajya Sabha for so long but still she did not think of dignity of the House and her own. She did not say even once that they should not behave like this with the Members. Even today they are calling all the Members with different names which I would not even like to repeat here in the House ...(Interruptions) They said that there should be an exam for all the Members and they must be passed only in they scored 60 percent marks in that exam and then only they should be made Members. May be that they are not aware that 15-16 lakhs people take exam of the Members and then elect them to this House. Nobody comes to the Parliament without clearing this exam of elections. Members sitting on both the sides have cleared the exam and then have

come to this House. How far is it justified to make fun like this. All the members who have come here are the representatives of country's will powers. The manner in which a small group is taking like this is very shameful and disrespectful. Although I would not like to name that group.

Madam, the people of this country should not be subjected to this kind of injustice. The House must reach a conclusion only after listening to everybody and considering everybody's opinion in this regard and such a decision should be acceptable to everyone. Out of the four Bills here we are having discussion on the Jan Lokpal Bill I want to say that the Janlokpal Bill contains good things also and that can not be completely denied. Sushmaji had mentioned of earlier times, I remember that Lokpal Bill was first presented in the year 1968, thereafter in the year 1977, when Shri Chaudhay Charan Singh Ji was the Minister of home Affairs, we brought that Bill. Dinesh Goswami who was the Law Minister also brought this Bill. The next thing is told by yourself. But this is also a fact that this Bill never got passed in the House. Whatever may have been the reason, whoever may have been in the Government. Both the parties have had their Government ...(Interruptions) We have also been a part of that, they have been in the Government for longer time and we have been there for very short term. Which is why, I have not mentioned that.

Madam, if you look at the history then you would see that Socialists have had history of fighting corruption. The Historical background of Socialists has been very strong in comparison to any other. I would like to say that Dr. Lohia had mentioned for the first time during discussion that out of Rs. one given for the development only 10 paise reaches the common man. I remember that Pandit Jawaharlal Nehruji who was the then Prime Minister of the country, had said that it was not 10 paise rather it was 4 Annas ...(Interruptions) Where was Rajiv Gandhi during the times. Dr. Lohia? ...(Interruptions) This issue was discussed all over the country at that time including the villages that out of the money allocated for the purpose of development ...(Interruptions) The accounts must be questioned. Only 10 paise reaches the other end and not the entire remaining money, this was accepted by the country's Prime Minister ...(Interruptions) Beni Prasad Ji you were also sitting on the opposition side earlier and now you have moved on to that side after making the mistake.

Madam, I want to say that the biggest movement carried out by anyone in this country was by Shri Jai

Prakash Narayan Ji. It was such a huge movement that it brought down and elected Government. No other leaders of this country can lead such a huge movement. He was also a socialist. I would like to tell you that Samajwadi Party has always ...*(Interruptions)* Samajwadi's have had their own separate history.

Madam, as far as Jan Lokpal Bill mentioned about inclusion of Prime Minister in it, I would like to say that some ammendments must be carried out in that. If any Prime Minister would have to take a decision with regard to Ministry of External Affairs, Ministry of Defence or Internal Security then he would be unable to take any decision on such matters if he would be brought under the perview of Jan Lokpal. Therefore, the Prime Minister must be kept away from these 3 things and there after only he must be brought under the ambit of this Bill.

13.16 hrs.

[DR. M. THAMBIDURAI *in the Chair*]

Sir, through you I would like to say that the immunity of Members under Article 105 must be kept intact. This is our demand from the Jan Lokpal Bill. It contains that all the Members who will speak in the Lok Sabha would come under its preview. It should not happen so because all the Members who speak here, present their separate point of views in this House irrespective of their parties. They say a lot of things. That might displease anyone. In that case no Members would be able to speak their mind in unbiased manner. Therefore, I request you that Members must not be kept in this preview at all. Along with this I would also like to say that the following sentence may be added to section 4 Subsection 17 of the Lokpal Bill. The condition being that the people going to be selected for the Lokpal would include people from Minority, Dalit and Backward class in proportion of their population. This is my opinion. We will come to the Lokayukta issue later on. Sir, I would want that this thing must be definitely added to that. Other Members who are speaking also made a mention of this. I would want that it is also very important to amend and include the same in this.

SHRI LALU PRASAD: Please give this amendment at that time.

SHRI REWATI RAMAN SINGH: It will come in this only. Will there be a separate amendment in that ...*(Interruptions)* Sir, subsection-C of Section 6 contains that dismissal and removal words may be deleted.

The Sub-section (X) of this section should be deleted because the affidavit submitted by the public representative is examined by the Election Commission as well as the Income Tax Department. The provision proposed the Jan Lokpal Bill should be deleted because the examination is done already either by the Election Commission or the Income Tax Department.

Sir, along with this, I would like to add also....*(Interruptions)* Sir, I agree with all three points which have been made in the Lokpal. The first related with the lower bureaucracy which have the maximum interaction with the general people. The District Magistrate visits to all the tehsils on the Tehsil Day. But the grievance of the poor people is never heard there. They give their applications which are thrown into dustbin. This lower bureaucracy should be responsible and accountable to the general people. The applications of the common people should be disposed of within 15 days. If, it is done, the persons should be fined. Then, they will understand the pain and difficulty of the common people running here and there like a shuttle-cock while nobody is ready to hear them. I would like to say that if the Government is determined to bring a strong Lokpal, then all drug selling companies, corporations, companies manufacturing fertilizers, private companies, all businessmen dealing in edibles, electronic and print media should come under the Lokpal. In addition to these, all NGOs should come under Lokpal because neither the Treasury Benches nor the Opposition has mentioned that the NGOs should also come under the Lokpal. It is an irony that nobody is ready to say that NGOs should come under the Lokpal.

Mr. Chairman Sir, through you, I would like to make a demand that all NGOs should also be brought under Lokpal. All corporate and industrial houses should be brought under the Lokpal. Alongwith it, I would like this also that the selection process of the Lokpal should be transparent and the Prime Minister should be the Chairman of the Selection Committee and the leaders of the Opposition of the Lok Sabha and Rajya Sabha should be its members. The leader of the Houses other than the House of which the Prime Minister is the leader, two judges of the Supreme Court, two Chief Justices of two High Courts of the country, the Chief Election Commissioner of India and the Comptroller and Auditor General of India be its members. If Lokpal is constituted in such way, then it will be a powerful and sovereign body. The selected people from the judiciary from all over the country will also come. You are learned, aren't you? You are an advocate also, then you will be intellectual definitely.

[English]

MR. CHAIRMAN: There are many (Members who want to speak. So, please be brief.

[Translation]

SHRI REWATI RAMAN SINGH: Mr. Chairman, Sir, I had requested the hon. Speaker Madam not to limit it with time. There should be marathon discussion on it and those Members who want to speak on it, should be called upon to express their views and Shri Beni Prasad Verma must be called to speak....(Interruptions)

[English]

MR. CHAIRMAN: We can give opportunity to all Members if they cooperate with the Chair and make brief submissions. Otherwise, it cannot be done.

[Translation]

Shri Rewati Raman Singh: Mr. Chairman, Sir, I want to bring the judiciary under Lokpal. I remember that when Shri Somnath Chatterjee was the Speaker, he had asked a question to the then Law Minister, [English] Can you tell me as to whether anywhere in the world a judge himself appoints another judge? [Translation] Then, the Law Minister had replied [English] This happens nowhere else in the world, Sir, except in India. [Translation] Therefore, it must be done. Earlier, this right was invested with the Executive but now, it has gone to the Supreme Courts want in it. I agree with the point raised by Shrimati Sushma ji that a judicial commission should be set up....(Interruptions) the judicial commission ...(Interruptions) The judicial commission will be an independent body and not be under any institution or body. It will monitor the entire process ranging from the appointment of judges to their activities. It is a good suggestion and I support it.

SHRIMATI SUSHMA SWARAJ: Thank you, Shri Rewati Raman Singh ji.

SHRI REWATI RAMAN SINGH: Sir, further I have expressed my opinion on all three conditions but I would request specially to Shrimati Sushma Swaraj today that she should go to Shri Anna ji and express the views of the House and request him to end his hunger strike and say that the House has accepted your suggestions in-principle and the rest of decisions will keep coming. The House has agreed in-principle, therefore, he should end his hunger strike.

Three great personalities Shri Ravi Shankar ji, Swami Agnivesh ji and Shri Santosh Hegade who was Lokayukta in Karnataka have demanded that he should end his fast immediately in the interest of the nation. It is the demand of the time and the entire House also wants this.

I conclude with these views.

[English]

MR. CHAIRMAN: Hon'ble Members, before I call the next speaker, I have to make an announcement. Those hon'ble Members who want to lay their written speeches may do so.

[Translation]

SHRI SHAILENDRA KUMAR: (Kaushambi) Nobody will put up his speech in written. All have to speak. Let the House run for form days. ...(Interruptions)

[English]

MR. CHAIRMAN: We are not insisting. We are allowing all the hon'ble Members. It is for the hon'ble Members. So, those hon'ble Members who want to lay their written speeches, they can do so. Those will form part of the proceedings.

[Translation]

SHRI DARA SINGH CHAUHAN (Ghosi): Mr. Chairman Sir, this discussion started on the resolution brought by the Leader of the House today. I think that all MPs present in the House want to have discussion on it even before the discussion has been started. There is reason behind it. All the MPs including the Leader of the House and the Leader of Opposition come here taking the oath of the same constitution which is being mentioned here and there must be some reasons as all MPs irrespective of their parties whether they belong to the treasury bench for the opposition want to express their views. The MPs elected by the people talk about the betterment and development of their Parliamentary Constituency in the Parliament, standing on the foundation of the Constitution and do their work honestly, but despite these things questionnaires being raised about their honesty. The ways in which views are being expressed, and words are being used, the MPs of the this Parliament are feeling offended, therefore, they are demanding that there should be no time limit and all MPs should have right to express their views.

The discussion is going on the new resolution which has been introduced today. I think that the people of the whole country were anxious to know from yesterday what is going to happen in the Parliament tomorrow. They want to listen but the discussion has started today instead of yesterday and today, the people who have faith and belief in the Constitution of the country, must be watching the proceedings of the Parliament very seriously. Nobody know how many Lokpal and Jan Lokpal Bills have been introduced and by whom. I do not want to doubt their intention. But, I wish to say that some people want to raise question on the Constitution which was drafted by Dr. Bhimrao Ambedkar and of which we take oath in the Parliament.

Sir, as far as the monetary aspect of corruption is concerned, the constitution of the country drafted by Baba Saheb is sufficient in itself. It has got all powers. When there was no constitution, the institution would have been working in any manner but since the time we have got the constitution, we have got the opportunity to work as per the constitution. I would like to say that it is not a historical even but efforts are being made to create a new history. I will not call it a conspiracy. The efforts are being made to check the financial aspects of corruption. The question of not only the financial corruption but also the social corruption will arise in the country. The provision which has been made against the economic social inequality in the Constitution of the country today there is nobody to raise voice against that social injustice because those helpless people could hardly express their views. There are handful of people who have become politically aware around in the past ten to fifteen years and due to that they got opportunity for being elected to the Assemblies and Parliament. Earlier, they had no opportunity for entering Lok Sabha and State Legislative Assemblies. Therefore, they want to have discussion on even that today. They want to watch and listen the proceedings of the Parliament on it also. Why is there being no discussion on to social corruption even after 63 years of independence of the country. I am saying it because all people are feeling hurt today irrespective of the parties they belong to. They have only one demand that all discussions shall be held and Bill should be brought within the ambit of the constitution. Nobody is above the constitution and the Parliament therefore we will have point-wise detailed discussion on any Bill brought under the constitution keeping its supremacy intact.

Our friends in media also have supported very much to what is happening in Ramlila Maidan today. It may be

true. It is right decision if the media can be brought under Jan Lokpal if the Parliament will want...*(Interruptions)* Anyway, it will be decided pointwise later on, the discussion is going on other topic at this time...*(Interruptions)* It can happen. I will express my view clearly. May be a few friends in the media have been doing so to gain TRP. Many people have got deceived even after going there, therefore, I would not like to have discussion on it. I will necessarily say that questions arise on the intentions today. When Baba Saheb drafted the constitution, he had said one thing that the policy may be good but if the intentions are not good, the people of the country will not get justice. It is the cause of the present situation. Had the intention of those who implemented the policies during the last 63 years after the independence made by Baba Saheb been good, such types of agitations would not have not happened this country...*(Interruptions)*

Mr. Chairman, Sir, I would like to say that our Constitution is secular and has its foundation on secularism, therefore, all people have got right to express their views. Therefore, I want to say that Lokpal may be of any type and the Bill may be introduced in any manner but as long as the deprived people of the society such as the poor, the dalit, the backward people, the minorities are not represented, there can be no justice from such Lokpal in this country...*(Interruptions)* I am saying to every class. As long as the inequality is abolished ...*(Interruptions)* My words may be a little bitter but this is the truth. We can not deny the truth for long. Therefore, I would like to bring it into your notice that there had been discussion on three points of the Lokpal related to states but it falls under the jurisdiction of the state as per the constitution. The State Government! should be consulted as what they want? There has been Lokayukta already in the states from which I come. This institution is working there and works are being done honestly. There had been discussion on citizen charters and for bringing lower level employees under Lokayukta. I would like to congratulate Kumari Mayawati that the Uttar Pradesh Government has brought all lower level officials who are susceptible to corruption, under Lokayukta by bringing Uttar Pradesh Guarantee Act before the start of discussion. If they do not perform their work within 15, 20 or 25 days in a timebound manner, they will be given financial punishment.

Mr. Chairman Sir, as far as the Prime Minister and the Judiciary are concerned, I would like to say that no one is above the Parliament. We have been running the parliament as per the Constitution and if the Parliament

unanimously want to bring the Prime Minister and the Judiciary, I will surely consider and support it ...*(Interruptions)* We have no objection if the Parliament wants to introduce Lokpal Bill...*(Interruptions)* But we will support such Bill only when the people belonging to Scheduled Castes, backward class and minorities are brought on board. We talk about the participation of all people, Participation of the people in Lokpal should be in proportion to their population. But, they have not got that participation and justice in 63 years of independence. Therefore, if such people are being included in this Bill, we will support it for sure ...*(Interruptions)* There are many things which cannot be seen.

Therefore, Mr. Chairman Sir, you have given the time of seven hours and without doing much discussion and being within the time limit, I would like to conclude with these words as all our MPs want to express their views. There is no one about the constitution. I will support any Bill which is introduced within the provisions of the constitution and keeping the dignity of the Parliament intact while giving representation to all classes of poor section of the society.

SHRI SHARAD YADAV (Madhepura): Mr. Chairman Sir, today, Shri Pranab Babu started the discussion. I will not repeat those matters which have been said by the Leader of Opposition, Shrimati Sushma Swaraj, Shri Rewati Ramanji and Shri Sandeep Dikshit. Today, again what I happening in this country is good and we bow our heads to it. We have led movement in our the entire lives. There is nobody in the House who have been imprisoned more than me for doing agitations. I have been in provision for four and a half years...*(Interruptions)* But we should view the situation as it is. I want to say that I do not want to repeat those three points which are being supported by Shrimati Sushma Swaraj. All employees should come under Lokpal. The Government will decide if it comes in one Lokpal 98 or two Lokpal. The treasury benches or the opposition have no problem with the citizen charter...*(Interruptions)* It has been implemented in Bihar. I will come to Bihar later on. I have no problem with it. It is also right if Lokpal and Lokayukta are brought together. If consensus is formed then, there is no problem. But those who are being brought under the jurisdiction of Lokpal should get justice.

Justice should be done to them lest they should face problems and crisis. It should be kept in mind. The redressal mechanism should be stringent, correct and effective.

Mr. Chairman Sir, whatever I have seen today and yesterday impels me to stand in support of this House. Once again I not only feel it as my duty to stand in support of the Parliament but also doing so with full consciousness. This House has two sides-dark as well as bright. Some people had taken bribe and they are about to go to jails. I feel it futile to take their names. But out of them, some people are innocent. They have done no offence. They have only revealed the truth here. There is an adage that when two bulls fight, the grass suffers. Shri Ravi Rai used to sit at your seat. Zero Hour was introduced by him. Jaswant ji and I were together but the party had got split. Chandershekhar ji was our leader. The division had taken place. The recommendations of the Mandal Commission had been implemented there were agitation in the entire country. People had decided to take undue advantage and in case not allowed, they would immolate themselves. All this had happened. We had been facing maximum problem in the entire country. Wherever we went, we were surrounded by the people. But the people who did gherao of us never disrespected us. They never showed indecency. Recently, Sushma ji reminded us but that was an incomplete incident.

Eleven Members...*(Interruptions)* Not twelve Members, there were eleven Members...*(Interruptions)*

SHRI SHAILENDRA KUMAR: From both Lok Sabha and Rajya Sabha, there were 12 Members ...*(Interruptions)*

SHRI SHARAD YADAV: No, altogether there were eleven Members...*(Interruptions)* No court of the world, no House of the world, 20, 25 and 30 thousand, when Advani ji asked as to what is happening in the House. I was not in this House at that time. I was a Member of Rajya Sabha. Shri Jethmalani ji and Shri Arun Jaitley ji began to speak in support of them. Then, I stood up and ticked them off for hours...*(Interruptions)* The entire House was prepared that no such opportunity will come in future. Irrespective of the money involved in this, it is such an opportunity when the dignity and the object of human pursuit may be strengthened. Eleven Members were removed in 13 days. Their membership was cancelled. They were put to trail. The cases are still under progress in the courts...*(Interruptions)*

Mr. Chairman Sir, you have the experience of fighting election, therefore, you know the degree of fight a Member has to face. Only then, one becomes a Member. Their lives were spoiled by this House. Sushma ji reminded us of Hawala. Advani ji was the leader of the

House. Shri V.P. Singh ji had vacated his position. I too was the leader of the House. Jaipal Reddy knows about it very well. I had not committed any crime. Somebody had come along with Chaman Bhai carrying rupees five lakh. How would I come to know about his credentials? He is Balwa or the father of Balwa I do not know. When they came to me to ask, Justice Verma sent them to the jail for Hawala case. They are from Jabalpur and I too belong to Jabalpur. They used to canvass for us on bicycle during elections. I used to go to their house and spent nights there....(Interruptions) Yes Sir, Justice J.S. Verma was a fantastic person. He had been the Chief Justice of India. Advani ji, and we all were sent to jail under Hawala case. His daughter came from America. She invited me at home for meal. At that time, they asked me as to why did I accept it? I replied that I had received the money, therefore, I accepted it. Whatever money I received was sent to Madhya Pradesh next day. Sharad Pawar ji knows that we have to collect and distribute money during election. Are we running any industry here? Have our forefathers left treasure for us? We accept donation. I said to the judge "you are talking about Hawala, you hang me for this." I will come out of the court and if anybody offers donation to us, I will accept it without a second thought. We have to face all sorts of problems. We have to manage everything. The North Indians are like this only. The South Indians such as Sharad Pawar ji, Muttemwar ji,....(Interruptions) Munde ji etc are wealthy people....(Interruptions) They run industry along with their co-operative societies. It is a good thing and not a bad thing ...(Interruptions) Shri Vilasrao Deshmukh also....(Interruptions) No, you people who hail from the South of Vindhya keep everything ready. You make a good profit. You run sugar mills. But we, who are living in the north of Vindhya, have to work very hard, only then we are able to get two square meal. We are like monkey. We do not know anything. We can neither run sugar mill nor can do any creative work. This is our drawback. This is their virtue that they run organizations. Some of them run schools, hospitals, sugar mills along with fighting elections. Just after one hour, when Advani ji resigned, I got a letter written by Shri Jaipal Reddy ji. At that time, you and Late Surendra Mohan ji were present. You know it, now I do not remember whether I got the letter written by you or by him. I can write and understand English but I cannot speak English. To be very frank, I resigned from my membership of Lok Sabha. Advani ji had also resigned. Sushma ji has mentioned his name and forgot to mention my name....(Interruptions) I was the leader of 70 people, whereas Advani ji was the

leader of 90 people. The entire country knows about him that he had resigned. When emergency was declared, Jaiprakash ji asked me to fight election, I again resigned and when the movement of Shri V.P. Singh was on full swing, then I again resigned....(Interruptions) Some people cannot simply restrain themselves....(Interruptions) It is very clear. I would like to say that in today's movement, who paid the greatest tribute to Shri Anna ji. Manmohan Singh has paid tribute today. I, myself, had paid tribute to him on the very first day that he is a very honest person. All of you know it. But honestly alone does not work. Vision is also necessary with it. We all sympathize with him. When he set a sit-in at Jantar-Mantar on 5th April, they invited me there and I went there and delivered a speech. Thereafter, Chautala ji and Uma Bharti went there. Then, the people exhorted one another to run them away....(Interruptions) Now, nobody is going there ...(Interruptions) What is its result ...(Interruptions) is it such a serious matter?....(Interruptions)

[English]

MR. CHAIRMAN: Please do not disturb him.

Sharad ji please address the Chair.

[Translation]

SHRI SHARAD YADAV: This is not such an important issue which I do not remember and you certainly remember as to who visited that place. He never went on a hunger strike during the times of Shri Vilasrao Deshmukh ji. If he is playing so smart, then he might have also gone there....(Interruptions) We have an expert in Shri Gopinath Munde ji. He is also not a commoner. He belongs to Maharashtra, so he must have gone there. I am not saying this thing but other political people are not going there. But what all is happening there. There is a film personality whose name I do not remember. There was a person named Om Puri with Raj Narayan ji, and I thought that he was Rajender Om Puri. But he is some other Om Puri. He was saying that you must take a bottle of alcohol and then, refuse vote to them. He was saying that if there is any MP, okay let it go. God knows what else he was saying. Some one told me that he himself...*

Mr. Chairman, Sir, I was telling that....(Interruptions) He is talking about two wives....(Interruptions)

*Not recorded as ordered by the Chair.

[English]

MR. CHAIRMAN: Sharad Yadav ji, please address the Chair. We are discussing a-very serious issue.

[Translation]

SHRI SHARAD YADAV: I have only one wife and she is short...* and he is saying that those who are sitting here, do not have responsibility. Similarly, one lady has been a police officer. I was meeting people at my home when my wife came and told me to see what was happening. They were showing on television that she has covered her head with dupatta and was saying a number of things....(Interruptions). Now, they are telling that she use to come in advertisements earlier. Before that, she vjas in police and was a very good officer. She was telling that political people look from this side to that and from that side to this. She has been in police for all her life and we have been on roads for all our life. What is she going to teach us about politics. She got retire from police and I have resigned thrice from Lok Sabha and have faced imprisonment of four and a half years also. But we did not do this for our family, infact we did all this while fighting for the helpless poor and destitute people of the country.

Anna Hazare ji is also fighting against corruption. This is the Parliament itself whose 27 Members were detained by the people. And this was done at the instance of Parliament itself. It is this Parliament which put Satyam behind bars. It is this Parliament which arrested Madhu Koda and put behind bars people like A.Raja, Balwa, a horse trader or Hasan Ali. This is the Parliament and this is the House itself, it is nothing from outside and these people are saying all sorts of things about us. Shri Jai Prakash Narayan ji had also launched a movement. He never fought any election during his lifetime but was no less than anyone who was elected. He ran away from jail in the year 1942 by risking his life and he did so for our country and its freedom. I would not like to take anymore names. Aruna Asif Ali, Dr. Ram Manohar Lohia ji are also amongst them. They fought for the country's independence by way of socialist movements and took the fight of independence in their own hand because all the Congress leaders were behind bars at that time.

There are a number of people who have come here after a lot of struggle and some people have come directly from homely comfort. Now-a-days, they call it generation

change. What change is that? Their fathers had been politicians and now, their sons are in politics here. There is one newspaper which writes almost everyday about what the people belonging to the new generation have spoken.

Mr. Chairman, Sir, similarly, there were young Turks like Shri Chandrashekhar ji. This is a very strange Turk. But these socialists have struggled for quiet a long time. I would also like to say that yes this Parliament has performed bad also at times, like in this House itself...*. But it is the same House where we have spent a lot of time with a great leader of India Shri Atal ji. Atal ji's party had lost the opportunity to form the Government by merely one vote. If we will not remember his honesty and remember A. Raja instead, then I am not objecting to it, one can remember A.Raja also but Lok Sabha is one such place where a person like Shri Atal ji who had travelled to almost all the villages and towns of this country could not manage to have one vote due to his principles and values. Atal ji had called me and told me that Sharad, you must support me today.

14:00 Hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

I have loved you all my life, I did not give any reply to him and nor did I vote him. I feel pained that due to my principle, I did not vote him. The biggest post of this country which is of Prime Minister, was lost merely for the sake of one vote.

Hon. Ravi Rai ji took away the Membership of seven MP's who supported Chandrashekhar ji....(Interruptions) Yes, Jharkhand incident also took place here. Who sent him to jail? Who confronted hon. Prime Minister Shri Narsimha Rao ji? This House did that job. He was a good man but this scene took place because he had to save the Government. Jharkhand people did not budge without money, so they had no option and this happened. Mr. Deputy Chairman, Sir, you know them very well....(Interruptions) All the rich people reach that place. People who have maximum money approach the Jharkhand Mukti Morcha. This House itself played an important role in that also. Therefore, I would urge them who are sitting there that when we believe in staying in limits, then they must also respect the same. They gave a slogan and gheroed all he MP's but we kept a low profile only. Hon. Sushma ji is also talking very softly and so is hon. Rewati Raman Singh ji. Therefore, it is the responsibility of the protesters to maintain the dignity of language.

*Not recorded as ordered by the Chair.

Please remember a wound caused by a word is more fatal than a wound caused by a sword. In this country, the ballet, not the bullet prevails. It is the discussion which prevails, so one must keep his speech fair, we will also keep it to good standards. We are so much concerned about them even from so far away. He had called me alone and no one else but everybody was concerned. The concern is such that the entire House has requested him to end his hunger-strike. We respect him a lot and respect the movement too, we respect Anna ji and respect the sentiment of those people who are behind this movement. We respect him but they have gheroad the House as well as the MP's. An hon. Member of Parliament was pushed of a train in a similar manner in which Gandhi ji was pushed out of a train in South Africa. That train left and the Member had to come by another train....*(Interruptions)* They are doing so much but look at our patience that we are still talking to them with a calm mind. But they must remember that peace cannot prevail from one side only. The people who are sitting there must ensure that if we are behaving with dignity, then they must also do so. Please do not make fun of us by using veils and dupatta's. Hon. Dara Singh ji has very rightly said that we are keeping the dignity of the House so they also must do so. If we will stand up to make fun of them, then things will not remain good anymore. We realize as to whom we should respect and disrespect. We have pulled down many people. We are habitually like that. The Members who occupy the Treasury Benches do it any time. But it will not be good if anyone tries to do the same to us.

Sir, I would like to say one thing. We are completely committed to do what America does. We have almost surrendered ourselves to their culture, language, dressing sense and everything else. We feel down in front of them in terms of their beauty also. They are fair, so we also want to marry fair girls. Our Gods like Rama and Krishna are not so fair but we want to have fair girls. 40 years back, King Martin Luther was shot by a bullet due to racial difference, the fair people have named their President's House as White House but today that same White House is having a black President. They have a big heart. Here we are trying to get the Lokpal Bill passed, a search committee is being formed. I want to say that people are not strong hearted enough to tolerate even a smallest pain. I may please not be considered backward thinking person because neither I believe in caste nor in God and I have never gone to any temple or a mosque. I believe that to serve mankind is equal to visiting any temple or mosque. Anna ji has been fasting at Ramlila Maidan for the last 11 to 12 days but eighty

percent population of our country usually goes without food every day, sometimes they skip morning breakfast or lunch or at times the dinner itself. Indian society is very scattered. Please remember that stagnant water in a pond or lake collects garbage and dirt whereas if water or a river keeps flowing then the water becomes clean. I would like to tell the people of the House because other people from outside and those who are senior to me will not believe me and they are not independent either. For them a person is sitting there and telling them to do or not to do something. This box has been playing for the last four months. Earlier there used to be Bioscopes and we use to see Tajmahal and Kutub Minar in them. I will not say any further but this television box has been going on for the last four months and there is a Bengali person on this television who it seems will bite our faces. If someone suggests something then he looks with a side-glance and he invites a few people to answer his questions and debates. He tells the pilot to get up or otherwise he instigates him. The Pilot is sitting quietly but he forces him to reply to his questions. Now how is he going to answer him? Those who are representing Congress on Television are even worse? God knows why they go to that Bengali Babu Moshai?*(Interruptions)*. Who is watching them? Who is moving at their instance? They want to make the leaders for the country and if someone becomes a Leader then they cannot help change leaders. They might help in creating leaders. But then why do they slog in that Box? Does someone speaking from the Box possess any experience. The kind of experience Sachin Pilot, Sharad Pawar and Farookh Abdullah has and we have a very special person in the House named Shri Jaipal Reddy...*(Interruptions)*. He is an all rounder. People call Madhu Limye as a walking and talking Parliament. Then why is Jiten Prasada is going there to get abused? I have not been going anywhere for the last ten years. As they call in America that Mr. Sharad Yadav....*(Interruptions)*. Mr. Chandrashekar. Now they do not even put Mr. ahead of it. They say that it is customary in English Language. But Indian soil does not have that kind of history. This is not our culture....*(Interruptions)*

AN HON. MEMBER: A Code of Conduct must be framed for that also....*(Interruptions)*

SHRI SHARAD YADAV: For how many things we will have a code of conduct....*(Interruptions)* That is why I am saying that in the end you would say that the time has got over. In the end I would like to say only one thing*(Interruptions)* If they allow me then I can speak for a little while more....*(Interruptions)*

MR. DEPUTY SPEAKER: All these people are instigating you. You speak only that much

...(Interruptions)

SHRI SHARAD YADAV: I want to say that I mentioned the name of Martin Luther ...(Interruptions). About this box I would say that it is not showing any other news • ...(Interruptions). What happened at the Ramlila ground and at some other place? Someone invaded that place and what happened at the other place ...(Interruptions). Everywhere there is such news only. Some Baba is there and some Shri Shri 108 is also there ...(Interruptions) and they are running the country ...(Interruptions) There is a person who looks like a hero and no one knows where he has come from ...(Interruptions). Nobody knows his name? ...(Interruptions). Bhaiyu ji ...(Interruptions), In many places it is called Bhaiya Ji ...(Interruptions). have heard Bhaiyu ji for the first time ...(Interruptions). Now they will take over. Now they will run the train in the country ...(Interruptions). What has happened to our brothers and sisters from the Congress party? ...(Interruptions). What are they doing? These talks do not mention Sushma ji anywhere? When Gopinath Munde ji joined them they started hooting him. It is being said about him that he comes here and talks to them and makes a false protest over there. I do not know why this poor man went over there? ...(Interruptions). He got saved otherwise they might have caught him and have torned his clothes(Interruptions). We are ourselves very scared and are sitting inside our homes(Interruptions). We fear that they might get us ...(Interruptions). Because the Government is such that anybody can come, enjoy and make merry. They are not riding bicycle on two wheels rather they are using only one wheel ...(Interruptions). They are carrying flags in their hands These flags were not taken during the day only. When I became the Minister for the first time, I realized that if my driver had to park the care and wait for me late in the evening, I used to be scared as he had to take off the flag and here they are unfurling the flag for the whole night. This world and society has a variety of people. People use to roam around Boat club and have chocolate there, they use to bring their dogs for walk and had got gappa's there but now they got to Ramlila ground ...(Interruptions). All the people are going there ...(Interruptions). There are some 20-50 permanent people in my city who join every protest that comes up in the city, they are permanent revolutionaries. They join every protest.

I agree with Pranab ji and Sushma ji that all the three things are fair, you must accept that this box

(television) is not letting us sleep. Somebody please stop this. It does not talk about the country, the tribal people, it does not talk if there were floods somewhere in the country and there was devastation. There is flood situation arising in the river Ganga and Kosi, there is water everywhere and there is devastation throughout the country but this box does not have any time. Somebody please make it stop. You did right by giving those three suggestions. You must accept this right away. Why do you make it complicated? Narayansami ji, please get ready. We are also ready and will give this to the box ...(Interruptions). Let it keep that and spare our soul ...(Interruptions). We will put a garland in that Bengali Moshai's neck ...(Interruptions). Please stop. This box has imparted knowledge to the entire country and this knowledge is not letting us sleep. It is going on even in the middle of the night at 12 'o clock and 1 'o clock ...(Interruptions). No one is speaking anything against what is taking place at Ramlila ground ...(Interruptions). It is asking everybody to give a befitting reply. What are they thinking? Do they think that they are running this country by the kind of discussions they are holding on their panel? This country is being run by this House and people of the House know as to what is a village, fields, pain, sorrow, misery and poverty. They are sitting in banglows with their AC's on and are giving lectures as to what the country must do. Sometimes they say that we are nobody, we are useless and they must conduct an exam for us.

Sir, I would like to remind you that Shri Rajagopalachari ji had initiated a discussion during Gandhi ji's time saying that people who are educated and hold land must get votes. Mahatma ji, the old man defeated him with his pen and said that one who has not gone to school is also a good and honest human being. He very clearly said that knowledge is born from wisdom, a farmer is not educated but how can we deny his experience as his education? Mahatma ji had said that a farmer can tell with his toe as to when crop is to be sown. Can any person with the degree of MA, PHD or Engineer tell the same? Gandhi ji got votes for everyone and this is why they all got vote. I believe he had a great thinking and knew that one who did not go to any college or school to receive education, was also a learned man in many ways of his own. If there is anything larger than humanity then it is that person only. We are trapped with various greed's in our minds and that person works hard throughout the day and serves mankind. But if there is anything concerned with humanity and mankind then only he gets into trouble. Therefore, I would like to request you that Anna ji has gone on a hunger strike for the last 11-12 days.

Shri Arjun Sen Gupta has observed that 80 percent population of the country is living at Rs. 20 per day. Sometimes they have to skip the meals. Sometime they are unable to manage two square a meal. They are nobody else except lower castes, Shudra, Ati shudra, poor, backward, and farmers of the country. I want to know whether there is any provision for the said poor people in the Lokpal Bill. Will the Government and the House understand my pain for the downtrodden people? I just want to make it clear that I do not belong to any backward class, nor my forefather had been from any backward class, nor I got admission ever by donation. My parents went to jail. My grandfather assisted the Queen of Jhansi in 1857. Therefore, I am not speaking in their favour. My disposition and mind is like that of upper caste. But you should definitely think about the poor. In U.S.A. Martin Luther King's sacrifice for 40 years bore fruit. But here for thousands of years no change has taken place. The Government measures our sorrows with our number of votes. When we demand from the Government to make our country on the basis of our caste, the Government divides it into five parts. The argument given by the Government is that it will be done by the States, rural development department, urban development department, this or that etc. It means we are not ready to change. But I would like to submit that if you take them along and develop the country, no country in the world will be able to compete with us. Real country will being from there.

While concluding I would like to submit that in this fight whether it is Sushma ji, Basu Deb Acharia ji or us, we are always involved. This kind of fight is analogous to holy bath in the river Ganges for us. We always welcome this kind of fight. They have thrown out many young people, we welcome them. But they never raised the question of social-inequality. How far is the village of Anna Hazare from Pune?

SHRI GOPINATH MUNDE (Beed): One hundred twenty-five kilometres.

SHRI SHARAD YADAV: Within that one hundred and twenty-five kilometres great personalities like Mahatma Phule, Shivaji were born. I myself am a ardent fan of Shivaji. My childhood name is Shivaji ...*(Interruptions)*. I am saying the same. You please keep silence. Out of all the kings ever ruled in India Shivaji was the greatest statesman of them all. I have a lot of respect for him. Anna ji too respects him. But the name of Mahatma Phule who was the mentor of Baba Saheb Ambedkar, was not recalled even once at Ramlila ground.

Baba Saheb was not remembered even once at the ground. Mahatma Gandhi was remembered but Mahatma ji devoted his entire life towards the welfare of these people. He himself became a sweeper. He swept the floor ...*(Interruptions)*. Anna Saheb knows about it. He hails from village, he is a good person, truthful, and a man devoted to mass-movements. But Anna ji knows it very well that the land of Maharashtra is the land of Baba Saheb Ambedkar, Sahuji Maharaj and Mahatma Phule. If Tilak and Shivaji were ever born on that land, they were also born on the same land. They raised their voice in support of the voiceless people of this country. But will there be any space for those voiceless people in the Lokpal Bill or not? We have accepted your all demands. But will you think about the people belonging to weaker sections of the society or not? If the entire House thinks about it, that will be better. Whatever you have uttered for thousands of years we have accepted that. But sometime you should also listen to our predicament, sorrows, pain etc. With this I support three proposals made by Sushma Swaraj ji. Many young people are associated with this movement. Anna ji has been on fast for 12 days. His health condition is very critical. We are concerned about his health. Therefore, we support all three proposals. This matter should be resolved at the earliest. We have no problem with Anna ji but this box (T.V.) has created problem for the country. With these words I conclude here.

*SHRI HARIN PATHAK (Ahmedabad East): Mr. Deputy Speaker, Sir, I would like to pay my respect to hon. Anna ji who has lighted the torch of revolution in the country with his fast and agitation.

I support the proposals made by hon. Leader of the Opposition Shrimati Sushma ji. Sir, I did not see Gandhi ji but today I can imagine the appearance of Gandhi ji. I feel delighted to look at Anna ji. By giving due honour to Anna ji I would like to submit in brief. I also associate myself with the issues which are supported by the Parliament and the Leader of my party Shrimati Sushma ji.

I support all three issues (i) appointment of Lokayukta in every state, (ii) implementation of the Citizen Charter and (iii) the inclusion of all the groups of employees under the purview of Lokayukta. I request the Parliament to unanimously support all the said issues in order to get the fast of respected Anna ji broken. Simultaneously, I request respected Anna ji to break his fast immediately, as he is invaluable for the country.

*Speech was laid on the Table

I would like to put forth one more point that this proposal should be passed unanimously and sent to respected Anna ji and the Government should withdraw its Lokpal Bill and present Jan Lokpal Bill in the Parliament. The Government should not send this Bill to the Standing Committee, rather hold discussion on Jan Lokpal Bill next week and pass it after discussion.

[*English*]

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): Hon. Deputy-Speaker, Sir, I stand here to announce the stand which will be taken by my party Trinamool Congress on this issue. You are well aware that our party is the second largest party in the UPA Government. So, we have observed with care the situation prevailing in the country.

I would like to begin with the statement made by Hon. Shri Pranab Mukherjee, the Leader of the House who very categorically at the last part of his speech narrated in what terms this debate will continue and will give its opinion. The three issues are mainly: (1) whether the jurisdiction of the Lokpal should cover all employees of the Central Government, (2) whether it will be applicable to the institution of Lok Ayuktas in all the States; and (3) whether the Lokpal should have the power to punish all those who violated the laws, and redressal mechanism to be put in place.

The spirit of the House today when Sushma Swaraji and Sandip Dixitji spoke was that the House is of the opinion that the fasting of Anna Hazare be withdrawn without further delay. If we linger on with our debates and discussions for many days or even for many hours, it may cause some damage to Anna Hazareji's health condition and we should certainly debate along this.

The political party which I represent, the Trinamool Congress, has from the very beginning fought against corruption. It has it in its motto also. We have no hesitation to say that hon. Prime Minister, Dr. Manmohan Singh is an extremely honest Prime Minister of the Country. With his transparency, he can rise to the occasion whenever necessary. Dr. Manmohan Singh in his speech on the floor of the House did not hesitate to describe Anna Hazare's fasting by saying that, "I applaud him. I salute him". These are the comments that were made by the hon. Prime Minister, which according to us, are really very acceptable and praiseworthy. The Resolution adopted in the all party meeting is a direction, that some steps

are to be taken immediately, by which Shri Anna Hazare withdraws his fast.

Sir, I was shocked to hear that a leader like Shrimati Sushma Swaraj was criticising Shri Rahul Gandhi for the statement which he made yesterday. What was the harm in it, if the hon. Speaker calls a Member of the House to raise a 'Zero Hour' matter, and if he makes any comment or gives any direction? It may be accepted or may not be accepted by others. But I must say that what Shri Rahul Gandhi delivered yesterday during 'Zero Hour', was certainly a new idea; the Government of India should look into this thought-provoking idea and try to implement it in reality. What he said? He said that the Lokpal should be made a Constitutional body, accountable to Parliament, like the Election Commission. It is a very positive idea; it has emerged from a young leader of the country; we should certainly try to see that the Government takes this decision, giving priority.

I should repeat that this is for the ninth time that this Bill is coming up for discussion. For eight times, it has been discussed. They were tabled, but not finally passed. I hope that this Bill, after getting the opinion from all the sides, will go to the Standing Committee. The Standing Committee will get all the details as to what we observed here or expressed our opinion here; they will be placed before the Standing Committee. But there should be a time-limit. We should see that it does not lapse again, as had happened during the last eight times. The Standing Committee should come back to the House, within 90 days from today; after which we can take a positive decision on the Lokpal Bill, along with all the other four Bills which are there – one is Government's Lokpal Bill, second is Jan Lokpal Bill, third is Ms. Aruna Roy's NCPRI mechanism and the fourth is J.P. Narayan's Bill. All are to be taken together by the Standing Committee. Every political party must give its opinion before the Standing Committee and they have to be discussed there.

About the policies, there are three major points which has still kept Shri Anna Hazare on fasting. We very categorically want to express our opinion. The first is, whether the jurisdiction of the Lokpal Bill should cover all the employees of the Central Government. We have no objection to that. This can be incorporated into the proposed Bill and can be sent to the Standing Committee for consideration. The second is, whether it will be applicable to the institution of Lokayukta in all the States. We are in favour of Lokayukta. But let the State Governments have their own discretion to set up their own Lokayuktas. On principle, Lokayukta is a positive

proposal, which we do not decline to accept. We have no hesitation to a Lokpal having the power to punish all those who violate the law and also putting in place a grievance redressal mechanism. It can also be adopted with some amendments. We believe that the Government's response to three major issues, which Anna Hazare and his team had placed before the Government and wanted a positive reply, is given today itself so that we see Anna Hazare ending his fast.

Besides this Lokpal Bill, which had come up before this House eight times earlier, there are other important issues. I hope that one more Anna Hazare has to come up to tackle other few important issues like Price Rise and Unemployment and we are waiting for that day. There is no denying that we Parliamentarians have enough power and our supremacy should be given all priority but the problem is we discuss a number of issues inside the Parliament which actually do not produce any result. People have started becoming frustrated over the functioning of the Parliamentarians. That is the other part of the story.

As Sharad Yadav Ji has said, the Parliament is supreme. Today, when the Debate was to start the House was packed and all the Members wanted to speak and now only one-tenth of the total strength is present in the House. So, we need not worry that the debate may continue for eight hours. It will certainly end within its allotted time of seven hours. We certainly want, at least when a sentimental or a catchy issue which involves each and every person is taken up in the House, mass involvement of the House. In a debate like this, we can call it as the cancer of corruption, mass involvement of the House is a must.

The way people are gheraoing the MPs or abusing the MPs in different manners, like throwing them out of the train, are not the proper ways to tackle any issue. People should restrain themselves, in fact, restrain from both the sides is necessary. I think the Government is very cautiously tackling this issue. The way the Prime Minister is making Statement, calling all-Party meetings and adopting the Resolution, it is all in the right direction. All is well that ends well. We can interact among ourselves, discuss and reach 27.08.2011 76

the target. Anna Hazare's weight has been reduced by 7 kgs. and doctors say that he needs more protein as he is taking only drinking water.

Certainly we are in the Government and also not less than the second largest Party in the UPA Government. We fully believe that the Government of India should not hesitate any further and see that this problem is sorted out. We have full faith, full confidence, in our Prime Minister, Dr. Manmohan Singh. People are not in a mood to accept any direct or indirect criticism against Dr. Manmohan Singh. People believe that his honesty, his transparency is beyond question. He has certainly tried his best to discharge his responsibilities with commitment and sincerity.

We want to see the end of Anna Hazare's fast and the Lokpal Bill to be brought before the House after being routed through the Select Committee and is finally accepted within 90 days from today. That should be the time limit.

SHRI T.K.S. ELANGO VAN (Chennai North): Thank you hon. Deputy Speaker, Sir, for having given me the opportunity to speak on this subject.

At the outset, on behalf of the DMK Party, my first request to Shri Anna Hazare is to stop his fast. He should protect himself with good health so that there may be issues in the future where he has to involve himself and fight for the downtrodden people who need somebody to lead them. So, my first request to Anna Hazare Ji is to end his fast.

Time and again, there were agitations in various parts of the country to which the Government had responded. I can quote one agitation, which was held in Tamil Nadu and led by Shri Thanthai Periyar, Shri Arignar Anna and the late leader Shri K. Kamaraj. They had fought for the inclusion of reservation provisions in the Constitution of India for the sake of the downtrodden people. It was well received by the Government of India and the first amendment to the Constitution of India was made in the same House. I can even quote another incident where only two Members of the DMK Party were elected to this House in the year 1957. The DMK wanted that Hindi should not be imposed on the non-Hindi-speaking States. Here, late Shri Pandit Jawaharlal Nehru gave an assurance that Hindi will not be imposed on non-Hindi-speaking States until they wish to have Hindi as their official language. So, even small requests, if reasonable, had been accepted by the Government.

Now, Shri Anna Hazare's demand was accepted by this Government. When Shri Anna Hazare was on fast, in the month of April, 2011, the Government readily met

him, spoke to him, sat with him and prepared a Lokpal Bill, which had been introduced in this House and was sent to the Standing Committee. Now, the question is that there are three more issues which the Civil Society is raising. Our hon. colleague Shri Sharad Yadav was speaking about the media. Earlier this issue was shown as a fight against corruption. Then, the media turned it as a fight against the Ruling Party. Thirdly, the media converted it as a fight against the Parliament. Now, it has become a fight against the Constitution of India. It is the work of the media.

The Parliament has certain powers. It has its own supremacy and it has its own inherent powers. We are here to enact laws in this country. There may be demands but it is for the Parliament to decide whether these demands are right or otherwise. It is because after two and a half years from now on, the Members of this House have to go to the people to seek their votes; tell them what we have done; tell them how we have acted; and tell them what steps we have taken against corruption. We have to go to the people. It is the responsibility of not only the Ruling Party but also of the opposition parties. The people will judge us.

Then, it is left to the Civil Society to go to the people and say that this Government has not acted against corruption. So, you need not to vote for them. That is democracy. In a democracy, the people are the judges and not the media. So, it should be like that. This Government is willing to legislate the Lokpal Bill. There are certain differences. There are a few differences. I can say that there are three substantive issues which the hon. Leader of the House has pointed out. They are public grievances and citizens' charter, Lokayukta and lower bureaucracy.

Firstly, I will deal with Lokayukta. I, from the DMK Party, am fighting for the State autonomy. So I do not want this House to do anything against the autonomy of the States. We should not force anything on the States. The RTI Act is different. That is the constitutional right. But this is not a constitutional right. This is for the States to decide whether to have Lokayukta or not. It is because there are many laws and many institutions to punish people for corruption and punish people for any criminal activity. Shri Sharad Yadavji was telling how this same House had acted against corruption and how people were arrested and put in jail. So Lokayukta has to be left to the States to decide.

As regards lower bureaucracy, there is a system and it has stages. There are Section Officers, there are Joint Secretaries and there are Secretaries. So, these people

should be made to act against any wrong doings. If this power is taken by Lokpal, with lakhs and lakhs of Government employees in this country, it will become another adjudicator where cases are piling, a lot of cases are pending before them without being disposed of and people are suffering for want of justice. So, we should not burden the Lokpal by including the lower bureaucracy in it. But the Lokpal could have the powers to instruct the officers and instruct the higher bureaucrats and look into the issues. It can give directions and see that criminals and corrupt people are punished.

Coming to public grievances and citizens' charter, the hon. Leader of the House has asked the question whether the Lokpal should have the power to punish all those who violate the grievance redressal mechanism to be put in place. The Lokpal should have the power to punish but before that they should investigate into the issue and see as to what is the reason for not doing it and why the public redressal system has failed. Why has it been violated? So, before punishing the officer proper inquiry should be made into that issue.

Fourthly, a letter has been written by Mr. Kejriwal which says:

"If the Government can agree to introduce Jan Lokpal Bill after removing those items on which we have differences, after clearing by the Ministry of Law within four days and also provide a commitment that the Bill will not be referred to the Standing Committee..."

I do not understand the meaning of this. The Civil Society members cannot come to this House and speak on the subject, whereas they can go before the Standing Committee and present their views. General public can go before the Standing Committee and present their views...*(Interruptions)*

MR. DEPUTY-SPEAKER: This will not go on record.

*(Interruptions) ...**

SHRI T.K.S. ELANGOVAAN : This is a very good opportunity for the Civil Society, for all other interested parties like Ms. Aruna Roy and everybody as they can go before the Standing Committee and explain their position. The Standing Committee also can amend as many provisions as possible. So, this is wrong. This is not a proper stand. Maybe, Mr. Anna Hazare is not properly advised in this matter.

*Not recorded.

Sir, the sending the Bill to the Standing Committee will definitely do good to the Bill. We are against demeaning the powers of Parliament in any way. This is a higher institution. Today this party is here, tomorrow the other party would come to power. But this institution should not be belittled. The DMK will not allow this. The DMK has already raised this issue that the office of the Prime Minister should also be included within the purview of the Lokpal. We are for including all political offices, whatever it may be, within the purview of the Lokpal Bill.

Sir, with these words, I thank you for this opportunity.

SHRI BASU DEB ACHARIA (Bankura): Mr. Deputy-Speaker, Sir, this is a rare and a historic occasion because for the first time during the last 42 years since the time when the first Lokpal Bill was introduced in this House in the year 1966, this House is getting an opportunity to discuss about the setting up of a Lokpal.

Sir, today we are discussing this subject as the entire country is agitating. Whatever is happening outside the House is a reflection of the anger of the people. Corruption in India has grown to alarming proportions because of the policies that have been formulated and pursued by successive Governments have only given enormous incentives for the proliferation of corruption and it is also because there is lack of an institutional mechanism or an institution to investigate and prosecute.

Sir, what has been happening during this period after the Government of India adopted the policy of liberalization and privatization? Thousands and thousands of acres of land, mineral rich lands, have been leased out to the corporate houses, both Indian and foreign. Our natural resources are being allowed to be looted by these people. Even forest land, tribal land has been leased out. Tribal people have been evicted out, displaced, dispossessed and it was because of the policy being pursued by the Government of India for two decades. We also see the proliferation of corruption. The corporate houses are grabbing land and their profit is to the extent of 90 per cent. We have seen the report of the former Lokayukta of Karnataka, Shri Santosh Hegde who said in his report that the profit from mining is to the extent of 90 per cent, whereas the State Government is getting only one per cent. The demand here is for an effective, strong and a credible Lokpal. There was an agitation when Shri Anna Hazare was on fast on 5th April, 2011. Then, as stated by the Leader of the House in his statement, after five days, the Government agreed to form a Joint Drafting Committee with five representatives

from the Team Anna and five representatives from the Government and they started discussing about the drafting of the Bill. They had the Jan Lokpal Bill; five Ministers also prepared the draft and the meeting continued. There have been eight sittings of the meeting and afterwards, when there was no agreement, a meeting of all the political parties was called. We all attended it on 3rd July, 2011. We made various suggestions in it. When the Bill was introduced, we found that none of the suggestions made in the meeting of the leaders of political parties held on 3rd July was incorporated in the Bill. All we wanted was an effective, strong and credible Lokpal. And for that, an effective and strong Lokpal Bill is required.

The Bill that has been introduced by the Government is useless. It will not be an independent institution. This will be like any other investigating agency. If the selection procedure which is there will not be a broad-based one, then it will not have any independent role.

Today, what is required? Today, multi-pronged measures are required to be taken to curb corruption. And it is most important to have a credible, strong, functional and independent Lokpal.

The second problem that we face today and which is also a source of corruption is the money power which is issued in elections. Sir, in the recent past or in the last ten to twelve years, the expenditure in election has increased enormously. To contest in Assembly elections, if a candidate has to spend Rs. 10 to Rs. 15 crore, then how will the poor, down-trodden and people from the backward sections be able to contest elections? Where from the money comes? We have the experience of the recent Assembly elections in West Bengal.

There is a need for electoral reforms and for that, there is a need for State funding of elections.

15.00 hrs.

So, in order to curb corruption, along with Lokpal, there is a need for State funding of elections. Giving donations to the political parties by companies has been legalised. It should be stopped. Donations by the companies to the political parties should be stopped.

Third point is corruption in judiciary. There is a need for a Judicial Commission. The fourth important thing which is required to be done in order to curb corruption is to break the nexus between the corporate houses, corrupt politician and bureaucrats. In the Commonwealth

Games we have seen how corruption took place. So, there is a need to break the nexus between the corporate houses, corrupt politicians and bureaucrats.

There is a need to review our tax system. Thousands of crores of rupees are not being realised because of tax evasion. We have seen that both Hasan Ali and Kashinath Tapuria had evaded taxes to the extent of Rs. 50,000 crore.

In order to unearth the black money, certain measures have to be taken. According to Global Financial Integrity Report, Rs. 16,00,000 crore of black money is lying in the foreign banks, in tax havens. ...*(Interruptions)* So, there is a need for reforms in the tax system. There is a need for multi-pronged measures to curb corruption in our country. It is rather an all-pervasive corruption in our country.

The demand is for an effective, credible and strong Lokpal. There is a saying in Bengali, *parbater musik prasab*. It means mountains delivering mouse. It is exactly the same. Now, the Prime Minister has not been included. The Prime Minister has been kept out of the ambit of the Lokpal. I remember, in 1985 when Shri Rajiv Gandhi was the Prime Minister – I was the leader of the Party – he called a meeting to discuss about the Lokpal. When we came to know that the Prime Minister was kept out of the ambit of the Lokpal, we, Members belonging to the Opposition Parties, objected to it. That Bill was withdrawn and never introduced. The Prime Minister can be enquired under the Prevention of Corruption Act. What is the rationale behind keeping Prime Minister out of the purview of the Lokpal?

Then, Sir, the definition of corruption should also be expanded. It should be widened to include giving any undue benefit wilfully to any person or entity or obtaining any undue benefit from any public servant in violation of laws and rules. So, the definition of corruption should also be expanded so that the Lokpal can be more effective. ...*(Interruptions)* Sir, I have spoken for ten minutes. Let me finish. I have not come to three conditions. I will come to them. Please give me some more time. There should not be any time limit. ...*(Interruptions)*

MR. DEPUTY SPEAKER: You have spoken for 16 minutes and not 12 minutes.

SHRI BASU DEB ACHARIA : Please give me some more time.

[Translation]

SHRI SHATRUGHAN SINHA (Patna Sahib): Sir, you wait for five minutes, he will conclude in an hour ...*(Interruptions)*

SHRI BASU DEB ACHARIA: All of you listen please. Do not ring the bell ...*(Interruptions)*

MR. DEPUTY SPEAKER: We are listening that is why we are speaking.

...*(Interruptions)*

[English]

SHRI BASU DEB ACHARIA: Please give me some more time ...*(Interruptions)* . *[Translation]* Corruption is taking place at such a large scale and you will not allow me to speak? Let me put forth my suggestions ...*(Interruptions)*

MR. DEPUTY SPEAKER: Lokpal is being discussed today.

...*(Interruptions)*

[English]

SHRI BASU DEB ACHARIA: Then, the National Judicial Commission should be constituted. One Bill regarding Judicial Accountability has been introduced. That is not sufficient. It should cover the setting up of the National Judicial Commission to enquire into the allegation of corruption in higher judiciary. That should not be under the Lokpal. I have a suggestion that MPs enjoy immunity inside the Parliament. They have the freedom of speech. ...*(Interruptions)*

MR. DEPUTY SPEAKER: Now, you are going to conclude.

SHRI BASU DEB ACHARIA : No, Sir. I have many more points.

[Translation]

MR. DEPUTY SPEAKER: Acharia ji, many hon. Members are waiting for their turn and we are short on time.

[English]

SHRI BASU DEB ACHARIA: I know Sir, this is a very important issue. Let me explain my points of view. If Members of Parliament indulge in corrupt practices within their functioning in the House, then they should come within the purview of Lokpal. For this, a suitable amendment can be made in Article 105.

Then, Sir, I will come to one important provision of the Jan Lokpal Bill ...*(Interruptions)*

MR. DEPUTY SPEAKER: Please address the Chair.

SHRI BASU DEB ACHARIA: Sir, there is a provision in the Jan Lokpal which is not there in the official Lokpal Bill. I suggest that there should be a provision in the Bill for the Lokpal to take steps against companies and business houses which indulge in corrupt practices with public servants. There is a provision in the Jan Lokpal Bill where if found they are adopting or indulging in corrupt practices, they will be blacklisted and if found they are beneficiary of this, then also, there is a provision to impose fine on such business houses, companies for indulging in corrupt practices. This should be included in the official Bill.

Regarding the Lokayukta, I would like to say that we have a federal structure in our Constitution. This federal structure should not be disturbed. During these periods, we have seen the erosion of subjects in the State List. We have seen how gradually many of the subjects in the State List, which were there at the time of adoption of the Constitution, have been taken away by the Centre. The broad framework can be framed in this legislation. But one legislation for the Lokpal as well as the Lokayukta will disturb the basic structure of the Constitution and the federal structure of the Constitution. We can have a model Act. A model Act, a model legislation can be enacted and that can be adopted by all the States on the same lines. We have seen how effective is the Karnataka Lokayukta. Because of their Report, a Chief Minister had to go. When there was a reshuffle, when the Chief Minister formed the Cabinet, many of the Ministers who were indicted by the Lokayukta, were dropped. So, there should be an effective Lokpal at the Centre. Similarly, on the same lines, an effective Lokayukta should also be there in the States ...*(Interruptions)*

Regarding the lower judiciary and the lower bureaucracy, I will give my suggestion. There is a system now. The vigilance machinery is there. Article 311 is also

there in the Constitution. Our suggestion is: let the lower bureaucracy be under the vigilance machinery but the power of supervision should be with the Lokpal or the Lokayukta - the Lokpal at the Centre and the Lokayukta at the States.

In regard to the Citizens' Charter, my suggestion is that there should be a separate law.

It should address the grievances of the common citizens. If the entire bureaucracy is brought under the Lokpal, it would be unwieldy. Similarly, thousands of complaints are received every day. It will not be possible if the entire grievances are brought under the Lokpal. So, there should be a separate machinery to deal with the grievances of the citizens and it should not be under the Lokpal.

MR. DEPUTY SPEAKER: Please conclude.

SHRI BASU DEB ACHARIA : Bills have been introduced - Public Interest Disclosure and Protection of Information. Same needs to be strengthened and passed expeditiously. What is needed today is multi-pronged measures. Lokpal is very important to deal with corruption in regard to public servants but several measures are required today. The way the country is facing this problem - people are on the streets; people are agitated. I appeal to Shri Anna Hazare. His fast has reached the 12th day. We appeal to Shri Anna Hazare now. He has been fighting because of his sincere efforts; because of his fight, today, thousands and thousands are coming; and because of his efforts, the issue of corruption has found a place today. The livelihood of the common people, aam aadmi, is at stake. So, there is a need to curb corruption; there is a need to have multi-pronged measures to tackle this corruption. There is a need for an effective, credible and strong Lokpal ...*(Interruptions)*

MR. DEPUTY SPEAKER: Nothing will go on record.

...*(Interruptions)*

SHRI BASU DEB ACHARIA: Sir, I am just concluding.

For that, I demand that the Government should withdraw the Bill that have been introduced; revise the Bill incorporating all the important suggestions, and bring a revised Bill in the House.

*SHRI JOSE K. MANI (Kottayam): This august House is seriously engaged in weighing the pros and cons of

its Lokpal Bill 2011, (now referred to the Standing Committee) in comparison with other versions brought out by civil society and social activists and immediately to find a solution that would facilitate calling off indefinite fast by Shri Anna Hazare now on his twelfth day. This House had earlier this week expressed its deep concern over the deteriorating health conditions of Shri Hazare and had pleaded for his calling of the fast on the Centre's assurance to bring a strong Lokpal Bill incorporating most of the demands made in the Jan Lokpal Bill version and other versions of the civil society: The Hon'ble Prime Minister has clearly expressed the Government's commitment to honour the aspirations of the civil society. Since the Parliament has to function within the constitutionally laid down procedures and time honoured precedents, it would be too optimistic to expect the Government take a rash decision under pressure.

The present attempt to resolve the tangle should act as a catalyst for host of changes and amendments needed in our systems of governance. Let the adoption of a strong Lokpal Bill be an initiative to many such enactments of laws converging, in effect to give more substance and support to the objectives of the Bill, by constitutional amendments if called for.

Prime Minister is the Head of Cabinet. He is the pivotal figure of the executive overseeing the day-to-day governance and there cannot be any vacuum in his existence or interregnum. Inclusion of PM in the ambit of Lokpal Bill will therefore lead to constitutional crises. As rightly provided for in the official Lokpal Bill, the conduct of the Prime Minister during his tenure can be challenged after he demits the office.

Already there is a consensus and joint efforts to enact a legislation to enforce judicial accountability in higher judiciary under proposed Judicial Standards and Accountability Act. Therefore in my view to include the higher judiciary within Lokpal ambit is redundant.

In principle this is a welcome measure but the role of Centre should be confined only to drafting a model legislation, for each state to enact and implement, as the centre-state relations under the Constitution revolves around Federal character and thus Centre-State relations should be respected and state's prerogatives should not in any case be infringed upon by the Centre.

It is a welcome move and under the existing RTI Act this concept is working very well by mandating each government department/ institution/ organization/

undertaking to make the public aware of their rights to call for any information as per laid procedure.

For effective and transparent governance the functions involve employees jointly from lower to higher tiers. Since the common citizen seeks access to redress the grievances, only through lower level employees, so it is necessary that the lower level employees, should also be included although there is a risk of Lokpal's office being overburdened with such unwieldy nature. However we have to evolve some workable mechanism to monitor the functions of lower level employees for meeting the overall objectives envisaged in creation of Lokpal.

The next question is whether the conduct of the MPs on the floor of the House be brought within Lokpal's purview. At the outset such conduct is rightly governed by the powers of Parliament vested in the Speaker in Lower House and the Chairman in the Upper House and such powers are sacrosanct to be challenged elsewhere. Therefore MPs conduct in their personal and individual capacity outside could only be probed by the Lokpal.

Even though we feel proud of Indian democracy and the economic growth of the country, efforts of march towards progress will become meaningless unless we are able to prevent corruption and cut out its roots.

I would therefore hope towards immediate culmination of the present conflict between the Government and the civil society emerging there from a strong resolve to abandon the path of confrontation and to fight jointly the menace of corruption.

[Translation]

*SHRI DEVJI M. PATEL (Jalore): Anna Hazare's Satyagrah started on 16 August.-The anti-corruption movement is at its peak at present. From every city, town and village a large crowd of people is turning up in support of this movement. The Government can learn a lot of lessons from this movement. The first one is this, no democratic government can function without acknowledging mass-movement. Strict rules can ensure completion of a project, they cannot ensure smooth functioning of the government. The movement for Lokpal started a long time ago.

Dr. Lakshimal Singhvi suggested the constitution of an institution like Lokpal for the first time in 1962. After this, a detailed discussion was done on corruption by Administrative Reforms Commission in 1966.

*Speech was laid on the Table

Lok Sabha passed the "Lokpal and Lokayukta Bill, 1968" in 1969 but the Lok Sabha got dissolved when this bill was under consideration in Rajya Sabha. In 1977, Janata Government renamed it Lokpal Bill 1977. Joint Committee submitted its report in 1978 but before the discussion on the bill could be completed the Lok Sabha got dissolved. The bill was subsequently introduced in the years 1989, 1996, 1997, 1998 and 2001 respectively but could not be passed.

The title on the first page of the newspaper on 15 August 1947 was, "Shatabdiyon Ki Dastaa Ke Baad Bharat Me Svatantra Ka Mangal Prabhat". After 50 years, on 27 August, 1997 the title of main news on the first page of the newspaper was, "Rajneeti Ke Apraadhikaran Aur Bhrashtachaar Par Sansad Men Chinta". Till 15 August, 2011, 27 political people are behind bars in Tihar and other jails of the country.

The 'Jeep Scam' of 1948 is considered to be the first scam after independence. After a year, the High Commissioner of India in Britain V.K. Krishna Menon breached the protocol and signed a deal worth Rs. 80 lakhs with a company to buy Army Jeeps. The credentials of that company were found suspect. Despite paying the full amount, only 155 jeeps out of 2000 jeeps ordered were sent to India. The files of this scam were closed in 1955 and Menon was made a Minister in Nehru Cabinet.

Feroz Gandhi had a major role in exposing the Manduda Scam in 1950. Under Union Government's pressure, Life Insurance Corporation of India had bought shares worth Rs. 1.2 crore of a Kolkata's businessman Haridas Manduda's company to save him from bankruptcy. The Minister of Finance T. T. Krishnamachari had to resign.

Both these cases put the Congress Government in dock. The then hon. Prime Minister of India Shri Jawahar Lai Nehru wanted to constitute a strong Lokpal to tackle corruption on both official and political levels.

The notorious corruption cases are as follows:

Year	Scam	Rs. in crores
1	2	3
1948	Jeep Scandal case	0.80
1956	B.H.U. Funds Misappropriation	0.5
1957	Mundhra scandal	1.25

1	2	3
1960	Teja loan scandal	22
1976	Oil well scandal	2.2
1987	H.D.W. commission scandal	20
1987	Bofors scandal	65
1989	St. Kitts forgery	9.45
1990	Airbus scandal per week	2.5
1992	Securities scam	5000
1992	Indian Bank R.I.P. Off	1300
1994	Sugar import scam	650
1995	Jharkhand Mukti Morcha Bribes scandal	1.2
1996	Disaster Management scam	0.10
1996	Telecom equipment scandal	1.6
1996	Fodder scam	950
1996	Urea scam	133
1997	C.I.B. scam	1000
1998	Banishing company scam	330*78
1999	Plantation scam	2563
2001	Ketan Parekh Securities Scam	137
2001	Stock Exchange scam	1,15,000
2002	Internal Business scam	600
2003	Stamp Paper scam	30,000
2005	I.P.O. DEMAT scam	146
2005	Bihar Food Relief scam	17
2005	Submarine scam	18,978
2006	Punjab City Centre scam	1500
2006	Taj Corridor controversy	175
2008	Hasan Ali Khan Tax case	50,000
2008	Satyam Scam	10,000
2008	Army Ration Pilferage Scam	5,000
2008	2 G Spectrum Scam	1,76,000
2008	State Bank of Saurashtra scam	95

1	2	3
2008	Black money in Swiss Banks	7,00,000
2009	Jharkhand Health material scam	130
2009	Rice Export scam	2500
2009	Orissa Mines scam	7000
2009	Madhu Koda Mining scam	4000
2010	Commonwealth Games scam	40,000
2010	Adarsh Society scam	3000

These scams are a total of 92 lakh crores.

Shri Rajiv Gandhi, the then Prime Minister said in 1985 that out of 1 rupee sent by the Central Government for development of the country, just 15 paise reach the needy people.

Shri Rahul Gandhi said in January, 2008 "My father had said once that only 15 paise out of one rupee reach the ordinary people".

I have visited many districts. It does not seem that even five paise might be reaching the poor. The condition has worsened in these 25 years from the year 1985 to 2011. The incidents of corruption have increased drastically in the last 63 years in India, the largest democracy of the world. As per the reply to a question asked in the Lok Sabha regarding corruption, India ranks 87th position in the list of corrupt countries.

The definition of corruption is given in the Section 161 of the Indian Penal Code (I.P.C). As per the definition whoever, being or expecting to be a public servant, accepts or obtains or agrees to accept or attempts to obtain gratification whatever, other than legal remuneration as a motive or a reward for doing or for bearing to do any official or for showing or forbearing to show, in exercise to his official functions favour or disfavour to any person, that public servant will be punished with imprisonment upto three years or financial punishment or both together.

For strengthening the provisions of Anti-Corruption Act, 1947, the Act was amended in the year 1988. The definition of the public servant had been enlarged. The Ministers and MPs are also public servants.

Actually, India received skilled and comparatively honest public service as legacy. The public character

has deteriorated after the independence. The roots of corruptions in the entire administration are very deep.

The Indian Chapter of Transparency International conducted a study in the year 2007, making the people living below poverty line (B.P.L card holders) its basis. According to the survey report released in June, 2008, there is corruption involved in the basic facilities provided to the BPL families.

Although, there is no department in any state where there is zero corruption. In some states, almost one-fourth of the BPL families and in other states, about 44 percent BPL families get benefits of the Government schemes through middlemen in the country.

Corruption has become rampant in different forms such as administrative inaction, misconduct mal-administration etc. after the independence. Citizens lack the effective means for escaping from corruption due to mal-administration. Even after the enforcement of the Prevention of Corruption Act, 1947 and amendments therein, we are unable to check the widespread corruption.

According to the former Director of the Intelligence Department, Arun Bhagat "Though is a lighter vein, but the people of India have started viewing corruption as a form of gentleness." The roots of bribery or one may say the facilitating fees are deep-rooted. There is time to correct it, lest the coming generation should get involved in this corruption so much that neither they nor the country could come out of it.

Jan Lokpal, Government Lokpal or any other law should be so strong and stringent that the corrupt people remain in jail. Every citizen of India, a doctor, engineer, advocate, businessmen, administrative officers, the people from the corporate world should think thousand times before getting involved in corruption. The wealth earned by corrupt means should be confiscated.

"Sadiyon ki thandi bujhi raakh sugbuga uthi.

Mitthi sone ka taj pahan ethlathi hai.

Do rah samay ke rath ka ghar-ghar naad suno.
Singhasan khali karo ki Janata aati hai."

[English]

*SHRIMATI POONAM VELJIBHAI JAT (Kachchh):
Respected Sir, today is a historic day that the Parliament

*Speech was laid on the Table

is having a discussion on the Lokpal Bill because the Lokpal Bill has shuffled in Parliament and has not been passed in the Parliament for 43 years. It is high time that it should be passed now. But it is surprising that why the Government is against the 3-point put forward by Shri Anna Ji. I believe that by bringing a strong Lokpal, we will not do any harm to the democracy, but will make it more stronger by truly bringing the views of the people in running a Government by the people, of the people, for the people. But, the Bill brought by the Government does not define the exact meaning of corruption. So, I think the definition of corruption should be defined first like in the Jan Lokpal Bill. A person coming to office late by two hours is also corrupt somewhere as he is doing harm to his official work. So, I think it should be defined properly. I believe that the Committee that will nominate Lokpal should also have some representations from the SC and ST communities, because a large number of people in India come from these communities and they should not be left behind. Recently, it has come to my notice that the fund allocated for SC and ST is not used for the welfare of these communities but used in different works. Such instances have come to notice of many States. So, I feel that this is also a type of corruption against SC and ST communities, because after many complaints, the Central Government has not taken any action against even the Delhi Government for using funds meant for SC and ST communities. I even feel the need to bring NGOs and the Media under the Lokpal as many instances of corruption in NGOs and even the Media have been coming in the news now and then. So, I feel the 3-point demand should be accepted and Shri Anna Ji should put an end to his fast. We should work together to bring a strong and good Lokpal Bill for the benefit of people and free the people from the agony of years of suffering under corruption from influential people. So it is high time the people are heard and a law is brought for the people like Singapore.

*Sk. SAIDUL HAQUE (Bardhaman-durgapur): The question of formation of Lok Pal comes mainly in order to check corruption. In fact the attempt to form Lokpal has been initiated from 1968. Many times draft Bill come, the last one in 2001, but that did not materialize. In August 2011, this Government has placed draft Lokpal Bill which is under consideration of Standing Committee. Recently because of widespread corruption going on, particularly in last two years, the question of formation of Lokpal has got momentum.

It is not that corruption was not there in the past. But now in UPA-2 regime it has reached its peak with so many scams and people are directly suffering as a result of that price inflation has risen much and prices of essential commodities have gone beyond the reach of the common people. On the other hand, some people working in high office and the corporates are looting the country, that is why agitation against corruption becomes so vital. That is why present movement of Anna Hazare is getting much response, particularly from middle class and the youth. Hence the need for formation of Lokpal has become so important. Right, it is that Lokpal is not the only solution to stop all the corruption. Nonetheless, it can play an important role to check corruption.

There are two dimensions to the issue of fighting corruption. The first is the immediate context where the aim should be to persuade Anna Hazare to end his fast. The Government must give the assurance that the Bill that it had introduced in the Parliament will be withdrawn and a new Bill incorporating the suggestions from the Jan Lokpal Bill and other quarters will be brought before the Parliament. The Mechanism for drafting this new Bill, must be worked out by Government and, on the basis of this assurance, Anna Hazare must withdraw his hunger strike. In the Interests of the country, the Constitution and Parliamentary Democracy, the Government must immediately bring a new Bill that will be both strong and effective.

With regard to the larger issue of fighting corruption, my party, the CPI (M), while seeking an effective Lokpal, had submitted a detailed note on various other measures that are required to be simultaneously undertaken if the battle against corruption has to succeed. My party is of the opinion that the Prevention of Corruption Act, 1988 needs to be amended to widen the definition of corruption from the existing one that narrowly restricts this by defining corruption as the misuse of public power for private gain or enrichment.

In many cases, power is misused to benefit an entity like a private company which is not a "person" as required under PCA 1988. Often, there may be no traceable kickbacks or embezzlement but there may be a huge loss to the public exchequer and breach of public trust for example through sale of PSUs due to a willful misuse of power.

The definition of corruption has to be widened to include "willfully giving any undue benefit to any person or entity or obtaining any undue benefit from any public servant in violation of laws or rules".

*Speech was laid on the Table

On the inclusion of Prime Minister in its ambit, my suggestion is that this should be done with adequate safeguards. Complaints about corruption against the judges of the Supreme Court and the High Courts should be handled by a separate body, the National Judicial Commission. This Commission should take care of the appointments in the higher judiciary and oversee their conduct and enquire into the complaints of corruption. For this, necessary legislation will have to be passed. The Judicial Standards and Accountability Bill, 2010 is woefully inadequate for this purpose.

At present the scrutiny of the conduct of Members of Parliament with regard to any corrupt practice is weak and unsatisfactory. For Members of Parliament, Article 105 of the Constitution provides protection with regard to freedom of speech and voting. The real issue is how to ensure that this freedom and protection does not extend to acts of corruption by members of Parliament.

This can be done through an amendment to Article 105, on the lines recommended by the National Commission to Review the Working of the Constitution.

Alternatively, if feasible, there can be legislation that if any Member of Parliament indulges in any act of corruption that motivates his or her action in Parliament (voting, speaking etc.), then this act falls within the purview of the Prevention of Corruption Act and the IPC.

Whistleblowers must be protected in order to combat corruption. Monitoring and ensuring protection of whistleblowers can be a part of the mandate and Lokpal, but this needs a comprehensive statutory backing. The provisions of the Public Interest Disclosure (Protection of Information) Bill, 2010 needs to be strengthened and the Bill enacted expeditiously.

In addition to the establishment of a strong and effective Lokpal, I put forward the following six suggestions that need to be implemented simultaneously, if the issue of combating corruption is to be taken up in right earnest.

- (1) Setting up of a National Judicial Commission to bring the conduct of judiciary under its purview.
- (2) Law to protect citizens charter for redressal of public grievances.
- (3) Amendment of Article 105 of the Constitution, if necessary, to bring MPs under anti-corruption scrutiny.

- (4) Electoral reforms to check money power and role of criminals in elections.
- (5) Setting up of Lok Ayuktas in the States to cover public servants at the state-level.
- (6) Steps to unearth black money and confiscate the funds illegally stashed away in tax havens.

The Government must move urgently in order to resolve this impasse by accepting these suggestions for safeguarding and upholding the Constitutional scheme of things of the Indian Republic. And for that reason establish a strong and effective Lokpal.

SHRI BHARTRUHARI MAHTAB (Cuttack): Mr. Deputy-Speaker, Sir, I stand here today, which is evolving itself as a historic day for this House, to speak on the statement that has been delivered by the Leader of the House and the Finance Minister of this country relating to setting up of Lokpal.

[SHRIMATI SUMITRA MAHAJAN *in the Chair*]

15.19 hrs.

At the outset, I am reminded of a news item that was published very recently in "The Economist" and the title says "Graft in India rotten to the core, coping with the aftermath of a massive scam." In the first line, it says, Sonia Gandhi, the head of the ruling Congress Party laments that India's moral universe "is shrinking" as newspapers filled with ever more galling cases of political corruption. The second line mentions - Manmohan Singh, the Prime Minister says, he feels like a school boy facing a series of agonizing tests as scandals break one after another.

I need not read the other sentences that follow in the famous news magazine *The Economist*. But I am reminded here of the history of the Bills that have been moved in this House since 1968. Shrimati Indira Gandhi became Prime Minister a number of times and during her tenure three Lokpal Bills were introduced. The first of such Bills was introduced in 1968 when a Committee went into those aspects and 10 Dissent Notes were also attached to the Report of that Committee. Then, in 1970 another Bill was also moved which lapsed and again in 1971 another Bill was moved which also lapsed in 1977. Subsequently, in 1985, about which Shri Basu Deb Acharia mentioned, another Bill was moved during Rajiv Gandhi's tenure which was withdrawn in the aftermath of

Bofors. So, four Lokpal Bills went dead. Then, one more Lokpal Bill was moved during V.P. Singh's tenure in 1989 which also lapsed. Later in 1996, during the tenure of Shri Devegowda as the Prime Minister, who is an hon. Member of this House, another Bill for the creation of Lokpal was moved which also lapsed. During Atalji's time, two Lokpal Bills were moved, one in 1998 and another in 2002 and both these Bills also lapsed. I am giving a history of this because this is the reason why subsequently an opinion has spread among the people of this country that, perhaps, the law makers are actually not interested to have a Bill of this nature.

Sir, I am reminded of one instance of Mahabharata. Vidhur says in Mahabharata that in judging a ruler's action, he looks to the results. If it benefits the people, it is an act of *dharma*; if it harms them, then it is *adharm*. Very humbly I would like to ask, how many of us have read those red letters which are above the Chair. It says: Dharmachakra Pravartnaaya There are other lines as well. We are all here. This is the House of the People and the first line of the Constitution says: 'We, the people of India'. The people are represented in this House. Anybody can create a crowd on the street, but you do not make a law on the street, you make the law here, in this House.

Therefore, I would appeal to Shri Anna Hazare to end his fast. I have respect for him, for the work he has done for the last so many decades for the welfare of the downtrodden, for the rural masses. He has empowered a number of people and he has travelled a lot throughout this country, as far as I know. He comes from a very humble background. But at the same time, I would say that Shri Anna Hazare's crusade against corruption is unique in many aspects. His movement is significant for a number of reasons. Shri Anna Hazare has re-established the relevance of Gandhiji and his ideals to the present day India. He has also drawn the younger generation into public issues. His life is precious for humanity. By observing his fast, he has already made his point. He has already shaken all of us; all of us not only mean the Members who are sitting in this House, all of us means the citizens of this country and he has shaken them from slumber to fight against corruption.

Enactment of Lokpal Bill is one weapon to fight against corruption, there is a need for many more weapons and Anna can guide the younger generations to achieve that.

We are in favour of a strong and effective Lokpal Institution. Anna Hazare's movement against corruption has brought together those who want to see the system

change for better, but disdain for Parliament will have tremendous repercussions.

This country is governed by the Constitution and the rule of law. We are in favour of bringing the Prime Minister in the ambit of Lokpal; excluding the incumbent Prime Minister is a mistake. He is the head of the Cabinet and first amongst equals. He is a Minister who is as liable to scrutiny as his peers. My Party, Biju Janata Dal, therefore, is of the view that the Prime Minister should be under the purview of Lokpal's jurisdiction but there should be some rider or restriction for greater national interest. The Prime Minister should not be investigated at all in any matter relating to national security and public order.

On judiciary, our view is that it should not come under the purview of Lokpal. The Judicial Standards and Accountability Bill should be expedited. Sadly many High Courts are facing charges of corruption. The cases involving Justice Soumitra Sen of Calcutta High Court, Chief Justice P.D. Dinakaran of Sikkim High Court, Justice Nirmal Yadav of Uttarakhand High Court are all at various stages. There is also the Rs.23 crore Ghaziabad Provident Fund Scam in which a Supreme Court judge, since retired, seven Allahabad High Court judges, 12 judges of the Subordinate courts and six retired High Court judges are allegedly involved.

I would, therefore, urge upon the Government to bring the Judicial Accountability Bill at the earliest opportunity. There is a need to drastically overhaul the judiciary which has become imperative in view of the increasing cases of corruption involving High Court judges. However, the independence of the judiciary must be respected and Lokpal cannot meddle with the judiciary. In any conflict the courts will be the final arbiter not the Ombudsman.

Including the Members of Parliament in the Lokpal is another issue which needs to be deliberated here, Madam. The exclusion of Members of Parliament from the Lokpal Bill is a necessity keeping the constitutional provisions in view under article 105 of the Constitution which clearly narrates the necessity for having such provisions. Whatever an hon. Member says or votes in Parliament or any Committees thereof shall not be liable nor can be prosecuted in any court of law.

However, his conduct inside the House is the prerogative of the Parliament. Any action outside the House, if criminal in nature, is bound to attract criminal procedure and Lokpal can go into some such matters.

But no interference be allowed by the Lokpal relating to the conduct of any hon. Member inside the House or in other respective Committees. The hon. Speaker is armed with enough powers to keep the order.

India's federal structure needs to be protected at any cost. India is a union of States. The States should have separate laws for creating Lokayuktas. Our Party, Biju Janata Dal, would like a strong institution of Lokayukta. We would be prepared to emulate a Central model but the actual Lokayuktas, men or women, should be chosen by the State laws. Lokayukta for a State should not be chosen by the Central Lokpal, and directions should not be given by the Central Lokpal or any Central agency to the State Lokayukta. Both aspects can be looked after by the respective State. No attempt should be made to thrust any centralised law on the States. We will resist it to our utmost capacity.

Madam, the Government should keep in mind that Central Government employees should come under the Central Government Lokpal and State Government employees should be under the purview of the State Lokayuktas. No attempt should be made in any manner to encroach upon the State by the Centre. The State Assemblies are there to frame their own law. We are for the retention of the federal character of the nation. When experience has shown that by delegating power one imparts better governance and accountability is ensured, why should there be an attempt to create a monolithic structure at the Central level?

The other point relates to the Citizen's Charter. Citizen's Charter is the call of the day. It is a necessity to make the executive Government machinery accountable. Right to Service must be enforced. Every developed society expects its public functionaries to deliver the goods and thereby become accountable for their deeds. We are of the opinion that respective Governments should make their departments' personnel concerned to declare a Citizen's Charter and for each work there should be a specified time limit. This will further the Right to Information provisions also.

Many Members also mentioned about the General Secretary of Congress Party, Mr. Rahul Gandhi's statement which he had made yesterday during the 'Zero Hour'.

MADAM CHAIRMAN: Please conclude now.

SHRI BHARTRUHARI MAHTAB: I would like to draw your attention only to two issues. One is that in his four-page statement, he mentioned about Government funding

of elections and political parties. I have a difference of opinion. I saw it two-three days back and I also concur to that view. The Election Commissioner has come out with a statement. People are not worried; we are not worried. A person who wants this society to be free from corruption is worried because of lot of money being pumped into during the election. I think that has troubled him and he mentioned that it should be Government funding of elections. In a country like ours where we have a multi-party system, every year, a number of political parties are formed. It is unthinkable and it is unadvisable to have Government funding. Rather we are not concerned how much money is being spent on account; we are more concerned and disturbed of the unaccounted money that is actually being utilized during the elections. How to tap that? How to control that? A suggestion is there that you allow the corporate sector funding or donations and make it legal. That will help to a great extent to curb this illegal money that is being spent.

I think, perhaps he was misled or he was not aware about it. I will not say that he was not aware of it. It is a mistake which needs a little bit of correction. His friends may tell him that. In his third page he mentions:

"Madam Speaker, why not elevate the debate and fortify the Lokpal by making it a constitutional body accountable to Parliament like the Election Commission of India?"

The Election Commission of India is not accountable to Parliament. It is only accountable to the Constitution of India. Perhaps, he had in his mind the C&AG. The Election Commission is not accountable to us. It is only accountable to the Constitution of India. We do not need a Lokpal to be accountable only to the Constitution of India.

Madam, here I may refer to The Hindustan Times, which has very rightly mentioned the comparison of the Office of Ombudsman in some countries. I am not going into every details. I am not mentioning about Sweden which has Ombudsman for the last many years, but I will mention here about the United Kingdom. What power does it has? I quote:

"The Commissioner shall send his investigation report to the Member of the House of Commons and the principal officer of the department under investigation. Also can lay a special report to the House if the Commissioner feels that a person failed to perform his duty and such a failure will not be remedied"

The sum total is this. The report will be placed before the House of Commons ...*(Interruptions)*

MADAM CHAIRMAN : Please conclude.

SHRI BHARTRUHARI MAHTAB : I am talking substance.

MADAM CHAIRMAN: Many hon. Members have to speak in the discussion.

SHRI BHARTRUHARI MAHTAB: I am talking on specifics. I may be allowed to speak.

I am not talking about Hong Kong or New Zealand or Finland. I am talking about a friendly country like Indonesia, which has recently been converted to a democratic country. Here the powers of the Ombudsman are:

"The Ombudsman may after investigation issue recommendations. It shall be sent to the complainant, the person against whom complaint was made and his person's superior. The recommendation has to be complied with. If the superior does not comply with the Ombudsman may send the report to the House of Representatives and the President"

So ultimately it is the House of Representatives; the House of Commons; the House of People, which will take action.

So these are certain suggestions. Ultimately it is the House which will take action, and I think the Standing Committee will go into those aspects.

Pranab babu has mentioned three points. Madam, I would like to mention here the last point that is, whether the Lokpal should have the power to punish all those who violate the grievance redress mechanism to be put in place. If we say 'yes', as has been said by the Leader of Opposition, as has been supported by Shri Sharad Yadavji, I have my doubt. You are allowing him to investigate. You are allowing him to prosecute. You are allowing him to punish. We had debated these three aspects in the Constituent Assembly. A person who will prosecute should not be the person to punish. I think, this House should deliberate on that. We cannot rush through like this. When a Resolution will be moved, all these aspects should be deliberated.

Do not empower a person or a group of persons to such a level that he can play havoc, if desires. God forbid that does not happen.

In the energy that has been released by Anna Hazare's stir, specially among the youth, there are great signs of hope.

But that energy needs to be channelized watchfully and constructively.

Poet Faiz Ahmed Faiz once sang beautifully on the 'crop of hope'-*yeh fasl ummeedon ki humdum* – but hinted darkly that it could also wither away as quickly as it grew: '*ghaarat jaayegi*' were his words. These were his words which he used.

Madam, before that happens, there is a need to nurture that crop with care and help it turn into a harvest of gold.

I conclude with the line of the English thinker, Jeremy Bentham, in the 19th Century, in Utilitarian Slogan had said: "The greatest good of the greatest number".

I would only appeal to the wise men of this House and outside that good politics is about prudence, not morality alone.

With these words, I conclude.

[Translation]

*DR. KIRIT PREMJBHAI SOLANKI (Ahmedabad West): The incident of corruption in administrative system of India had revealed just after the independence. A Committee headed by Late Sh. Morarji Desai was constituted in order to remove corruption and after a long discussion the idea of an autonomous body 'Lok Pal' was propounded, in order to tackle corruption. Lok Pal Bill had been introduced many a time in the House during the last four decades. But it is a matter of pride for me that the Lok Pal Bill which was introduced during the tenure of Shri Atal ji led NDA Government was the most powerful and effective Bill. The Prime Minister was also brought under the purview of the Lok Pal Bill.

I am pained to say that during the last seven year tenure of UPA-I and II Government, corruption has crossed all its limits. I still remember that the Congress had to lose the Government due to Bofors scam amounting Rs. 64 crore. But the present Government will be remembered in history for scams, corruption and mal-administration. Today, the present Government has become a synonym of corruption.

*Speech was laid on the Table

Our country was known as a golden sparrow. It has got abundant natural resources. Our country is endowed with fertile lands, best scientists and intellectuals, workers and farmers. In addition to this, it has the highest number of energetic youth in the entire world. But all these things have turned into a fiasco because of the lack of political and pursuance of wrong policies by the Government which have incentivized corruption. The ill-gotten money is being stashed in Swiss banks, and other foreign countries.

Our hon. leader Shri LK. Advani ji had launched a crusade against black money stashed abroad during the general election 2009.

Today, the failure of the Government has enraged all and sundry. I would like to salute Shri Anna ji for raising such an important issue. Today, he has got an overwhelming support from the masses. I am given to think that keeping this agitation in view a new powerful and effective Bill should be introduced on the basis of Jan Lok Pal Bill presented by Shri Anna ji. It is a matter of fate that the Government had introduced a weak and toothless Lok Pal Bill. The Leader of the Opposition Shrimati Sushma ji by putting forth her objection had right away condemned the Bill and had suggested to bring a powerful and effective Bill in the House. But all is well that ends well, therefore, I am glad that the Government, though under pressure, has shed its arrogance, agreed to make changes in the Bill.

There is no problem in proceeding ahead by making the Jan Lok Pal the base. But I would like to put forth some points from my side. We should move forward keeping the supremacy of the Parliament and Parliamentary tradition intact. There will be 10 members and one Chairperson as per the Lok Pal Bill. I believe that all the section of the society should be given due representation in the body. There must be a provision to provide representation particularly to dalits, tribes, farmers, laborer, etc. Diversion and transfer of funds allocated for the development of backward classes of the society and dalits to other purposes should be considered as corruption and the action should be taken as per the provisions made in the Bill. Jan Lok Pal should be set up as an autonomous body and funds, employees and officers should be provided for the smooth functioning of the Lok Pal. Member of the Parliament have been provided with rights to raise the issues of public interest in the House and that right should be left intact. NGOs, Media (Electronic and Print), retired IAS and IPS officers should be brought under the ambit of Jan Lok Pal. There should be separate courts of law to try the case of

corruption against the people who have been found guilty prima facie. And the most important a system with substantial and transparent provisions should be formulated in order to monitor Jan Lok Pal.

[English]

*SHRI S.S. RAMASUBBU (Tirunelveli): Sir, I am first of all bestowing my thanks to hon. Speaker for giving me an opportunity to express my opinion regarding Lokpal Bill which is going to be drafted shortly as a strong one.

A powerful Lokpal Bill is expected by all the people in order to put an end to the corruption through all walks of life – all the Government machinery, corporate bodies, NGOs, Judiciary, political representatives and media groups.

The constitutional supremacy, constitutional framework and the vested power should not be damaged and perturbed because of Lokpal Bill, Right to Information Act was passed. Even the layman can understand and know the fact of what is going on in anyone Department of the Government undertaking.

My opinion is that the Prime Minister should not come under the purview of Lokpal. The Parliament is represented by the elected Members from various areas of the country. The people give their mandate to represent them. Both the Houses of Parliament are having the power to enact a law. The Head of the institution is the Prime Minister. If the Prime Minister and the Members of Parliament are brought under the purview of Lokpal, how is it possible to control and enact an effective law?

We are enacting a law to control all the machinery of the Government. The Judiciary follows only the Act of Parliament.

The Lokpal can be established to monitor all the sectors of Government machinery and public representatives to findout whether they are functioning properly. The Lokpal can discuss and find out the fault of anybody. If there is any fault, then action can be taken against him. Such power can be provided to the Lokpal.

So, we have to be very cautious enough to bring such a Lokpal which should not in any way damage our democratic set up. Good and necessary provision must be there to eradicate corruption from our society in all walks of life.

*Speech was laid on the Table

[Translation]

*SHRI RAM SINGH KASWAN (Churu): The country has been waiting for the Lokpal for the last 42 years. 42 years is a long time for any country. This Bill is 161 being introduced in this House for the 9th time and the country has become serious about it. For the first time such a big mass movement has occurred in the independent India. The slogans such as Vande Matram, Bharat Mata Ki Jai Ho were the slogans of freedom movement and today once again the people of the country have been on roads shouting those slogans. Is it really a search of the lost freedom for them through Shri Anna Hazare?

The present incidents of corruption have shaken the belief of the people from the anti-corruption system. Corruption has established a record in the last few years. Corruption has pervaded leaps and bounds in 64 years of the independent India. The country has been looted ruthlessly. Shri Anna Hazare has united the people of India against corruption. The problem of corruption has been brought to the national stage for the first time. Corruption is the matter of the common people, earlier it was the pain of all people but now it is common anger of those people, it has been proved that the present administrative system has failed to check corruption. Opposite to that this system is encouraging corruption.

The law should be accountable to the entire system. With the mass support to the present movement of Shri Anna Hazare, it has been proved that the common people have been troubled from corruption. Now they do not have faith in the Government. A vacuum has been created in the public life. A new chapter of the victory of power of the people has been added to history.

Today, the people are watching every politician with the same angle but there are such politicians who are honest and want to be on the path of welfare and honesty but the present system has labelled everyone corrupt. We have paid this price of our behaviour that people do not have faith on us. We are miles away from idealism.

We should come up with such a Lokpal Bill for the coming generation, that shows our intentions of fighting against corruption or we could frame a strong and effective Bill that has widespread mass support is the country.

I am with Shri Annaji against corruption. My demand is that the Prime Minister should be brought under the ambit of the Lokpal, a National Judicial Commission should be constituted for the Judiciary and the CBI should be made an independent institution so that it could not be misused and the conduct of the MPs outside the House should be brought under the purview of the Lokpal. The provision of constituting Lokyuktas in the states should be enshrined in the Lokpal Bill only. At present, Lokyuktas are being constituted as per the laws of the state but we know how effective their functioning is. Every Government employee should be brought under the ambit of the Lokpal as the common people are fed up of them. The citizen's charter should be made in every department for the problems of the common people and in case this is not adhered to the concerned officer should be punished. These are such demands that are related to the daily life of the crores of people of the country. After all, why should the common people not have the right to know that in how many days and how their work would be completed. The entire Government machinery should be brought under this law. Corruption at lower level is more dangerous than that at top level as it affects the common people and the poor. Corruption in the bureaucracy at the lower level sucks the blood of the common people daily and it should be considered how to bring it under the purview of the Lokpal pragmatically but the common people especially the poor and the villagers are troubled by the corruption at courts and by the police and the patwari. This issue of Annaji must be included in the Bill. Every Government department should be accountable to the common people and there should be a time limit for delivering services. The voice of Annaji is the pain of the common people who are compelled to burn in the fire of corruption day and night. Rising above the party politics, we should make historical changes as per the demands of India. We should search for such Lokpal that is beneficial to the common people and accountable to the constitution without affecting the constitution and the Parliamentary Democracy. An effective and strong Lokpal should be given to the country making the legislative, the executive and the judiciary accountable to the democracy.

DR. KIRODI LAL MEENA (Dausa): Someone had counted the laws all over the world to be around 3 crore 30 lakhs. If people start obeying the ten commandments of the Bible or nishkam karma theory of the Bhagvadgita or a few aayats of the Kuran, then probably no laws would be needed. But, neither have we learned anything from the holy books nor have the crimes stopped despite all the laws.

Corruption is actually more of an ethical and moral question. The legal side can only play the role of discouraging the corrupt people. When corruption pervades all aspects of public life and society, then the claim of ending it by making a law gives rise to doubt. The law against child marriage was introduced and it was effective but what is the situation today? To search for a solution by developing formal institutions or by making some more laws would, be like searching for water in the desert. Gandhian revolution was against a foreign government. Despite this, Mahatma Gandhi continuously tried to send a subtle message of introspection in society along with the revolution.

Gandhiji while elaborating the trusteeship in Harijan on 22 February, 1942, had written, "In the application of the method of nonviolence, one must believe in the possibility of every person, however depraved, being reformed under human and skilled treatment. We must appeal to the good in human beings." Therefore, we would need to emphasize on character building in the country. We would need idealistic and ethical people to bring uprightness in politics. Ethical people should come forward to increase the importance of value based politics. First of all, we would need to understand corruption and its sources. System is the foremost reason of corruption and we cannot fight with corruption without changing the system. Anna Ji is saying the same which is a welcome step. The first step to be taken for bringing about a change in this system is to immediately bring reforms in the faulty political party system and election process. Apart from this, we would need to bring about changes in the parliamentary administrative and judicial system and there is a need for huge efforts for the same.

Lokpal should definitely be appointed and it should be made effective too. Lokpal should be empowered to keep corrupt people in check. Corruption should be controlled as much as possible but the extent of powers and accountability of Lokpal should be kept in mind at the time of drafting the bill. If a corrupt person is appointed and he misuses his powers, how will he be removed? All of the terms regarding the ways to restrict Lokpal and the authority which will restrict him should be clearly stated in the bill. We would need to search for Yudhishtir in the form of Lokpal. We all know that during the time of Mahabharata, Yudhishtir was one person whom even Krishna could not fool through diplomacy and at the time of informing about Ashwasthama's death, Krishna had to create communication interruption. Is it possible to find such a truthful Lokpal in Kalyuga? Therefore, there must be some restrictions imposed on it while giving it so

many powers, so that it is not able to cross the democratic limits.

Now, the questions arise about the powers to be given to a Jan Lokpal. What would happen if he is appointed above institutions such as Judiciary, Executive and Legislative bodies like parliament and state assemblies as well as Prime Minister, Minister, Officers Judges etc. and without being answerable to anyone. That person can dismiss anyone, anytime and start an enquiry. What is the guarantee that the person will not act like a dictator? What if he starts protecting corrupt people? There should be a nationwide debate on this and arrangements must be made to prevent him from becoming a dictator. He should be kept in limits; this must be remembered.

Nowhere in the world has a committee been constituted to draft Lokpal Bill where five Minister of the Government and five members have been from the so-called civil society. The actions of the Government have brought shame to parliament. The incident where a Gandhian protests non-violently, is arrested within few hours and does not leave jail or gets released on his own terms is also the first of its kind in the world. The instance of the whole parliament urging him to break his fast is the first of its kind. All of these things happened due to indecisiveness of the U.P.A. Government. The Government lacks understanding. The Government has strayed from its path. The Government has completely lost its reputation. There is no doubt that the reputation of the political parties and politicians in the last two decades have gone downhill. People don't believe in them as much as they used to. But the main reason behind this is the system. The most important ones are the election and political party system. This system is responsible for black money in the country and abroad. This is the reason why the criminals and the millionaires sit in the parliament. Therefore, first of all the system and political parties should be changed so that only those people reach parliament who are right, able and intend to work for public welfare, who make laws in public interest to control corruption.

To change this definition we will have to change the electoral system. We will have to do away with the dominance of criminals and money power. This is the root of corruption and we will have to uproot this only.

There are certain provisions of the Jan Lokpal Bill which may be difficult to pass in its current form, for example, this Bill mentions about bringing the conduct of

Members about bringing the conduct of Members in the House also under the Lokpal whereas, the Constitution does not provide any power to it in this regard. Article 105 (2) of the Constitution says that no action would be taken against any Member in any Court for any statement given or view expressed by him/her in the House or in any committee thereof. This would mean that if an enquiry is set up against a Member for his/her conduct in the House then that would be in violation of Article 105(2) of the Constitution and this will create possibility of a confrontation between the judiciary and Members privileges in the House. Therefore, if this Lokpal Bill of Anna Ji is to be passed like that only then it would first require an ammendment in the Constitution itself.

Besides, to pass Anna Ji's Lokpal Bill in its present form will create a friction with the basic structure of the constitution. In the year 1973 the Supreme Court had said while giving a very important decision that the Parliament is capable of framing any law and to bring any ammendment in the Constitution. It can even bring ammendment to the fundamental rights but the Parliament cannot change the basic structure of the Constitution.

Although the Hon. Court has not mentioned very clearly as to what is the basic structure of Constitution, but on time to time the hon. Judges have tried to give a list of such provisu which constitutes basic structure of the Constitution. The then Chief Justice Shri Sikari had taken separation of power between executive Legislature and judiciary as a basic structure and at the same time the well known legal expert Nani A. Palkhiwala has also considered the balance between Parliament executive and judiciary as the basic structure. To bring Parliamentary voting between Members and their conduct under the Lokpal perview will adversely affect the separation and balance of power.

By this Jan Lokpal Bill the team Anna wants to entrust all the powers to discipline all the Government employees in the hands of the Lokpal. For this we will have to bring an ammendment in the Constitution because in the present circumstances the tennure of a Government employee is protected under Article 311 of the Constitution. Besides the right to decide upon the punishment to a Civil Servant lies with the Union Public Service Commission which decides this after making a recommendation under 320 (3) (C) of the Constitution. Jan Lokpal will have the authority to recommend all the Government employees for penal action to be taken against them only in case if ammendments are made in the relevant articles of the Constitution. It is evident that

it would be like stepping in a totally different direction from the current Constitutional structure. But it will also have to be seen that the Government employees will start avoiding to follow the instructions of the administrative officials in apprehension of any disciplinary action and later on they will start making complaints against each other in order to settle scores within themselves. Proper arrangements will have to be made before putting this situation in place. Arrangements will have to be made to ensure that discipline remains intact amongst the officer and employees and that administrative officials do not loose their control.

Citizen's Charter must be granted validity at any cost. This will make the administrative system more active and will redress the grievance of the public in a time bound manner. There must be a larger section of people from the Non-Government side in the Lokpal. The appointment in Lokpal must be based on consensus and not on voting. There should be system of impeachment of remove the Lokpal similar to the process of impeachment for Judges. Steps must be taken in the field of electoral reforms. It is also required to bring reforms into fixing accountability of Judges, selection of Supreme Court and High Court Judges and to improve the judicial services in courts.

It is an important step to constitute Lokpal in states also. This must be done. Many states do have Lokayukta but they are toothless. An effective Lokayukta system must be formed but it must also be kept in mind that the same should not effect the federal structure. The basic structure of the constitution must remain infact.

All the religious Leaders who make crores of rupees, various Trusts, Doctors, Lawyers, Corporate Houses, Media and those who tap calls and telecast or publish such call in exchange of money, the people who illegally exploit the natural resources, Government and Non-Governmental Organisations, various Public Institutions, mining social disparities must be included under the Lokpal Bill and all of these must be brought under an effective Lokpal so that a corruption free India can be build.

[English]

*SHRI ANTO ANTONY (Pathanamathitta)- I take this opportunity to congratulate the UPA Government in introducing the historic Lok Pal Bill in the Parliament.

The Government once again proved its commitment to uproot corruption from our society and ensure transparency in governance. Corruption has become one of the disturbing issues in the country. As per the recent report, more than half of the Indians have had bitter experience of paying bribes to our public offices for various reasons. A study conducted in 2010 revealed that India was ranked at 87th position in terms of the Corruption Perceptions Index.

Corruption is deep-rooted in almost all the sections in our country. This shows that we have to have an effective mechanism to uproot corruption. Therefore, all public offices and civil society institutions should come under the ambit of the proposed Lok Pal.

We are proud to be the largest democracy in the World and it is true in its all sense. The essence of its success lays in our democratic values based on mutual respect and the institutional mechanism we have since independence. Therefore, the proposed Lok Pal should also be framed in accordance with this spirit. I take this opportunity to congratulate the Government in introducing the Bill to uproot corruption without harming our democracy.

The Lok Pal Bill envisages to establish a vigilant watch dog against corruption. The Bill respects the basic tenets of democracy by sustaining the concept of checks and balances without harming the concepts of independent legislature, executive and judiciary. However, it re-emphasizes the accountability of these institutions by adequate provisions. It never encroach the vested powers of these institutions. The Bill never allows concentration of power into a single body. Rather, it admits that the sovereignty should be vested in the hands of people in this great nation. The Bill never intends to create a bottleneck in governance by creating unhealthy competitions among the democratic institutions.

I take this opportunity to state that we have to sustain the very spirit of democracy in its letter and spirit. I feel great pride to mention that, India is a among few countries in the world that could successfully prevent the menace of autocracy and military rule than that of the most other countries in the World. It is through the mechanism of separation of power as well as checks and balances. I gratefully acknowledge the role of the Parliament in this regard.

Let me share my concern about the dreadful consequences of the proposed Jan Lok Pal. Apart from

the spirit of our democracy, the Jan Lok Pal tries to set forth a supreme body, comprising of the bureaucrats in the country. It is not responsible to anyone in this country. Rather, it can nullify any democratic institutions in the country. It is the concentration of power including executive, and judiciary into a single body. No doubt, the existence of Jan Lok Pal will herald the decline of Indian democracy. If all the powers are vested in the hands of a few, then it may turn into an autocratic and most corrupted institution.

Let me conclude that democracy should not be sacrificed at the pretext of eliminating corruption. Corruption, indeed, is a menace and should be totally eliminated from all spheres in our society. But the basic tenets of democracy should be protected. Therefore, I request the Government to proceed with the Bill that is abiding by the basic tenets of democracy.

*SHRI PREM DAS RAI (Sikkim): I would like to express my views on the three issues that have become the bone of contention between the Anna Team and the Parliament. We are constrained to debate this because of the situation that has been obtained. Everyone has also said that this a historic occasion. I certainly agree.

I have been listening very carefully trying to get the sense of the House. The Leader of the Opposition has given a very detailed account of the situation that has arisen. I support whole-heartedly her's and the Leader of the House, Shri Pranab Mukherjee's call for a considered debate on the statement of Shri Pranab Mukherjee.

My Party, the Sikkim Democratic Front Party, has on all the occasions repeated that we have to respond to the nation's call for probity in public life. We are for the enactment of a very strong and robust Lok Pal Bill. All the good points of all the proposed Bills that have come before the Government should be incorporated.

In so far the three points, the bridge that is to be crossed, are concerned we have no objection. However, the greater wisdom of more consultation with wider section of our nation will make these more practical. The Citizen's charter and grievance redressal are mechanism which has to be there. This along with bringing the lower bureaucracy within it's ambit is important and we fully agree. The officials of the Central Government can be brought under the Lok Pal.

The State of Sikkim has already enacted a Lok Ayukta. We have no issue to strengthen the same when the Lok Pal is enacted and indeed directions will be received from the Centre. However, the federal structure cannot be allowed to be tampered with. A model Act can be adopted.

Finally, I would like to state that my party will continue to work toward making of nation that believes in democratic principles, probity in public life and continuous improvement in the way public goods and services are delivered to the *aam admi*.

[Translation]

*SHRI RAVINDRA KUMAR PANDEY (Giridih): I would like to thank you for providing me an opportunity to speak on the constitution of Lokpal, under Rule 193. The leader of the Opposition and of our party Shrimati Sushma Swaraj ji has presented her views on this issue of public interest in an effective and cogent manner and has assured that we are in the favour of a powerful, effective and impartial Lokpal body. I associate myself with her views and I support the stand of my party over those (3-4) issues which have triggered confrontation between the Government and the civil society. I hope that at the end of the discussion a unanimous decision will be taken on the controversial issues and it will open avenues to formulate an effective Lokpal, and the Gandhian leader Shri Anna Hazare will break his fast.

First of all I think the disposal of public works should be time bound in the departments where there is a direct dealing with the public. The provision of penalty should be made against the officers who refuse to work and unnecessarily delay work. It is directly related to the demand of Citizen Charter raised by Shri Anna Hazare ji. Therefore, the Government should not have any objection to make such a provision.

This is an undisputable fact that corruption should be removed whether it is in the legislature or in the Government, or in the Judiciary. When we are out of this House all of us come under the category of public servant.

Thus, the law applicable to common citizens should also be applicable to Members. Therefore, the freedom of a Member to speak in the House and to vote should not be compromised. I advocate the said point so that the supremacy of the Parliament may be kept intact.

*Speech was laid on the Table

The Government also concedes the point that there is a need to introduce a new law in order to remove corruption from the Judiciary. As the leader of the Opposition put forth the proposal to set up Judicial Accountability Commission, I agree and support the said proposal.

The controversial point is whether the Prime Minister should be brought under the ambit of the Lokpal or not. The leader of the Opposition Shrimati Sushma Swaraj has suggested that subject to some exceptions the Prime Minister should be brought under the purview of the Lokpal. The exceptions may be formed with regard to the national security but the Prime Minister should also be brought under the ambit of Lokpal. In addition to this there is no controversy in connection with bringing all the officers under the purview of Lokpal. As far as the matter of lower grade employees is concerned, they may be brought under the ambit of Lokpal by making some provisions as suggested by Shrimati Sushma Swaraj ji.

Another important issue is related to the appointment of the Lokpal. I think, the committee which will be constituted for the appointment of Lokpal should have equal number of members from the Government and Civil society so that the representatives of the Government and the representatives of the civil society may be given equal importance while making appointment of the Lokpal. It will also avoid any sort of question mark on the appointment committee of the Lokpal and an impartial and effective person may be appointed as Lokpal.

Hence, I would like to request the Government to bring a powerful and effective Lokpal Bill as per the hopes and opinions of the House, civil society and the citizens of India.

Like other hon. Members I too support the idea that Anna ji should break his fast.

SHRI ANANT GANGARAM GEETE (Raigad): Madam I am thankful to you for giving me the opportunity to speak. Today, corruption is at its peak. Corruption has crossed all the limits. No region, no class of the society is left untouched by corruption. Even the poorest of the poor, known as Below Poverty Line (BPL) has to pay hush money in order to get BPL card. Even poor people have to pay bribe for the admission of their children in any school or college. If they are tortured and injustice is done to them and go to lodge complaint they have to give bribe. The condition of the middle class of the country is similar to that of poor class. That is why I am telling

that no class of the society is left corruption untouched by it. Corruption cases are coming to light one after other particularly during the last two years incidents of large scale corruption have been revealed, such as 2G Spectrum scam, Commonwealth Games scam etc ...*(Interruptions)* You listen to me, make the comment later on ...*(Interruptions)*

Awareness has been created against corruption after 2G spectrum scam, Commonwealth Games scam, Adarsh Society Scam etc. and the forerunner of this awareness is Anna Hazare. He has been staging fast for the last 12 days. The entire country is agitated. Shiv Sena has always been against corruption. We have always condemned injustice, corruption, and exploitation. We are always against corruption. Therefore, the Chief of Shiv Sena Shri Bala Sahab Thaker wrote a letter to Shri Anna Hazare on 23rd and he showed his concern with regard to the health of Shri Anna Hazare Ji. He, in the letter, requested Anna Hazare ji to take care of his health. He further added that the country is in need of him and he should not continue his fast, rather he should break his fast. He should continue his agitation against corruption. In addition to this he advised Anna Ji that hereafter he should make Shrimati Kiran Bedi, Shri Kejrival or Shri Prashant Bhushan to sit on fast one by one ...*(Interruptions)* The letter written by the chief of Shiv Sena Shri Bala Sahab Thakre is available in black and white, therefore no one can neglect it. Aditya Thakre, the son of Shri Uddhav Thakre and the grandson of Bala Sahab Thakre had come to Delhi yesterday. He went to Ramlila ground and met Shri Anna Hazare. He too expressed his concern and enquired about the health of Shri Anna Hazare. He stayed there about 20-25 minutes. He organised a phone call between Shri Anna Hazare and Bala Sahab Thakre for about 10-12 minutes. Aditya Thakre too advised him to break his fast as the country in need of Anna Hazare ji and Shri Bala Sahab Thakre had sent him a request in black and white. The Hon. Prime Minister Dr. Manmohan Singh, through this House and the Hon. Speaker on the behalf of the entire House has requested Shri Anna Hazare ji to break his fast. Since, the discussion is going on in the House and Shrimati Sushma Swaraj Ji has initiated the debate on it, each member has requested Shri Anna Hazare Ji to break his fast. I, through the House, would like to request Shri Anna Hazare Ji to break his fast in the dignity of the House.

Madam, today corruption has pervaded all over the country we have to fight against it. We have to uproot corruption and for that a powerful law is required. There

is a need to formulate a powerful and effective Lok Pal by considering the Bill introduced by the Government, Jan Lok Pal Bill presented by Shri Anna Hazare Ji, suggestions put forth by Jaiprakash Narayan Trust, suggestions by Aruna Rai or various suggestions put forth by the hon. Members of the House. Nobody is neglecting this Lok Pal. But before the creation of Lok Pal I agree to the concerns expressed by my colleague Shri Bhartruhari Mahtab. The Lok Pal should not create such a situation where treatment becomes more hazardous than the disease. Otherwise it will create new problems. We are going to create a super centre and while creating it, we should not show any hurry. We should create Lok Pal after proper discussion and keeping the dignity of the Parliament and the democratic system intact. There is a need of stringent law.

We should appoint the Lok Pal by keeping the dignity of the Constitution, the Parliament and democracy intact.

Madam Chairman, we are going to enact Lok Pal law. We have many laws to harness corruption and to take action against corruption in the country. We are trying to curb corruption under those laws. But today perhaps those laws have proved inefficient to check corruption. Therefore, demand for a powerful and effective law is being raised. A stringent law is required to eliminate corruption. I am submitting it in the House because law can punish a criminal but can not have a check on the aims. Even the creation of Lok Pal too will be able to punish the person involved in corruption but it does not mean that it will remove corruption. We need to bring change in the society in order to remove corruption. There is a need to create society which follows morality. We have to do it ourselves. Today, we are concerned about the situation prevailing outside. Madam Speaker, when Anna Hazare Ji began his agitation, it seemed that his agitation is against the Government. But now it seems that gradually his agitation has turned against the entire Parliament. Today such a situation has emerged that no one will have faith on us. When people lose their confidence on the Parliament and its Members, it may cause threat to democracy. Therefore, we need to contemplate over it seriously. An agitation should not be viewed from the angle of an agitation only.

MADAM CHAIRMAN: You conclude now.

SHRI ANANT GANGARAM GEETE: Madam Chairman, I have just started ...*(Interruptions)* I have just given the introduction. Madam Speaker, it is an important and historical debate ...*(Interruptions)*

Madam, on the very outset I told that no class of the society has remained untouched by corruption. No region is left untouched by corruption. One of our Ministers is in jail and many other accused are behind the bars due to 2G spectrum scam which is pending in the court ...*(Interruptions)* That is a different issue, the legal procedure is going on. Not only the Government and its Ministers but also renowned business houses are involved in this scam. The name of the number one business house of the country has come to fore in this scam.

15.57 hrs.

[SHRI BASU DEB ACHARIA *in the Chair*]

Sir, his name has also been revealed in connection with the scam, therefore, this issue has become a matter of serious concern. It means no one is left untouched by corruption. Renowned business houses have also involved in corruption. In such a situation if the public of the country gets agitated, it should not be viewed with surprise. It should not astonish you. We should learn something from the way this agitation was initiated, got the support of the people and agitated the masses. A lot of discussion is taking place on media. Recently, Shri Sharad Yadav Ji was speaking. When he concluded his speech, each Members of the House welcomed his speech.

MR. CHAIRMAN: Please conclude now.

SHRI ANANT GANGARAM GEETE: Sir, the pains and pangs of the poor, backward, dalit and deprived section of the society in the country are reflected in the speech of Shri Sharad Yadav ji in the House. In the similar manner, he has expressed the sentiments of the House here. That is why, each Member of the House welcomed his speech.

A case is under consideration in the court regarding paid news against the former Chief Minister*....of Maharashtra. I would not like to comment anything on the merit of the case.

MR. CHAIRMAN: You do not take the name. You may call him the former Chief Minister.

SHRI ANANT GANGARAM GEETE: Sir, alright, I will abide by your orders. I will not take his name. A case with regard to paid news is under consideration of the

court against the former Chief Minister of Maharashtra. The case is under consideration of the court. Paid news is also a corruption.

16:00 Hrs.

This is also a corruption. Today, corruption has crossed all its limits. We have to move from one place to another for canvassing. The poor is unable to manage two square meals. When we go to them during election, they complain that they receive currency notes against votes. Many a time, Election Commission has caught the candidates red-handed. The poor are getting note for vote. Neither they are aware of the crime they are indulging in nor they can understand it because grains are their need. When this issue was raised in the House, that votes are being bought with notes, now the case is under consideration in the court. I am talking all about this because ...*(Interruptions)*

MR. CHAIRMAN: You conclude now. Around 50 hon. Members are yet to speak on this issue.

SHRI ANANT GANGARAM GEETE: Sir, you just provide me five minutes more. No field is left untouched by corruption. Corruption has engulfed corporate sector, media, NGOs and what not. The super power we are going to create is necessary and we favour its creation. I agree with Shrimati Sushma ji and the three demands of Anna ji that public grievances and Citizen Charter, Lokayukta and lower bureaucracy are needed to be brought under the purview of Lokpal. Sushma ji has accepted this. We are alliance of NDA, therefore, agree with her. Sushma ji talked about the Prime Minister. My party and I agree to her proposal that the Prime Minister along with some riders should also be brought under the purview of Lokpal. The rights given to the Members under Section 105 (2) of the Constitution should remain intact.

Sir, we have stood to fight against corruption. The fight against corruption is outside the House as well as inside the House. All the Members together want to fight back corruption. We are fighting against corruption and keep it up. Lokpal Bill is required and should be brought. But no impetuosity should be shown while bringing the said Bill. The Lokpal Bill will be welcomed if it is brought intact.

*SHRI VIRENDRA KUMAR (Tikamgarh): The discussion is going on in the House with regard to the

*Not recorded.

*Speech was laid on the Table

three important issues related to Jan Lokpal Bill. The issues are the appointment of Lokayukta in the states, Citizen Charter and lower bureaucracy should be brought under the ambit of Lokpal. The masses of the entire country has got united against corruption From Kashmir to Kanyakumari, the children, youth, old, businessmen, employees, all have associated themselves with the agitations being run against corruption at local level. This is the second agitation after the agitation ran by Lok Nayak Jaiprakash Narayan in the country when a unique change was visible in the country. The crowd in the Ramlila ground has been increasing incessantly for the last 12 days. People are raising their voice against corruption by adopting various modes such as bhajan, kirtan, songs, nukkad natak, poems, slogans, etc. During the last two years, scams of crores of rupees have been unearthed as a consequence of which the masses of the country has got committed against corruption. Be it K.G. Basin scam, 2G spectrum scam, Adarsh society scam, state related public schemes scam or any other scam, the people are viewing the image of Mahatma Gandhi in Shri Anna Hazare. Common public believe that passing of Lokpal Bill will curve corruption. It will also frighten the employees to get involved in corruption. This Bill has been introduced 9th time in the House from 1968 to 2011, but public never showed such an overwhelming curiosity. Earlier, Bills were introduced, passed but public of the country was not that much interested. But this time, the children, old-aged, everybody is aware about the Bill. All are eager to get this Bill passed. When the Bill was introduced during NDA rule, the then Hon. Prime Minister Shri Atal Bihari Vajpayee ji himself took initiative to bring the Prime Minister under the ambit of Lokpal. The present Hon. Prime Minister has also favoured this idea. Hence, the Prime Minister should be brought under the purview of Lokpal. It will strengthen the confidence in the hearts of the people with regard to the post of the Prime Minister.

There are talks appointing Lokayuktas in the states also and that they must also have rights similar to the Lokpal. Lokayuktas have already been appointed in many states of the country and they must be appointed in the remaining states also. As far as the Citizens Charter is concerned, the Public Service Guarantee Act has been formulated and a fixed time limit for various function of all the departments has been prescribed in that charter. In case the function is not completed within that stipulated time limit then there is a provision in the Act for action to be taken against the concerned officer and any penal amount recovered from such officer shall be paid to the petitioner. Therefore, a Citizen Charter must be drafted for all the Central Government Departments. They are

talking about including the staff officers /employees under the Lokpal Bill. I would say that mostly big people are involved in major scams but a common by man's works are performed by the junior level officers and clerks who unnecessarily harass the people and refuse to work without any bribe. Therefore, in order to provide relief to the common man, Government employees must be included in the Lokpal Bill. This is the same common man who has come from all over the country and supported Anna Hazare's movements.

Parliament holds the supreme position in a democratic system. It has a dignity of its own and it must be respected by everyone. A strong and effective Lokpal Bill must be brought by maintaining the dignity of the House and this issue should be discussed in the House with a great heart and sensitivity so that the people of the country get a feeling that Parliament is not all about interruptions but the House has a unanimous opinion on serious issues.

Members are the Citizens of the country and the representative of the public also. The entire society looks up to them. Their behaviour inside and outside the House must be dignified. We can have a strong and effective Lokpal only if the Members stand united against corruption with all their heart.

"Hai mazaak kitna yeh ganda
Jinko dekha phool rahe hai
Charagah hai desh samoocha
Hai swachand yaha chaupaye
Aandha peese swasth chabaaye"

*SHRI HANSRAJ G. AHIR (Chandrapur): For many days a movement against corruption has been going on in the country under the leadership of hon. Anna Hazare Ji. The Lokpal Bill brought by the Government is inefficient in fighting against corruption which is why there is a wave going on in the country to have a strong Lokpal on the basis of provisions given under the proposed Jan Lokpal Bill by Anna Hazare Ji. Today is the 12 day of Anna Ji's hunger strike. The entire country is directly or indirectly supporting this movement against corruption on the call of respected Anna Ji. The Government is merely talking of bringing a strong Lokpal but in view of the pressure from both the Opposition and the public the Government is forced to express its opinion. Hon. Leader of the House Shri Pranab Mukherjee had agreed to three things regarding the proposed Jan Lokpal Bill of hon. Anna Hazare. Today the discussion being held on

*Speech was laid on the Table

those things must be viewed in a historical context. Today we feel proud to be a part of that historical moment.

The Leader of Opposition Hon. Sushma Ji, has initiated the debate on the statement given by the Leader of the House and has expressed her role in detail which can be said to be very important in today's context. This can play an important role in fulfilling the expectations raised by the Jan Lokpal proposed by Shri Anna Hazare Ji. The hunger strike of Shri Anna Hazare ji is getting longer because the Government has been changing its stand frequently on the movement against corruption and Jan Lokpal.

The Government was only showing concern for Anna ji's health but the deadlock was created as no clarification was given by the Government with regard to the issues raised by Anna ji. I am of the view that this deadlock will end today. This House should unanimously try to build an independent and powerful consulting body to fight against corruption by passing the Jan Lokpal Bill and a proposal should be sent to honourable Anna ji. As all of us are united against corruption, I hope there would be no difficulty in passing such a unanimous proposal despite the party commitment.

Annaji has talked about ending his fast after consensus on the three suggestions like setting up of Lokayuktas in the states on the line of Lokpal, fixation of time limit for the disposal of works related to public and bringing the bureaucrats under the purview of Lokpal. In the discussions held so far, most of the parties are on the same page about these issues. Our party, Bharatiya Janta Party has showed its commitment for fighting against corruption both inside and outside the Parliament. BJP is in favour of Jan Lokpal Bill on the debate held against corruption in the House on 24th August. Everyone showed his concern on the widespread prevalence of corruption and talked about taking effective steps to end it. Therefore, it is not right to create confusion regarding the same. The life of an extraordinary 74 year old person who is leading the country through Jan Lokpal in the fight against corruption is important for us. Therefore, we should limit the ongoing debate in the House and should unanimously pass such a proposal which ends Anna ji's fast as soon as possible.

[English]

DR. SANJEEV GANESH NAIK (Thane): Mr. Chairman, Sir, on behalf of my Party, NCP, and on behalf of my leader, Sharad Pawar-ji, today I rise here to support

the need for a strong law to eliminate corruption in the country. I also strongly support the need to have a Citizens Charter so that citizens' requirements are addressed in a time-bound manner by the government machinery.

We need to ensure that the Central and the State Government employees are made accountable to the citizens of the country. In the recent past the Government has taken many initiatives to ensure that public servants are made more and more accountable. The Right to Information Act is one such example. Recently, the Central Government and several State Governments have taken many reforms in the delivery mechanism by tapping the power of information technology to increase transparency and eliminate corruption. It shows that the Government is sincere in its efforts to provide better citizen services and reduce corruption.

While supporting the need for a strong Lokpal at the Centre, we must also ensure an equally strong Lokayukta in the States. In order to facilitate the constitution of Lokayukta in the States, we must take the State Governments on board and prepare a model draft on the lines of the provisions of the Central Act, which can be circulated to State Governments for early enactment. It will be our shortsightedness if we assume that only the government system is corrupt. In fact, a citizen faces the brunt of corruption in various fields of life. We need to take a massive awareness campaign against corruption against bribe-taking as well as bribe-giving.

It is a harsh fact that today the common man is being harassed even to address his day to day needs such as getting a ration card, distribution of foodgrains, land records, driving licence, etc. Many of these issues are to be addressed by the lower bureaucracy. We must ensure a foolproof system to address the issue of corruption at this level.

However, I must emphasize that while today the entire government machinery is being painted with the same brush and is being branded as corrupt, we must not ignore the fact that in the same system there are hundreds and thousands of honest and sincere employees who are working day and night to address the citizens' needs. We must ensure that all our initiatives should have enough safeguards to ensure that honest and sincere officers are able to deliver their best for the country.

One of the most important aspects is the electoral reforms in the country. It is true that the current system

of conducting elections in the country is also one of the reasons for corruption. While appreciating the role of the print and the electronic media in public life, I must also express my concern about the system of the paid news and the paid package for support during elections adopted by a section of the media.

Today the entire country is talking about the need for a strong Lokpal. I appreciate and thank Shri Anna Hazare for creating a massive awareness about the issue of corruption in public life and for bringing it to the forefront. The NCP while giving its full support to bring a strong Lokpal through constitutional and parliamentary procedure, we also need to work hard to bring back faith in the parliamentary system.

To conclude, my Party, NCP, and my leader, Sharad Pawar-ji, sincerely request Shri Anna Hazare to withdraw his fast. We will also seek his continued guidance on various issues facing the country, including developmental issues. With these words, I conclude my speech.

[Translation]

*SHRI VIRENDER KASHYAP (Shimla): Mr. Chairman, Sir, I am laying my speech on the Table of the House because not everyone is getting the chance to speak today. Today, there is a debate on corruption in the country and this debate has found a new direction through the revolution led by Shri Anna Hazare. The 'Jan Lokpal Bill' presented by Anna ji and civil society as well as the Lokpal Bill by the Government and other people have presented different Lokpal Bills of this kind for open debate. I believe that corruption should be eradicated from society and administration because corruption has spread like cancer in all fields. Only time will tell the extent to which we would be able to control corruption after setting up Lokpal but nothing would be gained without strictly implementing its provisions. The laws are good enough to check corruption at present but are we implementing them properly? Corruption proliferates due to lack of strict implementation of laws. Anna ji's indefinite hunger strike has created an atmosphere to end corruption at all places. A debate is on to appoint Lokpal for eradicating corruption from Parliament. I would like to say that the conduct of the people, to be taken at the time of Constitution of Lokpal, should be good. But I would like to say that people from the Scheduled Castes, dalits and other Backward Classes should be included in this Lokpal so that they also feel

respected in such important positions. At present, there are a lot of intellectuals in society who are dedicated towards building an honest nation. Corruption should be extensively defined in Lokpal. Today, atrocities are taking place against dalits and Backward Classes. The Government funds meant for them are being misused. The administrative officers create hurdles in promotions of people from this category. It would be appropriate to include all of these things in Lokpal so that fear of punishment is instilled in the senior officers found guilty of dereliction of duty and they do not discriminate.

Therefore, I would like to recommend to bring a powerful Lokpal Bill so that we could end corruption completely.

[English]

DR. M. THAMBIDURAI (Karur): Mr. Chairman, Sir, I thank you very much for giving me an opportunity to speak on the issue of Lokpal.

Sir, in the morning, our hon. Finance Minister gave a statement for setting up Lokpal. He has also given the whole history. He also mentioned that the Prime Minister had to call two all-party meetings for this purpose. The first all-party meeting was held on 3rd July, 2011 and the second one on 24th August, 2011. In both the meetings, I represented my party, AIADMK. In that, the Finance Minister said that he has received suggestions from various Chief Ministers and also political leaders. My leader, hon. Chief Minister of Tamil Nadu, Dr. J. Jayalithaa, has also written a letter stating her opinion. She has very clearly stated that she is not against the Lokpal Bill. At the same time, she has also stated that Parliament and democracy are supreme and we have to respect them. We have to see how we are going to bring Lokpal Bill within the system.

Many hon. Members also mentioned about the contents of the Lokpal Bill. They said that Prime Minister must be included, and at the same time, they are also saying that we have to put some riders. They are telling that Prime Minister has to be included, and at the same time, they also want to put riders. That is why, my leader said that it should not include Prime Minister. That is our party's stand. Our party's stand is that the Office of the Prime Minister is the highest institution, which is running the Government. After all, there are so many provisions in the Prevention of Corruption Act to deal with the Prime Minister. Afterwards, you can use them and take action. According to the opinion of the leader of my party

AIADMK, the Prime Minister must not be included in the Lokpal Bill. That is our stand. All the other political parties, including the NDA, are telling that it should include Prime Minister, but also want to put some riders. Then, what is the purpose of putting him under the ambit of Lokpal? That is why, we say that this is our stand.

We are having faith in democracy. The present situation is not because of only the UPA Government's handling of this issue. We can go to the genesis of the whole corruption in this country. You can see that corruption is prevailing in all walks of life. If you go for an admission to a school, you have to give money. If you have to purchase a ticket, you have to give money. If you have to get a licence, you have to give money. As many hon. Members said, the corporates are also giving money for election purposes, through scams like 2G, CWG. Therefore, there is corruption in all spheres of life. Hon. Member, who was speaking just now, mentioned that even crores of rupees are being spent in the election campaign. Where does the money come from? Then, you are tempting the voters also to get money. Therefore, corruption starts at the lower level and then spreads to the higher levels. In this issue of corruption, everything is involved like price rise and so many other things. It is because of that when Shri Anna Hazare started his movement, everybody started supporting it because in all walks of life, people are feeling the pinch of corruption. That is why, we are seeing that kind of wrath. That is the situation.

The first all-party meeting was called by the Prime Minister. When did he call it? It was called after he had constituted a Drafting Committee comprising of five Cabinet Ministers and five persons from Shri Anna Hazare's team. Before that, they had never consulted other political parties. This is the first blunder that the UPA Government did. They had faith in Shri Anna Hazare and therefore, they did it. Afterwards, when the problem started, they called all of us, asking for the suggestions of other political parties. What is the point in it, after you have done everything? Why did they call another meeting now? It was because Shri Anna Hazare went on an indefinite fast and the problem started to become bigger. They do not know how to solve it now. That is why, they called us once again.

Afterwards, now they have given us the chance to discuss it here. At the same time, this is a new situation that they have created. Therefore, this tense situation is created by the UPA Government and not by others.

One person cannot dictate terms. This is our democracy. He can have his own views. Every citizen has the right to speak his views. It is because we, the people of this sovereign country, have constituted this Parliament. We know about it, and we have to respect the feelings of the citizens. If one is not respecting the feelings of the citizens, then one has this kind of a situation where some sections of the people come out from their houses onto the streets. They are raising the issue of corruption, and saying that it is the bounden duty of the Government and the Parliament to take up the sense of the people and to see how we can solve this problem. Hence, we have this discussion, to see how to solve the problem. In spite of this, we are having full faith in democracy, and I have already mentioned this.

Most of the Congress friends are here. Now, they are mentioning about Shri Anna Hazare. Our Party Founder was Perarignar Anna. He was also called Anna, and our Anna had faith in democracy. The Congress could not get majority in Tamil Nadu from 1952 onwards when the first election took place. It was only Shri Rajagopalachari who formed a coalition Government at that time. Afterwards, Shri Kamraj took over; he ruled well; and we had no objection. At that time, we were students, and we thought whether we will be able to defeat the Congress as nobody thought that it was an easy task to defeat the Congress at that time. We thought like this, but our Perarignar Anna had faith in democracy. From 1947 onwards, he made campaigns about our Tamil culture, feelings of the people, the common man's issues, price rise, and corruption. He targeted everything. Thereafter, he won in 1967 and formed the DMK Government. Actually, our Party was one together at that time, and that was the first Government. Till now, the Congress cannot dream of capturing power in Tamil Nadu. This is the ground politics. They tried in 2006, when they thought that they had got an opportunity to have a coalition Government, but they missed the opportunity. Therefore, they thought that this time they will try to capture that opportunity. Hence, DMK had contested only in 119 seats in the election and the remaining were given to other Parties. Definitely, they could not form the Government even if the DMK would have won. They could not have formed a separate Government, and they would have formed only a coalition Government. What did the people do? They have voted in favour of the AIDMK's leader Dr. J. Jayalalitha. Hence, I am mentioning that from 1967 onwards the Congress is making an attempt to capture Tamil Nadu, but they are not able to do so. It is a democracy, and we have faith in democracy.

Our founder Leader, Perarignar Anna, developed this kind of movement; the people have voted for us; and we have come to power. Therefore, I am mentioning this. Therefore, we could not fully support Shri Anna Hazare's movement, and cannot accept his demand of passage of the Bill, by by-passing the established Parliamentary procedures. We can take certain facts from all that he is suggesting, but it is not the final thing. He cannot dictate terms on our Parliamentary system. The Parliament is supreme. Hence, we are discussing it here. We are elected people. We have a term of five years only, and then we have to go, once again, to the people; meet the people; and get the mandate from the people. This democracy must be preserved, and this is the most important thing. He can say whatever he thinks; he can have his own movement; and there is nothing wrong in it, but he cannot dictate terms.

As regards election reforms, I was also a Law Minister from 1998-1999, when Shri Vajpayee's Government was in power. At that time also, the Lokpal issue came up. I also introduced the Bill on Women Reservation sitting at Seat No. 5. I remember in those days what I have done. At that time also, we tried to bring electoral reforms. We formed a Committee under the leadership of late Shri Inderjit Gupta. He took over, and he made an attempt to see how to control the finances or funds; whether the Government can give funds to the candidates; and how to conduct elections. He made certain suggestions, which were not up to the expectations, and he could not do it. Afterwards, I also, as the Law Minister, tried to bring a National Judicial Commission Bill. We all made an attempt as there are so many irregularities going on in the judiciary, and we had to take action. Hence, we tried to do it. At that time, as Law Minister, I tried to do it, but there was a dispute between the President of India and the Chief Justice.

They know how the judicial authorities have been appointing the Judges. I have the bitter experience in this regard. I know how they have treated the Law Minister and how they have been doing all these things. There also there were some irregularities and we had tried to rectify it. However, Vajpayee Ji, at that time, kept quiet because of the controversy between the President of India and the Chief Justice of India. Otherwise, at that time, he had tried to form the National Judicial Commission.

Why I am saying these things is because we are always fighting saying that we want some reservation. We are saying that the Dalits and the OBCs do not have

sufficient representation in the judicial system. Therefore, through National Judicial Commission, we thought that we could recruit efficient people and ensure that other communities find representation through appointment as Judges. We had tried it at that time, but we had failed.

On the question of the setting up of Lokayukta institution in all the States and whether it should be made applicable in all States, our opinion on this issue is that as some of our friends said, we have a federal set up. Our Constitution is based on a federal set up. Most of the States which were formed at that time were based on linguistic character, giving importance to the local culture, etc. Though we are an integrated lot as Indians, at the same time, we have to give respect to the feelings of the people. Our Constitution is like that.

Slowly, what is happening now? The Centre is taking away all the powers of the State in one way or the other. Why do you want to give that power to the Centre? It is something that I could not understand. In the States, the Assembly is there, elected representatives are there, and they have every right to run the Government locally. Even when you have the powers, what are you doing? You are again delegating everything back to them only. The money that you are collecting through taxes, comes to the Central exchequer, you are giving it back to them. After constituting the Finance Commission, based on their recommendations, you are finding ways to give it back to them.

Yesterday also, we discussed one Private Member's Bill wherein it was demanded that the State must be given some kind of a special package. Everybody has been asking for money. Then why can you not give more powers to the States to raise their own funds through taxes and run their Governments? Why are you taking all those powers? That is what is happening now – you are taking all the powers. Then, the Chief Ministers have to come and beg here requesting the Centre to please give some fund or some power. You have to believe the people. We are all elected representatives. The MLAs are also elected representatives and they are having their own system. Why are you taking and keeping all the powers here at the Centre?

In the same way, the constitution of Lokayukta from here is against the will of the people. Do not thrust anything on the States. Let the States have their own system. In Karnataka, for example, the Lokayukta is there. When a scam came to light, based on his recommendation, the Chief Minister had to resign.

Therefore, let the States have their own Lokayukta, if they want, but my suggestion is do not thrust it from here because preserving our federal structure is very important.

Sir, these are the facts that I wanted to place before the House. First of all, we are not against the Lokpal Bill; we are for it. At the same time, we have to respect the federal structure. You cannot thrust the Lokayukta from here. Also, on the issue of inclusion of the Prime Minister, I have made it very clear that his name need not be included in that because it is of no use when you are putting some riders. You ought to preserve the federal structure and you should not spoil that.

With these words, I thank you very much for giving me the opportunity to participate in the debate.

[*Translation*]

*SHRI MAHENDRASINH P. CHAUHAN (Sabarkantha): Hon. Anna ji has started a hunger strike today for constituting 'Jan Lokpal' to eradicate corruption in the country. The whole country has stood up in his support. The emphatic cries of people's revolution can be heard in villages, streets, cities, roads and Parliament. Be it elders or young people, mother or child, all of the classes in this country have united in this revolution. After independence, this is the only non-violent revolution at such a large scale after J.P. revolution.

After all, why is this happening? Why have people took to the streets? Why lakhs of people are marching on the streets shouting slogans such as "Vande Matram", "Inqilaab Zindabad" with tricolor, torches and candles in their hands. Why has Ramlila ground become a sea of men? Is this Anna ji's effect? The answer is "no", Sir.

Anna is only a symbol. Actually, this revolution is a result of public outrage. The truth is that common man is suffering at present. He is being victimized by bribes and corruption everywhere. Their limits of tolerance have been tested. Anna has become the voice of such exploited and distressed people. The victim sees Anna as the solution to his problems.

We say that "Parliament is supreme", in parliament a right to enact laws. It is not right if the people from outside coerce us to make a law. We all know that constituting Lokpal is necessary for eradicating corruption. During the past 42 years, Lokpal Bill has been brought

8 times in the Parliament but it was not passed. We have to accept this failure. People ask that if the Government has the right to enact law then why the Lokpal was not appointed to curb corruption? We did not come to stop you. You have been sent to the Parliament with full majority in order to enact laws in public interest but what has been done during the last 42 years? Why did you not carry out your responsibilities? Why does it pain you today when the public make the demand for Lokpal?

We all have come to the Parliament as public representatives we are the servant of public and public are our master. People may lead a good life, no one face any shortage, no one is exploited, holistic development of the society should be our target. But today the public is losing trust on us. People look at us with suspicion. All the Members are not bad even then the public is losing its trust. It is shameful for us.

We have to come forward in order to restore the trust of the public. We have to regain the trust of the public by carrying out our duty ethically and with dedication. Efforts have to be made in order to regain the trust of the public.

It is my demand to pass a good, effective and powerful Jan Lokpal Bill. The entire House should come forward to curb corruption and take effective steps. If need arises it should be made for stringent. With this demand I support Jan Lokpal alongwith three conditions of Anna ji.

*SHRI RADHA MOHAN SINGH (Purvi Champaran): I thank you for giving me an opportunity to speak on the important issue of corruption. Today, the country is passing through adverse circumstances. The agitation of Anna ji is unprecedented. This agitation is mobilized by Gandhian inspiration and tradition. It has also the fighting spirit of J.P. Agitation. No one has expected such an agitation by public. No doubt, Jan Lokpal is the main demand of this agitation but basic cause is somewhat different.

Corruption has spread at large scale during the last 64 years but the Government has institutionalized it during the last two years. Mundada Scam, Jeep Scam, Dharmteja Scam, Nagarwala Scam, Antule Scam, Churhut Lottery Scam, Bofors Scam, Fodder Scam, Share Scam, Awas Scam, Satyam Scam, Urea Scam, Sugar Scam, Telephone Scam, Commonwealth Games Scam, Adarsh

Society Scam, Air India Scam etc. have shattered the faith of the nation.

Corruption in panchayat, blocks, police stations, tehsils, State and Central Government offices has made the life of common people difficult. When the common man disturbed by price rise watch the news of black money stashed in foreign countries by the Indians after independence then the faces of corrupt leaders, bureaucrats and corrupt businessmen appear to be the faces of Mughals and Britishers to the common man.

Sir, Parliament is the apex body of public representation, this is the mirror of the happiness and sorrows of the common man. We all are public representatives and we have disappointed them the most. Before this we had introduced Lokpal Bil in the House eight times but it could not be passed. People took us as power hungry. The trust on politics is declining. A vacuum is coming up in public life. Fingers are being raised on us and reacting to it but we should not ignore the political void being looked upon by the public. This is the result of that political void that people are demonstrating on roads and have faith in Anna Hazare. Fed up by corruption, the public is standing by Anna ji. Everybody does not understand the minuteness of Jan Lokpal but at least understand that the implementation of Jan Lokpal Bill will have a check on corruption.

Whatever is being discussed in this House is being heard by the entire country and people are understanding our language also. Whatever point put forth by our leader Sushma ji, indicates that we support Jan Lokpal. It is also clear from the words of the hon. Prime Minister, hon. Finance Minister, hon. Law Minister that they also support it but it is apparent that when the other spokespersons, young leaders of Congress party and the hon. Ministers talk about other issues, they are trying to intricate the matter. They do not want stringent action against the corrupt people and do not want to make the sense of Jan Lokpal effective in the country.

Sir, it is necessary for the Congress and its allied parties and the Government to understand that today national feeling is building in every nook and corner of the country. The young connoisseur of movie songs are busy in shouting the slogans "Bharat mata ki jai" and "Vande Matram". The respect towards the national flag has been increasing. People are monitoring the politics and the funds of the country. Corruption has become the issue of common man. Earlier it was the pain of everyone but now it is their collective anger. The agitation of Anna

ji has strengthened the feeling of national integration. Those who called it anti-Islamic and sponsored by Rashtriya Swayam Sewak Sangh and BJP and tried to misguide the public on the behest of politicians are feeling ashamed now. Sir, I would like to request that the dilly dallying attitude adopted by the Government does not convey a good message. Today, the statement made by the hon. Minister with regard to the issues of the appointment of Lokpal makes it clear that the representatives of Anna ji have emphasized to include three points in Jan Lokpal Bill. The said points are - public grievances and citizen charter, Lokayukt and subordinate officers and almost all the parties are concerned about it. If the Government really wants to curb corruption, which is destroying the basic elements of our administrative system, then, it should be enacted and save the life of Anna ji, which has become the voice of the crores of people of the country.

*SHRI A. T. NANA PATIL (Jalgaon): Until now I had been listening to the speeches of my colleagues and all of them have expressed their important views on this issue very seriously. I would like to express my views on this issue. Our leader and the leader of the Opposition Shrimati Sushma Swaraj Ji has suggested that low level official should be brought under the purview of the Bill. It is very important because the public has to go to these low level officials for their work. If these low level officials are brought under the ambit of this Bill, the Below Poverty Line people and middle class of the country will get full benefit of it. Deendayal the architect of unified humanism, the ideological background of the BJP, used to say that until the problems of the poorest of the poor are resolved, the development of the country is not possible. Today; be it the office of District Magistrate (DM), ration shop, passport office, civil hospital, Police station, or court, corruption is prevailing everywhere. The common man is the worst affected from corruption. Only low level officer can solve their problems. With regard to this issue, Shri Anna Hazare Ji has put forth his demand for Jan Lok Pal Bill for which he has been staying fast at Ramlila ground for the last 12 days. Corruption is the worst hurdle in the development of the country. The anguish of the common people against corruption has found voice in the leadership of Shri Anna Hazare Ji in the entire country. Corruption is spreading in the country at the speed of chain reaction similar to cancer. There is a need to take substantial steps in order to remove corruption from the country. In the era of technology as a virus destroys the entire computer system on the similar lines corruption

*Speech was laid on the Table

has spoiled and misguided the social life of the country. Therefore, the antivirus *i.e.* Jan Lok Pal created by Shri Anna Ji through mass agitation can tackle the virus of corruption.

During the tenure of UPA Government scams have been revealed one after the other. Many Ministers, Members of Ruling Party, officers of the renowned business houses have been sent behind the bars. The Union Government does not seem to be concerned. The Government's intention is not above board. The entire country has great expectation from the parliament. It is the time to take decision. It is a historical opportunity when we need to take a unanimous decision beyond inter-party politics.

Anna Ji has been staging fast for the last 12 days. It is rare in Indian democracy when the masses take to street in order to express their suffering vigorously. Such atmosphere has been created in the entire country. But it does not mean that the common people are tormented to the extent that they lose patience. Such issue should also be included by understanding the feelings of the masses.

Today we need to send a message from here to common people so that they may feel that our Parliament is aptly called the 'temple of democracy'. Hence, this is high time to fix the trajectory of political transformation. By listening to the rage of the people, protest of the youth, battle cries of the old people, challenges of children and women the Parliament should take decision to create a powerful Lok Pal which may become the basis for solution of all these problems and contribute in making the country prosperous.

Before the advent of Gandhi Ji numerous movements were going on for getting freedom in different part of the country. Gandhi Ji put all those movements into a single string and created a powerful movement. His biggest achievement was that he created a unique enthusiasm in the entire country. At this time the similar task is being carried out by Shri Anna Ji. It is not without any reason that the people view the image of Gandhi Ji in Anna Ji. Therefore I, would like to demand from the Government that a separate commission may be set up in order to remove corruption from judiciary. It will strengthen the confidence of the common man in judiciary. Further the Union Government has been misusing the CBI. Instead of Central Bureau of Investigation it has become an institution to protect Congress. Hence, it is very necessary to bring CBI under the purview of Lok Pal.

I hope that the Government will take necessary steps in this direction at the earliest.

[English]

*SHRI N. KRISTAPPA (Hindupur) : Thank you, chairman Sir, for giving me this opportunity to speak on Lokpal Bill. We have the biggest and strongest democracy in our country and I am proud that I am an Indian. The serious ailment, which is affecting our country today is corruption. After independence, if we look at our legislative bodies, we find both educated as well as illiterate representatives. Today after 54 years of independence, we find almost all the representatives are educated consisting of lawyers, doctors, engineers and intellectuals. In today's democratic system, we have multiple means of communication. We could know what is happening in a remote village within minutes. We had witnessed major changes in our democracy and legislated very effective laws for our country. If we question, whether corruption has increased or decreased after 64 years of independence, we all agree that it has only increased. When we have literate and intellectual representatives, who are striving hard to serve people, why corruption is on the rise? Who are responsible for this corruption? What can be done by us collectively? We should ponder over these questions. If we look at present levels of corruption, we can see 2G Spectrum scam worth Rs. 1,76,000 crores. The present Government claims that they were only following policies made by the previous Government. The Government should generate more revenue and spend for the welfare of the people, but, we see that some individuals or companies, fund election expenditure of political parties. In return, those political parties, when they come to power, give away our National wealth to these individuals or companies. Big contractors donate huge amounts as donation to political parties and in return they get favours from those parties and our people are betrayed. In Andhra Pradesh, we are witnessing new form of corruption. Those companies and individuals, who were benefitted by the Government, are investing in the companies of those leaders who favoured them. Some companies invested in Jagati publications and companies like Emaar indulged in land scams. Schemes like 'Jalayagnam' are being misused for new form of corruption. In this manner, when our National and state's wealth is being given away to few companies and individuals, we won't be mute spectators. In these situations, we should root out corruption by brining an effective Lokpal Bill. Yesterday, Shri Rahul Gandhi made

*English translation of the Speech originally delivered in Telugu.

a statement in the House and he said that Lokpal is only an instrument in checking corruption. He wants Lokpal to be a constitutional body. We don't oppose his views. But first, let us bring that instrument. Today, thousands of people are following and supporting Shri Anna Hazare. I request the Government to include three points mentioned by Shri Anna Hazare in Lokpal Bill. We should run an effective Government. We should work for people and protect our National wealth. We should wipe out corruption. I demand on behalf of Telugu Desam party, to bring an effective Lokpal Bill by including three points suggested by Shri Anna Hazare. Hailing Shri Nara Chandra Babu Naidu's leadership, I conclude.

[*Translation*]

*SHRI BHASKARRAO BAPURAO PATIL KHATGAONKAR (Nanded): Corruption should be controlled all over the country. The people found involved in corrupt practices should be strictly punished by law. Therefore, an effective law should be made. All of the citizens of the country wish for the same. It is because of this ideology that the respected Anna Hazare Ji is on a hunger-strike. Shri Anna Ji organised mass movement against corruption and thousands of people have joined this revolution.

I come from Maharashtra. Shri Anna Ji belongs to my state. Shri Anna Ji is an authentic and true leader practising Gandhian ideology. He is connected to the villages. I and my party agree to 90 percent of his provisions. A solution can be found after a discussion on a few subjects I would like to express my opinion on two-three points. The points of the Jan Lokpal Bill on which discussion has been taking place are very important. But the poor farmers and labourers who live in slum in the villages and cities do not have anything to do with big scams or the rampant everyday corruption in small offices.

There should be a law on corruption related to the poor people who work hard for the whole day and earn only twenty or thirty rupees which is not enough for even two time meals. There is a large number of the people in the country who belong to this category. Shri Tendulkar Committee has found the percentage of people living below poverty line in the country to be 42 percent. I am talking about those people.

There are various schemes like Old Age Pension Scheme, Indira Gandhi Women Pension Scheme in Maharashtra, Sanjay Gandhi Niradhar Scheme, Shraavan

Baadh Pension Scheme for these poor and backward people but due to corruption they do not benefit from these schemes on time. The poor people in villages are left out and rich people are included at the time to making the list of B.P.L households. This harms the poor people more than the scams like 2G Spectrum. The omission of poor people's name from the B.P.L. list is like a death sentence to them.

We have made arrangements for providing basic necessities like wheat, rice, sugar, oil and kerosene oil to poor people through public distribution system. It is regrettable that these items do not reach the poor people. Corruption takes place on a large scale. It has a direct effect on poor people's lives.

Therefore, I through you, urge the Government to debate on these points too at the time of discussion on Lokpal Bill. There should be effective solutions in this bill combating everyday corruption in poor people's lives.

Yesterday, our leader Shri Rahul Gandhi expressed a lot of views on this subject, in the House. I would not like to waste the time of the House by repeating issues raised by Shri Rahul Ji. But, I would like to emphasize that Shri Rahul Gandhi Ji has raised a very important point.

I, through you, urge the House to seriously consider the important points raised by Shri Rahul Gandhi Ji at the time of passing this bill.

Every after 65 years of Independence the constitution made by the Bharat Ratna Dr. Baba Saheb Ambedkar has kept the democracy strong in this country. Therefore, Mr. Chairman Sir, I, through you, urge the House to hold the discussion on Lokpal bill within the boundaries of constitution made by Bharat Ratna Dr. Baba Saheb Ambedkar.

I, through you, urge respected Anna Ji to consider the feelings of all the Members of this August House requests of the Prime Minister, leader of the opposition party and the leader of all the parties and discontinue his hunger strike.

SHRI JAYANT CHAUDHARY (Mathura): Mr. Chairman Sir, there is no doubt that corruption has a crippling effect on all the scheme made for eradications of poverty and development of the country. We cannot speculate whether those people who are out on streets are a symbol of new consciousness. It seems that the youth of the country has realised his responsibility as a

citizen towards the country. These are the historical times. Today, the viewership of Lok Sabha television has increased. I just wish that media supports this House continuously and it is necessary that people keep on seeing the House in the same light.

I would like to definitely express my views on the events in this whole episode. The issue is very serious. Whenever there is a revolutionary through, whenever someone in the government with a political ideology wants to bring about change, he face opposition. This is a natural tendency of humans. We do not like change. We like to follow the old patterns. I have seen and experienced that the bureaucracy dominates and does not want change. Therefore when a new revolutionary idea comes on the horizon, although the idea cannot be termed as new as it has been there since ages, people build a moral pressure to implement it. when we discuss the idea, a big power opposes it. From the beginning the response of Government has been bureaucratic not political. The Government should the same resistance to change usually shown by bureaucracy.

What was the reason behind the disapproval of the entire revolution in the part of the establishment? It did not approve of it. it did not say that the issue raised by Anna Ji is our also. I know that all of the Members in this House are anxious about one thing. I would like to share my personal experience. When it was declared in the beginning that a movement will be launched, I also contemplated a lot. I was getting anxious too. I was also worried about the future. I talked to the leader of my party. He was clear. He was saying from the beginning and our party also clearly stated in the all party meeting that Government's bill is ineffective. The principle of the law with such a weak foundation cannot be reformed, only minor changes can be effected through it. We said this openly that you should withdraw that bill.

Chaudhary Sahab has told me clearly not to worry about it. It is not un-democratic. It is the right of those people. I thought a lot about it. Remember the movement of Sugar cane farmers which took place in Delhi. The Members of all parties are present here. Sometimes, we play the role of the oppositions and sometimes we form the Government. Our party is in opposition both in the state as well as here. We organise all kinds of demonstrations and movements. When we visit villages, we say that there are loopholes in our laws. We say that the Parliament of our country has not been working for the betterment of the poor of the country since independence in a way that it should. Don't we say this?

We, also criticise this. If the constitution of our country has given us this right, than the same right has been conferred upon the common citizen of the country also. When I looked deep into my heart and tried to understand. I could understand as to why I was getting disturbed. The reason behind my nervousness is not that I do not want the corrupt to be identified and put behind the bars. I was not thinking this. I was getting restless because somewhere I knew that we are not getting participation of all the people in this system. Somewhere I felt that the questions must be cropping up in the minds of the poor living in the slums. Perhaps the Member of this House also do not have any answers to those questions.

I know that many of the Members have expressed their worries that objectionable speeches are being given from that place. That is not the question. We must forget about all such small things and will have to rise above ail this. This issue is not related to individuals. The Government has attacked Shri Anna Ji. The question is not about him only. It is bigger than that. You can see that he is 74 year old man and what interest does he have in this? I can understand, what he is doing by sitting on hunger strike, or what it takes to sit on a hunger strike as I am young, energetic and onfident. If I want to do something, I can do it. But would I go on a hunger strike for 12 days on any important issue? It is an act of courage and he is doing that for us. It is our issue that he is raising. That is why I am saying that this question is not related to individuals. It may be that some objectionable things may have been said but the question is even bigger than that. I do not have to say that I have full faith in the democratic traditions of this country. Some people are saying that it is a dangerous example. How is it a dangerous example? All kinds of laws are being framed in the country today. The Government has full authority over the NSC and it can appoint any society there. I am not discussing what is right and wrong. I am not saying that it should not be done. Now a place has been created for this in the system. I accept that. The Planning Commission is a similar institution. We discuss a number of times the Five Years Plans formulated by the Planning Commission? How can the Member interfere with that? *...(Interruptions)*

SHRI AVTAR SINGH BHADANA (Faridabad): Please talk about what Om Puri Ji is saying? *...(Interruptions)*

SHRI JAYANT CHAUDHARY: There is very little interference in that but that is not the question *...(Interruptions)*

I have said *...(Interruptions)* I am saying that please do not go by the words of those persons. I am only saying that we are above them *...(Interruptions)*. The thing is that in the present system *...(Interruptions)*. Whatever I am saying might offend some people. Saying that we should not bother about those people. We are above them *...(Interruptions)* but the pain felt by you is being felt by every one else [also interp] The matter is that in the present system also *...(Interruptions)*. Some people might be feeling had with what I am saying. But what pain you feel is felt by all people *...(Interruptions)*.

Somewhere we will have to accept that we have faltered and committed mistakes and that is why such a situation has arisen.

MR. CHAIRMAN: Please, do not interrupt, let him speak.

...(Interruptions)

SHRI JAYANT CHAUDHARY: I want to say that even today there is the Planning Commission and the NSC where the Civil Society gets the opportunity of drafting. The Government should also accept that if the Government adopts any Bill whether it is Food Security Bill, Communal Violence Bill, or the draft of Land Acquisition Bill. The Government has adopted 70, 80 and 70 percent of the suggestions made by the NSC. If the Government will table any Bill might have to go through a few some amendments here and there but after that this House will pass the same because the majority is with the Government. Therefore, when that place has been given to the society then why is it that a common man standing on the road, the Bill drafted by Shri Anna Hajare Ji, is not being given the same place or treatment? Have the common people not got right? They do have a right. All types of suggestions will come and the Government should consider them. They have a right in this regard. I want to say that the manner in which the Government has interfered or attempted to interfere in this issue, has resulted into the common people thinking that it's not just the Government which is against them infact the whole institution is standing against them? Therefore, when we all say unitedly that the Parliament is supreme then there is no need to say that. People have their faith in us which is why we all have come here as Members. You do not need to repeat it again and again *...(Interruptions)* Nobody needs to say that. They have got faith in the democratic institution, tradition and the system. They exercise their vote but our words alone cannot establish its supremacy

...(Interruptions). If we talk about supremacy than that is not going to violate their rights *...(Interruptions)*

MR. CHAIRMAN: Please, do not interrupt.

...(Interruptions)

MR. CHAIRMAN: All of you please, take your seats.

...(Interruptions)

SHRI JAYANT CHAUDHARY: See, a number of questions are being raised but what I mean to say is that all the Members must support this agitation. All the matters which are being raised are justified. I would like to remind of an article written by Shri Gopal Krishna Gandhi Ji. I am reading that: A discussion was going on after the death of Mahatma Gandhi Ji in Seva gram in 1948. Experts of the society, representatives of the Government were present there including. Shri Jai Prakash Narayan Ji and Pandit Jawahar Lal Nehru. They were discussing their next step. When Nehru Ji was asked as to what role the civil society should play now. Subsequently, he said that we should dwell upon the new situation keeping it in mind.

I feel that a new political awareness that has got created amongst everybody is the reason why a common man is asking the Government about every clause of any Bill in such details? Nobody asks. Therefore, we should accept the goodness of this agitation and our faults. Corruption is a big issue. I have seen that the land mafia is supported by the nexus between the Government, bureaucracy, politicians and corporate and under that nexus, land is being acquired on very big scale continuously. That issue is also related to corruption. There are many things. The Government should bring the Lokpal Law as soon as possible. There are some small controversial issues related to the Lokpal. A question that arises first is that what should be the jurisdiction of the Lokpal. In the Government prepared by the Government only Prevention of Corruption Act has been included. Many experts say that the sections of the IPC should also be included under this. Going a step further, I am saying that the act related to money-laundering must also be brought under this. The law related benami transaction must also be included in the Lokpal and all other such laws which include Sections related to corruption should be brought under the purview of the Lokpal. Question is being raised about the NGOs. All NGOs have been brought under the purview of the Lokpal in the Government draft. Many Members have

demanding that all NGOs must be kept under supervision. I accept this principle that all should be supervised and transparency must be maintained and somewhere there should be arrangement for reporting and accounting of the same. But the question is that on the one hand the Government is saying that all NGOs should be brought under the ambit of the Lokpal, and on the other hand the Government wants that the lower level bureaucracy must not be brought under the jurisdiction of Lokpal.

There is no consistency in this matter. For the common people the Government is represented by those officers and patwaris who issue certificates. The common man does not have any concern with the 2 G scam. He is concerned with the corruption in a Government office by the junior officer with whom he has to contact first. The former Prime Minister late Chaudhary Charan Singh used to say that corruption flows like water from high level to low level. If the Government succeeds in checking corruption at higher level, it will bring a lot of changes. I am aware of that principle but today the situation is such that corruption has reached upto the lowest level of the Government. It is not practical if the Government states that it will enact laws for checking corruption by the Central Government employees but what it can do with the State Lokayukta. It will not be practical that the Central Government employees can be enquired in any state but there is no institution for investigating against the state employees in the same state. It will not be correct and practical but the Government has to ponder over how it is to be done. It should be done under the provisions of the Constitution. There are many matters that fall under concurrent list and the Government has constituted Central legislation for it. The Government has constituted the River Board Authority. The Government has to think it whether it should be done under enabling provision or model act ...*(Interruptions)*

MR. CHAIRMAN: You have spoken for 15 minutes. Please conclude now.

SHRI JAYANT CHAUDHARY: Sir, whether the Prime Minister should come under the purview of the Lokpal, is a debatable point. I know that the exclusion of the Prime Minister is rationalized by saying that it is the highest post and that person is elected through the democratic traditions. These all arguments are correct but if the Prime Minister is included in it under the purview of prevention of corruption in the present system as the Government has agreed that the CBI will be made an autonomous body and the Anti-corruption Wing of the CBI will work under the Lokpal, then, what will happen

when the situation of enquiry against the Prime Minister comes under the Anti-corruption Act of the Lokpal. It means when the Anti-corruption Wing is already given to the Lokpal and the Prime Minister comes under its purview, then, there should be no provision in bringing the Prime Minister under its ambit. The second ARC also had said such things and there were the same provisions in the Act of 1989.

MR. CHAIRMAN: You have taken a lot of time. Now, please conclude.

SHRI JAYANT CHAUDHARY: Mr. Chairman, Sir, I am concluding. The political party to which I belong and as a Member also I support and welcome this movement. I would like to appeal to that 74 year old man that the sentiments of the House, too, are with him and hope that if the Government introduces any resolution after this discussion, then, there should be voting on it and we are ready for voting. I would like to send a message to those people that the House and the members of the Lok Sabha are with them in their fight against corruption and we are also against corruption. Our party too supports those issues.

*SHRI RAMSINH RATHWA (Chhota Udaipur): The mass anger that has come out against corruption in the country for the last some time has clarified that the people of the country want to live in corruption free society. The way in which a group of the civil society has made the leaders mainly responsible for corruption in this issue and has tried to create such an atmosphere created doubts that if the Parliament accepts the Jan Lokpal Bill as it is, corruption will be abolished from the country. Most of the learned and experienced people of the country disagree with this claim. The hope of finding solution of prevalent corruption only through laws is misleading only.

Today, poverty, starvation, unemployment are increasing due to corruption in the country. A former Prime Minister had accepted that only 15 per cent of the funds released by the Government for the development reaches the desired place, i.e. 85 per cent of the funds released for development is being engulfed by corruption. Attempts have been made to send the message that those people who do not support the ensuring Bill are not supporting the fight against corruption. This notion is wrong. Today, there is a need of concrete solution and active contribution and bring India on the path of

development instead of making political statements on corruption.

Chanakya had said that the way, it is impossible to taste honey or blood kept on one's tongue, in the same way, it is impossible that people related to Government treasury do not use wealth from that treasury. As it is difficult to know whether fish is drinking water or not in water, in the same way, it is impossible to know whether the Government employees are taking money or not. Today, when there is discussion on corruption all around, the whole country is lost in discussion related to Lokpal and Jan Lokpal. Respected Anna Hazare ji is on hunger strike for Jan Lokpal Bill and all are worried about his hunger strike. In my view, corruption is one such issue, the solution of which is a long process. We will have to go to the root cause of it. No plant can survive only by watering leaves and branches, roots need to be watered. It is an irony that we do not want to go to the root of the problem and are working at the surface level only. Finding the solution of the problem of corruption through Lokpal and Jan Lokpal will be like tangling in the leaves and branches instead of finding the root cause. In my view, we will have to pay attention to the root causes of the problem of corruption. The root cause of corruption is inflation, unemployment and increasing population.

Through inflation, corruption, socio-economic injustice and horror of unemployment, it can be easily guessed how much India is regressing in the midst of development and possibilities of progress. Recently the hon. Prime Minister has accepted that inflation alongwith corruption is the biggest obstacle in the GDP of India. It is an important acceptance of the supreme executive of the country with regard to declining values. According to him, every pillar of the Government is eclipsed by the black shadow of corruption even now. The situation has got further deteriorated by assuming corruption as mere financial irregularity. Corruption is a social crime also. Mahatma Gandhi National Rural Employment Guarantee Act (MNREGA) has completed its five years. MNREGA is also not free from corruption. If the system does not feel ashamed of snatching their share of food from the poorest community of the country then the same can very well describe the declining morality.

Today, the political parties are cursed to view morality from their own point of view. The corruption in commonwealth games came to light even before commencement of games. Despite that the politicians of this country did not show enough courage to sack the organizers of the Games and to call off the organization

of the Games which stood on the foundation of corruption. Rabindranath Tagore wrote-whether a civilization which ignores the law of moral health and greedily enjoys the materialistic objects can continue with the endless process of growth? Answer to this question is a solution to the present problems.

The situation today has got even worse than the year 1974, the year when Jaiprakash Narayan begin the movement. This corruption is not just the problem of India, but the entire world is suffering from this problem. A wave of change is going all over the world. Tunisia and Egypt are the latest examples of this. The situation in India is also no different. There is a need to make efforts in the direction of building corruption free and socially coherent India by giving up the efforts to forcefully suppress the rising unrest among the exploited and deprived sections of society. This is our pious duty and all representatives should take the oath of discharging this duty with full honesty and sincerity. Everybody enacts taking action against each other in corruption cases, but nobody actually does so. Everybody portrays himself/herself to be Chanakya in politics, but nobody is having a Chandragupta. Everybody politicize scams and corruption, but nobody does it for the sake of morality. Everyone does his own introspection but none finds himself/herself tainted, then who will get the country free of corruption.

*DR. NIRMAL KHATRI (Faizabad): I would like to express my opinion in brief in context of statement issued in regard to Lokpal system by hon'ble Minister of Finance and Leader of the House, Shri Pranab Mukherjee. People are aggrieved due to corruption. The system is in grip of corruption from top to bottom level. The laws being enacted from time to time to put check on it are not proving to be adequate, therefore it is essential that Lokpal shall be appointed in both Union and States and it shall be given all rights as a constitutional body.

The main points on which the today's discussion is focused is that Judiciary has got the supreme position in the constitution, in my opinion, keeping this in view it is important not to bring this under the ambit of Lokpal. All the lower ranking Government officers, employees shall be definitely brought in its ambit. We must protect the supremacy of the Parliament and constitutional provisions. Qualified, sincere and impartial persons belonging to the poor deprived section of society should be linked with the constitution of Lokpal.

*Speech was laid on the Table

I would like to request Shri Anna Hazare ji to call off his hunger strike. Parliament respect his sentiments and the Parliament will surely deliver a strong Lokpal bill to uproot the corruption, by following its parliamentary procedure. In the end, while praising the statement given by hon'ble Minister of Finance, I associate myself with it.

[English]

SHRI GURUDAS DASGUPTA (Ghatal): Sir, at the beginning I must say that whatever people might be speaking from anywhere, from any platform, the supremacy of Indian Parliament cannot be diluted in any case. Whatever people might be saying from any rostrum, any platform, I do not believe that Parliament and Members of Parliament are all tainted. I do not believe that a single person is fighting corruption in the country. I believe there had been fights against corruption and there are people to fight against corruption and there will be people who will be fighting corruption. Nobody should take the pride of fighting corruption alone wherever his situation may be.

Sir, having said so, I have listened very carefully to the speech of the Leader of the House. I appreciate his speech. For the first time it seems Shri Pranab Mukherjee has been very careful, very cogent and very frank. He has said that the country is at crossroads. I have listened this for the first time. Really, the country is at crossroads. Only one hour back a senior Minister was asking me whether I can tell him the magic by which a person on fast could rock the country like this. What is the magic that a man going on fast can rock the country? These are the questions being asked. It is right to ask these questions; why we are at crossroads and how can one person being on fast rock the country, including the Parliament. It is for the Government in power, who is there for seven years or more, to explain [Translation] Why is India in danger? Why are you saying that India is in danger? Why are you saying that a person is on hunger strike. [English] and it has rocked the country. Why it is so? If you look without any glass or cover, if you look beyond the nose we can see that there are millions of people who are not in Ramlila Maidan but who have identified themselves with the slogan and crusade against corruption. It has been able to rouse the conscience of the masses to some extent and that should be very frankly admitted. But may I ask you why it is so? During this critical juncture, this is a critical hour for the nation and that is why the Minister has said that we are at the crossroads, the Government is speaking in many

voices. [Translation] Only one person is not speaking. [English] The Government is speaking in many voices. I believe that my friends on the Left will not be angry if I say that there are more than one power centre within the coalition Government. That is why, you are not speaking in the same voice. Please agree if I say that the esteemed office of Prime Minister has almost become a post box. It is not the office of the Chief Executive of the country. This is unfortunate. You cannot speak in one voice. You are having more than one power centre and the Prime Minister is not the sole leader of the Party or leader of the Government, who speaks the truth. There are many more voices. [Translation] Sharad Ji, please listen, I will be grateful to you for the same. [English] You are not speaking in the single voice.

Kindly permit me to say that the speech that was delivered during the 'Zero Hour' by the General-Secretary of the Congress Party is at variance with the tenor of the Statement, which is given by the hon. Leader of the House. It has been interpreted as a hard line speech. It has been interpreted as a speech of confrontation. I do not make any comment but that is the interpretation. That is the interpretation being made outside the House, I am not saying in the newspapers. ... (Interruptions) [Translation] Please listen.

[English]

MR. CHAIRMAN: Please do not interrupt.

SHRI GURUDAS DASGUPTA: Please have a little tolerance. Democracy means tolerance... (Interruptions) but democracy does not mean speaking in too many voices.

The point is that why the situation has become so bad in the country. The situation has become so bad in the country because the Government has made a mess of the situation. There are one after another scandals and one after another reports of the statutory body. Please accept the reality.

I am a Member of Parliament for more than 20 years. This Government has been found to be the most tainted Government. Why is it so? It is not only that. You will kindly remember that I was a Member of the other House when Bofors scandal broke out. What was the total quantity of amount? It was less than Rs. 100 crore. But what is the estimated loss of the 2G Spectrum? Even, the CBI is saying Rs.30,000 crore. I do not go into the C & AG Report. Why is there a phenomenal growth

of corruption? That is the point to be answered. That is the reason why the situation has become so volatile in the country. It is not only that, please look at the mirror. None of the investigative agencies is doing its best or doing its job independently. Did Delhi Police do their job on 'Cash for Vote' scandal? Is it not true that when the High Court of Delhi had ordered and after that the charge-sheet had been filed; is it not true that 2G Spectrum case had taken a shape after you had the beating of the Supreme Court? What is this? Scandals are taking place but police is not taking action. Scandals are taking place but CBI is not moving. The whole thing becomes paralysed. It is as if the whole apparatus has become political. It is as if those decisions are not being taken on merit. Decisions are being taken on the basis of signal from the North Block or South Block. If, you reduce the country to this level, then the situation is bound to become volatile like what it is today.

MR. CHAIRMAN: Please do not interrupt.

SHRI GURUDAS DASGUPTA: Hon. Mr. Chairman, Sir, I find our Ministers more impatient than the general Members of the House. I have a special liking for him also as he comes from my neighbouring State. But he does not know one thing. I cannot tell the proceedings of the JPC. I am a member of the JPC. I know it is not the change of Policy which has resulted into this ...*(Interruptions)*. Mr. Minister of State, I am not yielding.

MR. CHAIRMAN: You address the Chair.

SHRI GURUDAS DASGUPTA: Sir, it is being said by everybody that 2G spectrum has led to a loss of Rs. 30,000 crore. Everybody is saying this and he is becoming impatient ...*(Interruptions)*. Sir, I am sitting now. You please control them.

MR. CHAIRMAN: You continue your speech. Please do not interrupt him.

SHRI GURUDAS DASGUPTA: A senior Minister is behaving like this and if the whole Opposition behaves like this with him, he will have the same feeling ...*(Interruptions)*. *[Translation]* Mr. Chairman Sir, everyone has the right to speak. *[English]* I know what Mr. Jag Mohan has said. I am not referring to Mr. Jag Mohan. I am not referring to Mr. Vajpayee. I am not referring to Mr. Narasimha Rao. I am not referring to Dr. Manmohan Singh. I am referring to the estimated loss of 2G spectrum and nobody can deny that. In Bofors, it was less than Rs. 100 crore and now it is nearly Rs. 1 lakh crore. This

credit goes to you and that is the reason for volatility. That is the reason why the country is being rocked. Please understand this. What is the reason for the situation becoming so volatile? All the Governments had played with corruption. I do not blame this Government but I blame all the Governments who had come to power. The Governments one after another played with the issue of corruption, had failed to bring about any law and had not taken the message of the people deep into their heart. *[Translation]* Please think that it will be the same story every time. We will become Minister and instruct the CBI, nothing will happen and everyone will go scot free. *[English]* They all believed in this. That is why, the situation has become so volatile. Why is the situation so volatile? It is because the people are so impatient. People are impatient because there is no money for food; there is no money for health but there is money to steal; there is money to loot; and there is money to be taken away...*(Interruptions)*. I am coming to that. I would request you to be patient. The dissent voice should be allowed.

The point is why Anna Hazare's hunger strike has struck so heavily. Why Anna Hazare's hunger strike has provoked the whole nation to rise? *[Translation]* What is the reason? *[English]* It is not because of corruption but the Government's inaction which has been put on focus. The Government did not do anything. That is why, the country is so agitated.

Sir, I plead for a Lokpal Bill. Let us, for the first time, adopt an effective Lokpal Bill. But I agree on one thing with the young Congress leader that by enacting Lokpal Bill, corruption cannot be eradicated. There has to be a movement. There has to be public intervention. There has to be constant pressure of the people. There has to be multiple action by the whole Government. I believe there has to be a political will which is missing.

17.00 hrs.

Today from this Parliament let us give the message that the Parliament is not oblivious of its responsibilities. Let us give the message that once for all we have taken the first step, enactment of the Lokpal is the beginning and not the end of the step. Let us give the message which will go down in the spines of the corrupt criminals. Let there be a pain in their spines. Let them feel that they cannot do whatever they like.

MR. CHAIRMAN: Please take your seat.

SHRI GURUDAS DASGUPTA: Sir, I am coming to my next point. I will take another two minutes. I want accountability. Without accountability there cannot be democracy – accountability of the Prime Minister; accountability of the Ministers; accountability of the Members of Parliament; accountability of the public servants and also accountability of the Judiciary. There has to be accountability of the Judiciary also ...*(Interruptions)*

MR. CHAIRMAN: Please do not interrupt. Let him finish.

SHRI GURUDAS DASGUPTA: What about corporate corruption? *[Translation]* The people who steal public funds ...*(Interruptions)* *[English]* Sir, may I ask you, what about the paid news in the media? Permit me two more minutes...*(Interruptions)* Sir, I am saying with humility that the role that the electronic media is playing about the developments in the *Ramlila* ground is not conducive to the responsibility that the media owes to the nation. You have seen as to what happened to the media in England? The Baron of private media has fallen. What has happened to that? Therefore, let the Indian media take lesson from the worldwide experience ...*(Interruptions)* What about the NGOs who are receiving foreign funds and also are receiving money from the Government? They do not submit accounts to the Government? What about them? Lokpal should be for the people in high place. There should be total freedom granted to the investigating agencies, but there should not be any political vendetta. Model law should be prepared for the appointment of Lokayukts for the States. The rights of the States should be respected in a federal structure. There should be special mechanism for the lower level bureaucracy.

While appreciating the hunger strike of Anna Hazare, I must politely tell him with folded hands to please withdraw his hunger strike and also to please ensure that the people who are around him do behave in a way which we expect from every citizen of this country. Lastly, I would like to say that let this Parliament, let this Session see the beginning of a new initiative by way of legislation for fighting against corruption. Let this be the first step and let this Government and the entire Opposition work together for bringing an end to corruption which is making it very difficult for the nation to function.

[Translation]

*SHRIMATI JYOTI DHURVE (Betul): Today is a historic day as Lokpal is being completely empowered and made independent, clean and people friendly. Such a day was definitely fixed at the time of framing the constitution after independence but may be it was not possible at that time. The failure to set up the Lokpal at the time of framing Constitution is equal to deny justice to our society. May be we lack word to describe that failure. The advocacy for the need of Lokpal bill since 1960 clearly shows our intention and ideology before the country. This proves that the need for Lokpal was not just felt from 1960 onwards but the sole aim of the Government was to immediately draft a justifiable and strong Lokpal. What were the reasons that again and again there were demands for Lokpal in Parliament and its Standing Committee of the Parliament for 8 times in 1960, 1966, 1968, 1970, 1980, 1990, 2002, 2005, 2010-11 but to not deem it as important does not prove the reason behind Government's incapability to eradicate loopholes and corruption.

It has been clearly stated in the constitution that the public is not slave but the king and infringement of public's rights would be negating the constitution itself. But the increasing corruption reveals the chaos where increasing instances of corruption and deteriorating judicial system is making the people poor and victimizing them endlessly. The people have lost their faith in this corrupt system.

Today lakhs, crores and billions of rupees of the country is stashed in the banks abroad. How could the demand of the country to bring back its own money be proved wrong? This truth should be exposed and that money should be brought back firmly so that this country could be developed. Today the industrialists have made this corrupt system a tool for their profit and are ruling the whole country. We would need to follow the provision of the constitution and liberate this country from industrialists. It is only then that we would be successful in bringing an empowered and clean Lokpal and a powerful Lokpal bill.

We need to constitute Lokayukta in different states of the country so that we could eradicate corruption from the country. It is only then that we would be able to build a corruption free country.

We need to eradicate the corruption in the elections where votes are bought in exchange of money. We need to use all the resources needed to change such mentality with full force and plant the seeds of honesty. It is only then, that we would be able to build a clean society and educated as well as developed country. We need to give utmost priority to all the issues so that the Lokpal is made effective to ensure the development of the country. Among all those issues three issues would be given priority because this is the only way forward for making an effective Lokpal. The whole country accepts it. I support this clean, independent and powerful Lokpal bill, with a definite objective, with National Judicial Commission, Lokayukta covering lower bureaucracy but maintaining the supremacy of the Parliament.

*SHRI HARIBHAU JAWALE (Rever): As respected Shrimati Sushma ji has stated today is a historical day from the point of view of the Parliament. On the similar lines, I also feel that today is very important day for our bright future.

The incidents of corruption are being exposed for a long time. But during the last 4-5 years the incidents of corruption have increased and the money involved in those scams has made every citizen restless. In 2G spectrum scam Rs. 1 lakh 73 thousand were involved, whereas Commonwealth Games involved Rs. 70,000 crore as a consequence of which such data has disturbed the younger generation. Respected Anna Ji has been staging fast for the last 12 day in order to remove corruption. Many Bills inspired from the thoughts of Anna ji have been passed and public is also getting benefit from those Bills which include important subjects such as Right to Information and Panchayati Raj Institutions.

Shri Anna Ji has been requesting the Government to formulate a powerful Lok Pal Bill (Jan Lok Pal) for the last 6 months. But Anna Ji has begun to stage fast for want of the clear intention of the Government towards a powerful Lok Pal Bill.

I support the powerful Lok Pal (Jan Lok Pal) wherein Anna Ji has made three important demands. I think, this Lok Pal can remove corruption from the entire country. Corrupt bureaucracy can be reined in. Honest officers will be empowered and the public representatives will get inspiration for moral politics from this effective Bill.

I also support the issues for an effective Lok Pal Bill which have been supported by Shrimati Sushma Ji on

behalf of our party. An effective Lok Pal Bill should be enacted in the country. Today, I would also like to request Shri Anna Hazare Ji to break his fast. His healthy life is very important for us and the country in future. We are also getting a unique energy out of his will power even at this age.

We seek his blessings and inspirations for the farmers and the poor of the country. Once again I support this efficient Lok Pal (Jan Lok Pal).

[English]

*SHRI PRALHAD JOSHI (Dharwad): I am very happy that today we are witnessing a glorious history of a Parliamentary Democracy by upholding our constitution and reiterating the institution of Parliament and supremacy of Parliament. I reiterate and vouch for what our leader Sushma ji has already stated in her speech earlier. I also support the stand taken by my party by in principle acceptance of those three important aspects of proposed Lokpal Bill as expressed by Team Anna Hazare. There is not an iota of doubt that we need a strong independent Lokpal to fight corruption in the country. There is nothing wrong in demanding such a law by Civil Society people in spearheading this movement *i.e.*, going on for two weeks with 74 Year Anna Hazare on indefinite fast.

But, what as a Member of Parliament I was concerned was who is to make this law. Is it Civil Society members or the Members of Parliament through the great mechanism of the institute of Parliament as created by our constitution? As is admitted by most of the senior Parliamentarians, Standing Committee, opposition leaders in both in Lok Sabha and Rajya Sabha and most of the senior citizens of the country, it is the Parliament which is supreme. With due respect to Anna Hazare who no doubt became iconic and rallying point for the masses in making this anti-corruption movement a strong voice but I will not be hesitant in saying that just by passing the law against corruption, this cancer of corruption will not be cured. We have already many social reforms enactments like Anti-dowry Act and prevention of untouchability enactment. Whether the dowry system is completely eradicated? Whether the practice of untouchability in the society has completely disappeared? So, what I like to impress upon this August House is that the element of corruption is inherent in the society and it is not the only kind of mechanism developed out of mere political set up as is the case being made out by

"Team Anna' now agitating. If this is the stand of agitators, it is not fully correct. What is important is a strong will of the people to end the corruption. In this context, I like to express my deep anguish over some derogatory remarks made by some members of the agitation like all the MPs are thieves and dishonest and so on. This is really terrible and subversive of Parliamentary Democracy. I would like to record in this House my strong protest against such unparliamentary remarks and also urge upon these members of agitation not to resort to such filthy remarks against Parliament Members. I also remind these people that it is our Constitution and parliamentary system that has given the agitators the rights for them to agitate without which they could not have been on Ramlila grounds today to enjoy these rights to agitate.

With this, I once again express my support to what our Leader of the Opposition told with regard to acceptance of the three issues proposed by Team Anna to be included in the Lokpal Bill subject to the following:

- (1) The supremacy of the constitution of India has to be maintained. Institutions of democracy cannot be undermined and the checks and balances visualized in the Constitution cannot be adversely affected.
- (2) Laws have to be made by the Parliamentarians who are elected representatives of the country. Few nominated members of the Drafting Committee cannot have precedence over elected Members of Parliament.

[Translation]

*SHRIMATI MEENA SINGH (Arrah): I am going to put forth my personal opinion as a Member of the House. While I was coming to the House a question was arising in my mind as to why this special discussion has to be organised. What forced respected Shri Anna Ji to sit on fast? Why is the country in a fix today? In response to the above question, I got the answer from my mind that we have not carried out our duties properly. This is the result of our previous mistakes that the country is facing this condition and we are going to hold special discussion. Do not ask about the current condition. The entire country thinks that the Members of Parliament are thieves. Abusive language is being used against us from all public platforms. Public is calling us rustic. People make fun of us when we walk with dupatta on our heads as per Indian tradition.

This is an explosive situation. I have a lot of respect for Anna Ji. I would like to inform him that the current progress and development of the country could be possible due to this House by maintaining the dignity and decorum of the constitution intact. It is quite possible that some of us might be wrong but who has given the right to the supporters of Shri Anna Ji to abuse all the Members? People may consider us rustic, mock at us, abuse us, but the House will be agree to my point that if our country is renowned in the entire world, if the world is looking at us with great expectations, it is because of this House and the hon. Members of this House. We are not renowned in the world because of the people drinking liquor at India Gate and causing uproar at Ramlila Ground, beating police personnels, and breaking the traffic rules.

I would like to submit in the House that we need to formulate such a stringent and effective Lok Pal which may strengthen the faith of the country in us. The respect of the Parliament may be reinstated. Such a Lok Pal may be established which keeps the supremacy of the House and the constitution intact.

Before I conclude my speech I would like to request Anna Ji to break his fast as his life is invaluable. He must have faith in the House and the Members of the House which will result in the creation of a powerful Lok Pal.

[English]

*SHRI SIVARAMA GOUDA (Koppal): Corruption is one of the biggest diseases like cancer, it is increasing day by day, that is the reason today Shri Anna Hazare ji is sitting on fast. That is why all common people of India have strong backing of Shri Anna Hazare ji. This is my personal view and urge the Government to make and bring a strong Lok Pal Bill. This is not the first time we have introduced the Bill, even in the last 43 years we brought this Bill eight times before this House, but unfortunately it was not passed. Again the Lok Pal Bill has been brought by the force under the leadership of Anna. Since two years, the country has seen so many scandals, not only in lakhs of rupees it is in the figure of lakh crores. Common people know from the media and totally in the minds of people, all politicians and bureaucrats are involved in big scandals and scams as per the report of the CAG like 2G spectrum, CWG, G.K., Air India and black money in Swiss Bank. After the independence movement, our country has seen the

biggest protest from the nook and corner of the country, from children to old age people, poor to richest persons, students to lecturers and all the intellectual class. The big protest and hunger strike in Ramlila maidan, Delhi by Shri Anna was supported because everyone is fed up with the corruption.

The Lokpal should be strong, independent and autonomous body, and the Prime Minister should come under the Lokpal, and it should not be against Constitutional provisions, section of Indian Penal Code and also provisions of Corruption Act. It should be exempted from National Security and public order. For judiciary, the Judicial Accountability Bill will be introduced in this House, Judicial Commission will also be set up and judiciary cannot be covered by the Lok Pal. The CBI also comes under this Bill, with autonomous institutions not covered by the Government. The Constitution has given immunities to the MPs to be protected inside the Parliament. Governors of States should be covered in the Lokayukta, and also media should come under this Lok Pal.

With so many years' wait, the Lok Pal Bill is to be brought as a stronger and independent Bill.

[*Translation*]

*PROF. RAMSHANKAR (Agra): Today, a debate is going on in the Lok Sabha regarding Lokpal. Our honourable leader Sushma Ji has expressed her opinion on Anna Ji's revolution and all the three subjects raised by him. I too support the issues raised by him. Today, the common man has been forced to take to the streets due to the corruption in the country. The rising inflation due to corruption has not only perturbed the common man but forced him to bring the revolution to the streets. The common man and the man who struggles to arrange basic facilities like water, food and medicines is suffering because of such scams taking place regularly for the past 2-3 years and the embezzlement of crores of rupees in those scams. The common man has lost all hope and that is why he has taken to the streets. I am grateful to Anna Ji for launching a movement against corruption and showing a way to the common man to fight for his rights and fight in a democratic and non-violent way for the same alongwith his countrymen on the roads.

Today, the common man and the people who have not been able to exercise their fundamental rights even

after 64 years of independence are grief-stricken. They are disturbed not just because of corruption but also about the social inequality and lack of equal participation of all sections of the society. The Lokpal that the Government has presented today is completely toothless in fighting against corruption and justice. Those provisions which do not address the practical issues and national security in Jan Lokpal should be reconsidered and a powerful as well as effective Lokpal bill should be passed. I would urge the Government to do so. Till now nothing is clear regarding the selection of any Lokpal Bill. In my opinion, the people who are deprived of education and their rights in society even today should get justice. Therefore, it is necessary that the members of Lokpal committee should include representatives of people from the backward and neglected sections of society to represent their community. The same statements should not be repeated that there is no person of that level in those communities. If the happens then it would be unfortunate that even after so many years of independence that community remained deprived of better opportunities. That would be a reflection of the society. Today, the question that arises is as to how many people from SC and ST community are there in the judiciary? If not, then why? Who is responsible for that? Today, how many people in the country are working as professors from these communities? Why is it that the vacant posts have not been filled till now? The society want an answer to all these questions.

The common man who is supporting the Anna Hazare movement should get his due rights and equality and the country should be freed from corruption and inflation. Therefore, I urge the Government to make an effective and powerful Lokpal in the interest of country and people.

*SHRI RAJENDRA AGRAWAL (Meerut): It is the twelfth day of Anna Ji's hunger strike for the Lokpal bill issue. The entire House is worried about his House has appealed to him to end his hunger strike for the past few hours. Hon'ble leader of opposition and hon. leaders of various other parties and Member of Parliament have been discussing the various aspects of Lokpal Bill and a mutual consensus has been reached during the discussion in the House on the three points raised by Shri Anna Hazare. I welcome this and hope that as a result of this historic debate today going on in the House today the country would get a potent, powerful and effective Lokpal bill to fight corruption and hopefully Shri Anna Hazare will also end his hunger strike.

This consensus could have been reached earlier also. But due to the conduct of the UPA Government and Congress during the past few days further complicated the matters. I feel that this Government led by Congress, feels guilty due to corruption. As a result of this the Government and Congress are in a state of limbo. Sometimes they engage in a dialogue with the protestors, sometimes they intimidate them and tell them that they are also equally corrupt and have no right to protest against the Government.

This is what has been happening during the last few days. When Swami Ramdev states a protest, the senior most Minister in the Government and when that doesn't happen they try to crush him through force. Almost the same things have happened to Shri Anna Hazare too. He is not given permission to carry out this hunger strike at a particular place and restrictions are imposed on the numbers and time limit. The Government tries to crush the whole movement. The whole country knows about this and the same issues have been discussed in the House. Therefore, I would not like to repeat that again. Due to all of these reasons the public is under the impression that the Government is not serious about fighting corruption. The credibility of the Government is at stake. The credibility of Parliament and the Members of the Parliament have also come under the scanner. Questions are being raised on the entire Political System. Yesterday the 'Yuvraj' of congress party had arrived. The House had the golden opportunity to hear his words for the first time during the 15th Lok Sabha. He guided the country and then left. Today this discussion is taking place but the 'Yuvraj' is not here. The ones who applaud his speeches are disappointed. He should have been here. His absence shows the seriousness of Congress leaders regarding Lokpal.

Common man is worst affected by corruption. Hon'ble Members have cited various examples of it in their speeches. Corruption has spread everywhere. Poor people come to me to get their income certificate. In the beginning I asked one of them that income certificate is made in the tehsil, why did not he go there? How will I certify his income? He replied that rupees 300 are demanded for income certificate in Tehsildar's office. He could not afford to pay rupees 300 as bribe. I sign income certificate after some verification. Everyone is helpless due to this corruption. Such condition is prevailing everywhere. It must be removed otherwise it is a great threat to democracy.

It is needless to say that the Parliament is the supreme body. Shri Anna Hazare ji also accepts this fact. It is the responsibility of the Parliament to listen and understand the voice of the public and make the law as per the demand of the masses. Today a strong and effective Lokpal Bill is the requirement of the country. The Leader of the Opposition Shrimati Sushma Swaraj ji has put light on various issues related to Lokpal Bill such as the structure of Lokpal Bill, its powers, selection of Lokpal etc. Almost the entire House has conceded her views. I would like to request to enact an effective Lokpal on the basis of Jan Lokpal Bill in the country and the Parliament should become the reflection of the demands of the masses.

*SHRI C. R. PATIL (Navsari): It has been observed in the country for many months that corruption has got on to the nerves of the public. The public from all over the country has associated itself with the agitation of Shri Anna Hazare. Few months ago Baba Ramdev had staged fast in Delhi for his demand to bring the black money back lying stashed in foreign countries. In the beginning some Ministers of the Government supported him but by evening the scenario changed. The police forcibly removed him on the behest of the Government and lathi charged his supporters. But the Government should understand that such agitations cannot be suppressed with batons and bullets. The public of the country has come to know that people have taken to roads due to corruption.

We also support the Lokpal Bill proposed by Shri Anna ji. We also support the proposals made by our leader Shrimati Sushma Swaraj ji. The Governors of the States should also be brought under the purview of Lokpal and Lokayukta Bill. Not only corruption but also the officers who manipulate the rules for fraudulent practices should also be punished by making provision in Lokpal Bill.

*SHRI HUKMADEO NARAYAN YADAV (Madhubani): We have to find out the solution of corruption. We need to understand the nature of corruption. We have to think about economic, intellectual, administrative, cultural and technical corruption in totality. First and the foremost reason for corruption is caste system in the country. The insects of corruption germinate, grow in the garbage of caste system and then eat up the society. Corrupt people are patronized and supported by the castes. How it can

be removed? There is a solution that inter-caste marriage should be made mandatory for the Government jobs and facilities. Within 50 to 100 years caste system will be destroyed and a new society will be born that is Indian society. Can the Parliament show such courage? I feel we will be nervous. Officers of Indian Administrative Services keep on benefiting the politicians by their biased decisions until they remain in service. People indulge in sins due to fear and greed. They have greed that after their retirement they will be offered posts of benefit. They keep on favouring the big business houses so that they may serve good positions in those business houses. Today, the Cabinet Secretary, the Commissioner of Election Commission, Justice of Supreme Court get benefit from their political decisions. They are made the Members of the Parliament, Ministers, Governors, Ambassadors, Directors in the Government Undertakings, Managing Director, Co-chairman etc. They are offered the positions of the Directors and Counsellors by big industrialists and business houses. After occupying the positions they get the benefit done to these business houses by the help of subordinate officers of the department. In the Ministry they try to make the policy in the favour of business houses. NGO's are run by their wives and family members. They extend the benefit by giving them work, and help them in getting grants from foreign countries. How this corrupt system may be demolished? After retirement IAS officers should not be appointed in any Government and non-Government organizations. They should not be offered the post of counselor or any honorarium post. In this manner administrative corruption may be tackled with. On the similar lines judges also should not be appointed in any Government Commission, board or organization and in any private sector.

Colourful channels are being run by big houses. Black money is invested in those channels. They steal income tax by telecasting the advertisement of their products in their own channels. They exploit people by advertisements. They assassinate the character of the leaders and representative of backward classes, Dalits and weaker sections by getting sting operation carried out. The same has been done so far. They exploit the fearful administrative officers.

Therefore, this should be controlled and measures should be taken to stop corruption. Likewise, they take money under the garb of advertisements in newspapers during the elections. There is a tax on advertisements but there will be no tax no publishing news. This is also a form of corruption.

The self-help groups in the country took foreign funds worth Rs. 28,879 crore during the year 2005-06, 2006-07, 2007-08 and just in Delhi Rs. 5,480 crore has been received Rs. 1104 crore were taken in the name of education in the states near India. Nepal border and Rs. 1874 crore were taken for the states near India-Bangladesh border. Action has been taken against 87 organisations. The effect of foreign funds has increased. Foreign funds, foreign culture and foreign intelligence agencies have become dangerous. Foreign powers, especially ISI, have spread their tentacles and terrorism. They support them. This should be investigated. The Government should issue white paper. A high level commission should be constituted to keep an eye on it and regularly monitor their workings. There are a lot of NGOs which are funded by government officials, industrial and business houses.

Basic changes can be made only by remaining within the limits of constitution and Parliament. This can be done only by continuing revolution. Other backward classes, dalits and minorities should be given equal participation in every field in the country. They should be appointed on every post and give opportunity. When 85 per cent of the population would be uplifted, the country would be strengthened and corruption will also stop.

[English]

*SHRIMATI YASHODHARA RAJE SCINDIA (GWALIOR): My political life started in the Jai Prakash Narayan People's Movement of 1975 on my birthday. It was the second time in India after the 'Satyagraha Movement' that the common man (aam admi) came out in lakhs to join Hon. Jai Prakash Narayan Ji in his cause. My mother's house in Purana Qila Road became the hub of the JP Movement. I was able to see at very close range, how the people of India could humble the Government on issues that needed to be addressed. For the 3rd time in Indian history, we are seeing the common man came out in crores to join Anna Hazare Movement against the widespread corruption in India.

We must first address the root of this present movement. What is the movement addressing—corruption? It is not that corruption has never been present in this country. But the last several months have seen a BHOUCAR of scams—with no end in sight; waiting in the wings are some more CAG reports where some more Ministers will go to Tihar.

*Speech was laid on the Table

There is always a 'time' for everything. It is not that corruption was not present. It is not that CAG was not present. It is because there is more and more transparency—that the wheel of probity is turning—it is not just a corruption of money, but it is also a corruption of mind. Please do not think that corruption will end with a Lokpal Bill in whatever form it finally comes.

We have to bring 100 per cent literacy into this country—only then we can tackle corruption of mind and corruption of society. Parliament passed the Panchayati Raj Bill to give empowerment to the rural India. But look at the corruption at the lower level. SARPANCHES, MAHILA SARPANCHES and their SARPANCH PATIS, NAGAR PALIKA ADHYAKSHON, GRAM SABHA SACHIVON—unless we keep pushing to improve infrastructure, agriculture and literacy in each and every village—because of the poverty and the rush of money coming in at the PANCHAYAT level there will be corruption, and because of the Panchayat being flushed with funds, the lower Government officials (the BDO's, the TEHSILDAR/PATWARIS) all want a slice of the pie. So one can understand the necessity of bringing the lower Government officers under the purview of the Lokpal or Lokayukta.

In summation, the situation that is playing out today is only because the Government did not take the necessary steps to curb the money making and the corruption, once the scams started tumbling out. If the Government had taken the necessary steps early enough all this pressure to eradicate corruption would not have come about.

The Government has to be humble enough to realize its grave mistakes. It has to be humble enough to consult with Parliament and with the Opposition much more than what it is doing. It has to be humble enough to take suggestions during Parliamentary Debates—from its Members, as we move among the public and are only putting up suggestions that the public wants.

My Leader of Opposition put out Party's stand very succinctly in front of Parliament today. We are all for a corrupt free country but we must take steps keeping in mind the Constitution of our country. There are no two ways on the issue of making a strong Lokpal Bill—we are all together on this.

Thank you for giving me the chance to give my views in this august House.

[Translation]

*DR. SANJAY JAISWAL (Paschim Champaran): We are concerned about the movement that is running for the past 12 days. Hon. Anna Hazare has raised the most burning issue in the country. The country is with him. As the hon. Pranab Mukherjee has asked for recommendation of the House on only three main issues, therefore, I would only speak on those points.

On the introduction of Lokpal Bill in 2001, there was a debate regarding inclusion of Prime Minister within the purview of Lokpal and 'The then' Prime Minister Shri Atal Bihari Vajpayee ended this discussion by including himself in it. The present leader of the House, hon. Pranab Mukherjee was the Chairman of the Standing Committee at that time and even he had supported it. Thus, it is unreasonable to keep the Prime Minister out of the purview of the Lokpal. When PMO is under the scanner regarding every big scam and the leaders, arrested on corruption charges, talk about calling the Prime Minister as a witness. Although, the decisions of the Prime Minister regarding national security and relations of India with other countries should be kept out of the purview of Lokpal.

I also believe that Lokpal Bill should be introduced as an exemplary model to be emulated by states in form of Lokayukta.

Today, all citizens are suffering due to corruption at lower level. Therefore, the lower level employees should be brought under the purview of Lokpal and they should be given a definite time limit to complete every task under the Right to Service Act. Only then the common people will get respite from corruption. A separate strict judicial reform Bill should be brought for the Judiciary. Everyone knows this but the rules for taking action on judges are such that none has been punished till date.

I also believe that N.G.O, corporate and media should be included in the purview of Lokpal. There is a lot of corruption pervading these fields too but no provisions have been made in the Bill for them.

We also need to think about the dangerous consequences if the Lokpal becomes corrupt. Therefore, the name of the agency that will investigate the corruption in Lokpal should be added in the Lokpal Bill and the provisions for punishing them should be much stricter

than the usual rules. In case this provision not added, I fear the rise of one more counter for corruption in form of Lokpal.

I urge the Government to include all three provisions raised by the hon. Pranab Mukhrjee and I would like to tell hon. Anna Ji that the whole Parliament is with him in his movement. Therefore, he should keep faith in the parliament of this country to bring an empowered Lokpal Bill and end his hunger-strike.

*SHRI BAL KUMAR PATEL (Mirzapur): It is true that corruption has made the life of the common people of the country miserable. Even after the passage of 64 years of independence no solution of corruption could be found out. The citizens are also responsible for corruption. Therefore, we can remove corruption with good intention.

The discussion is going on in the House about a conflicting issue. The issue is whether we should include the three demands put forth by the team Anna or not. Different parties have different opinions with regard to this issue. Whatever is to be done should be done as per the Constitution and whatever Bill is to be passed should be passed in accordance with the Parliamentary procedure otherwise it may cause chaos. All of us have the responsibility to check this situation.

Therefore, I would like to request all my colleagues to take any decision as per the Constitution and the Parliamentary procedure.

With these words I would like to request the Government to introduce a strong and effective Lok Pal Bill in the House. By considering the points proposed by the team Anna and other social activist we all should try our level best to remove corruption from the country.

17.05 hrs.

[DR. GIRIJA VYAS *in the Chair*]

[*English*]

SHRIMATI HARSIMRAT KAUR BADAL (Bhatinda):
Madam Chairman,

[*Translation*]

Jo uthe hain inkalabon ke liye, vo ab na soyenge khawabon ke liye,

Jaag utha hai samandar neend se, ab hawa bhi banchuki tufan hai, Dekh khidki kholke bahar abhi, khada hai swali Hindustan mein sabhi.

[*English*]

Corrupt Government, corrupt politicians not serious about weeding out corruption and lacking in political will are the common refrains on the lips of every Indian today. I must admit that our conduct for the last few days has done nothing to remove this perception from the minds of the people. Neither have we been able to assess the extent of their anger nor have we been able to address their grievances. In fact, our rigid stand has only worked in a manner that has alienated them further and made them more firm in their resolve to make sure that their demands are met at any cost and their protests do not fall on deaf ears.

I believe that, first of all, we need to remember that we have been sent here for the people. We have been sent here by the people and just because we have reached here does not make us any superior or smarter than those very people who have sent us here. Not one of us would be here without the backing of those millions. If those millions are making a demand, let their demand be right or wrong, then why should we not voice their demand in this House and then use our Parliamentary right to legislate such a law that will achieve the desired results of their demand?

But, unfortunately, instead of doing that, what have we done in the last so many weeks? We have tried to use secrecy, deceit, mishandling, and misconceptions have reigned supreme in the last few weeks to the extent that our people have totally lost faith that any politician here is even interested in weeding out corruption. In fact, they believe that we are the fountainheads that abet and encourage this very corruption.

Today, we face this historic challenge because everything we say today is going to send out a message to the people of our nation at a time when our credibility is at an all-time low. But more important than that is, at the end of the debate, the law that we legislate is probably going to be our final chance to redeem ourselves in the eyes of the people and re-win their trust again.

So, I urge everybody here that instead of just doing lip service, let our action speak louder than our words today. In a time bound manner, with a time limit and date set, let us come out with a strong commitment for a strong, precise and a decisive Lokpal Bill which will root

out this cancer of corruption and restore the credibility for which this Parliament actually works honestly to deliver the promises to the people and their demands.

I salute Shri Anna Hazare and fervently appeal to him to end his fast. We all stand committed to what he is trying to eradicate. I specially admire him for his ideals and for awakening the sleeping conscience of this nation. His convictions are a source of inspiration to me which shows how you must stand on your beliefs when your beliefs are firm.

While I fully support the spirit of his Jan Lokpal Bill, I hope that a clear and decisive mandate will emerge from this Lok Sabha today. I would also like to make a few suggestions.

The Jan Lokpal Bill will work effectively to punish the corrupt and in a way deter corruption, but it will come into being only after a complaint or a corruption is done. What is necessary today - and it is equally important - is to not only give timely and just punishment to the people who are doing corruption but also address those areas and put in place an important system that weeds out corruption. It is only when a Government addresses those grey areas that breeds corruption, that is when we can enhance our effort by putting a Lokpal Bill which will punish the corrupt and overall corruption can be rooted out.

Today the billion plus people of our country are not affected by the top level corruption. What affects them in their daily lives is when they have to get their daily needs, like the ration card or a gas connection or a water connection or get admission in the school or electricity connection, they have to grease somebody's palms, pay a bribe to get these things. That is what harasses them.

That is why it is necessary that when the result of every interaction with the police or bureaucracy or administration is directly dependent on the amount of bribes that person gives, we must make sure that this need of the billion plus people is addressed. Why should I just say politicians or bureaucrats? Today, be it an educationist or a lawyer or a doctor or business tycoons or NGOs or media houses - every segment at any level - there is corruption. There is corruption in each and every segment of our society. We cannot just pinpoint anyone because it is there across all sections of our society. Corruption is there even in Schemes like the Indira Awas Yojana for the homeless or old age pension

for the poor or even in MGNREGA. Even in these Schemes, they do not get their rights without paying bribes. This is the extent of corruption in our country.

The corrupt get richer using their ill-gotten wealth, tweak the justice system, get judgements in their favour, get favourable Government contracts, get admissions, get their jobs done. They murder the entire system at the cost of the country. Only if there is a strong political will to change the systems that breed corruption will there be a comprehensive way to end corruption.

If the Government is committed to rooting out corruption, it must first pinpoint all these grey areas and then take serious action in eradicating these interfaces which lead to corruption.

MADAM CHAIRMAN: Hon. Members, please keep quiet.

SHRIMATI HARSIMRAT KAUR BADAL: I would like to give you an example. Why did the 2G scam or the CWG scam take place? It took place because the Ministers and the bureaucrats have certain discretionary powers. They use these discretionary powers to tweak the things in such a way that a favoured few could get favours from them. This led to momentous corruption. What needs to be done is that powers of these Ministers and bureaucrats must be taken away so that these powers are not there which give rise to corruption.

I would be happy to let you know that in my State of Punjab, we have removed and eliminated all these processes where Ministers and bureaucrats have the power to make these decisions. We have started a policy of e-tendering for all Government tenders above the limit of Rs. 5 lakh. Any one sitting anywhere in the world can bid for a scheme on-line without having to go to a Minister or a bureaucrat to get a favour. This has eliminated the unnecessary interface between the Executive Engineers, the bureaucrats and the Ministers. The bids have become so competitive that we have almost saved thirty per cent of the amount of the projects.

On 15th August of this year, the State Government of Punjab has implemented a Right to Service Act 2011 which makes the civil servants and the police accountable to the citizens of Punjab. There are 67 services of the Government, related to the Departments of Revenue, Housing, Police, Transport, etc. where the officer is liable to deliver the services in a limited time frame. Failing to do so, he has to not only pay a penalty or be penalised,

but also will be suspended and lose his job. Thus making the officers, the bureaucracy, accountable to the aam aadmi and making the aam aadmi the king of his rights and giving him the rights as a citizen.

I will give you a small example, if you would allow me. These are the things which have been implemented, which can be used in the rest of the country. Today, if you need permission for using even a loud speaker, you have to go to the police; you have to make many trips, and probably bribe someone. But in Punjab, you can seek this permission on-line and get it via your computer. If you need a driving license or register a vehicle, you have to go DTOs or RTOs. But in Punjab, the place where you purchase the vehicle, now that dealer can give you the registration. All the rights of the DTOs and the RTOs have been taken away.

If anyone wants to get his land records, he has to take umpteen number of trips to either the Tehsildar or the Patwari. You know how corrupt they are. In Punjab we have computerised all land records so that any farmer, any land holder sitting in any part of the world, can go on-line and get his records. ...*(Interruptions)*

[Translation]

MADAM CHAIRMAN: We have been discussing a very serious issue in the House. Please keep silence. Mr. Badal, please wind up now.

[English]

SHRIMATI HARSIMRAT KAUR BADAL: The point that I am trying to make is that we need to identify the areas that breed this corruption. Then, we need to remove the interfaces that create this corruption and after that we need to bring in a very strong Lokpal Bill which punishes the corrupt.

I welcome the Jan Lok Pal Bill and the three points of the Citizens Charter and the public grievances and including the lower level bureaucracy is already a part of our Right to Services Act which has already been implemented in Punjab. We already have the Lokayukt Act.

The only few suggestions which I would like to give for this Lokpal Bill is that let the salaries of these employees be such that they are not tempted to resort to corruption to meet their basic needs in these times of extreme inflation.

I also suggest that if Lokpal or their officers are held guilty of any misconduct or dishonest investigations receive severe punishments because with the powers that they are wielding, they are like super policemen, super bureaucrat and super Prime Minister all rolled into one. If they have such powers, then their standards of conduct must also reflect these powers and misuse must be severely dealt with. Otherwise we are just going to end up creating yet another Supreme Executive Authority of India that has such sweeping powers that they can search, seize, prosecute, trespass into executive, judicial and legislative decisions, making them wield powers to prosecute judges, MPs, Ministers and Prime Minister and the entire bureaucracy. ...*(Interruptions)*

MADAM CHAIRMAN: Please conclude.

SHRIMATI HARSIMRAT KAUR (Badal): Madam, I will conclude within two minutes. ...*(Interruptions)* Without the necessary checks and balances, they might end up in just another Frankenstein that they cannot control and then we will need a Maha Lokpal to control this Jan Lokpal. ...*(Interruptions)* So, these checks and balances are very important. I also say that a journey of a thousand miles begins with a single step. This Jan Lok Pal Bill may not address the problem hundred per cent, but it is that single step for that long journey of eradicating this cancer. Let us take this step and do a great deed to start the end of this rampant corruption.

Madam, in the words of my great Guru, *[Translation]* Subh Karmon te kabhun na taron na daro, ari son job jai lodon, nichai kar apni jeet karon.

[English]

*SHRI P.T. THOMAS (Idukki): Sir, I would like to mention some thing about the proposed Lokpal Bill. On 4th of this month the Lokpal Bill introduced in our August House. Then it is referred to the Standing Committee. I have the privilege to be a member of the present Standing Committee *i.e.* personal public grievance law and justice. Sir, after the introduction of the Bill in Parliament the Bill came for the consideration of the Standing Committee. In the first meeting of the Committee itself Anna Hazare and his team presented their views before the Committee. After the meeting, they told to the Media people that "We have seen some hope in Standing Committee". But after two three days Anna hazare and his team declared that they have no faith in Parliament as well as the Standing

*Speech was laid on the Table

Committee. Sir, I am humbly requesting the Hon. Members of this August House not to allow any body to lower the standard of our Parliamentary system. Sir, with out any hesitation I would like to point out that Anna Hazare and his team is trying to sabotage the basic structure of our Constitution.

Anna Hazare's movement is nothing but a movement of the city centric upper class people .These people are purposefully trying to tarnish the Parliamentary process.

Sir, I am fully agree that day by day the corruption is increasing in our country. A strong mechanism is the need of the hour. Sir, in the name of controlling corruption Anna hazare and his team is propagating against the basic nature of the Parliamentary systems. We cannot concede with this. If we will concede to this next time these people will start agitation against the reservation system which is a constitutional provision for the SC/ST and other down trodden people of our country.

Sir, I would like to mention one thing that the same Anna Hazare expressed his views that Narendra Modi the CM of Gujarat is the model of this period.. Anna Hazare and his team is claiming that they are fighting against all evils.

The Anna team is not agreeing to include the so called NGO's in the perview of this Jan Lokpal. They are claiming that the NGO's are not receiving any money from the State exchequer. Sir, it is more dangerous. How can we assert such NGO's are not receiving any money from terrorist groups anti social elements and communal forces.

Sir, I am requesting that there must be some provisions for including NGO's in the ambit of Lokpal

Sir in our system there is an open provision before the Parliamentary Committee to give suggestions to anybody. Why not Anna Hazare and his team is not utilizing the Parliamentary forms? Are they totally rejecting the systems? Are they not believing the Parliamentary democracy? These are the important questions in which Anna Hazare and his team to Address to the people of India. It is not a simple thing. I am requesting all the respected political leaders of this historic House not to support such kind of agitations anymore. Sir, I am requesting to all that the supremacy of the constitution of India has to be maintained. Institutions of democracy cannot be undermined and the checks and balances visualized in the constitutions cannot be adversely affected.

Sir, Laws have to be made by the Parliamentarians who are elected representatives of the country. Few nominated members of the drafting Committee cannot have precedence over elected Members of the Parliament.

[Translation]

*SHRI GANESH SINGH (Satna): Today, a serious discussion is going on in the House as to what provisions may be made in Lokpal in order to make a strong law against the burning problem of corruption. The public of the country is agitated. Today corruption is at its peak. Corruption is deep rooted in the society. Social activist Shri Anna Hazare ji has been staging fast unto death for the last 12 days. The public of the country has come on roads. First of all I would like to request him to break his fast because all the Members are in favour of a strong and effective Lokpal. However, the fact that Anna ji had to sit on fast for so many days is the result of the ignorance of the Government. The Union Government has given every opportunity to corruption to grow and still providing opportunities. People who agitate against corruption are being crushed by the Government. Earlier, the agitation of Baba Ramdev was crushed, then the member of the BJP Yuva Morcha was lathi charged. Anna ji was sent to jail on 16 August. I would like to thank Anna ji for waking up the country against this incurable disease called corruption.

I fully support the proposals made by the Leader of the Opposition Shrimati Sushma Swaraj ji in the House. The supporters of Anna Hazare ji all over the country, media and the ruling party had been demanding that BJP is not clearing its stand. Whereas, BJP had said that it would clear stand in the House. The Leader of the Opposition, on behalf of the party, has put forth three proposals before the House in an effective manner and removed the illusion from the minds of the people by giving cogent examples and making the country aware about the party's opinion through the House.

Today, the country has fallen prey to corruption. It is deep rooted in the society. From Delhi to villages, from Gram Panchayat to PMO, no field is left untouched from corruption. India holds 87th position in the list of 187 corrupt countries. As per the report of a survey carried out in the year 2005 every common man has to pay Rs. 21068 crore in bribe in a year. The country is very anxious about proliferating corruption. All Members are

*Speech was laid on the Table

also concerned about it. At some places corruption has turned into courtesy. People take bribe as their right. Middlemen are active openly. There is trust deficit everywhere. In past, our villagers were very honest. Doors were not locked in villages. With the advent of Panchayatiraj corruption has spread there also. It is impossible to search an honest person. Earlier, honest people were respected in the society. Now, dishonest people are being respected. Today, the country is in need of a Lokpal which may remove corruption from every corner of the society. Our party had already concerned to the most of the provision proposed by Shri Anna ji for Jan Lokpal. Is there any Bill regarding those three issues presented by the leader of the House by which the provision of Lokpal may be made in centre and states?

The second issue is related to lower bureaucracy. It can also be brought under the purview of Lokpal or Lokayukta. CBI may be autonomous or it may be brought under the Lokpal through crime branch.

We are in favour to bring lower bureaucracy under the purview of Lokpal which has caused enormous problems to common people. Except special provisions, the Prime Minister should also be brought under the ambit of Lokpal. My party and I are in favour of it. National Judicial Commission should be constituted in order to eliminate corruption from Judiciary. It should be independent. The Members raise the question in the House on the behalf of the public. It is not appropriate to restrict their rights given under Section 105(2) of Constitution. An M.P. is also an ordinary person outside of the House. If anyone commits crime, will come under the ambit of Lokpal.

There is an utmost need to reform the system. The States ruled by my party have enacted laws incorporating provision which have ensured public service guarantee and seizure of property which is more than the known sources of income in order to ensure corruption free administrations. This law has been implemented in Madhya Pradesh. The daily common problems of the public have been brought under Public Service Guarantee for solution. The provision has been made that if an employee does not complete his work within stipulated time period, he might be penalised upto rupees five thousand. The said amount will be deducted from his salary. Earlier, public had to spend money from their pocket but now money will flow from the pocket of the officer to the pocket of public. It will check corruption. BJP is in favour to implement Citizen Charter in every

department and that can be brought under the purview of Lokpal. Today, corruption has spread everywhere. Efficient, independent and effective Lokpal is required. The Government is on its back foot. The Government should come forward. We are with the Government. When the Government introduces Lokpal Bill, necessary provisions will be added to it.

Today, the entire House collectively feel that the eradication of corruption is very necessary. In my opinion, as far as the matter of appointment of the members of the Lok Pal is concerned, there should be place for the representation of the weaker section of society also. For a strong Lokpal, it is necessary that all angles of Lokpal should be studied deeply and then it should be made a reality.

Corruption is an abstraction to development. That is why good people are not coming to politics while there is need of people of good character and honesty. The common people doubt the political parties and leaders. I would like to say to them not to consider all people equally dishonest as there are some dishonest people in politics also. Even today, there are many people who are working with full honesty despite facing false cases in their public life. They had spent their lives in it. A Prime Minister like Shri Atal Bihari Vajpayee let his government fell for want of a single vote. Had he so desired he would have saved his Government. I have no hesitation in saying that the last Government had saved itself through defection.

Today, the biggest question is of ethics and there is need of it everywhere and in every field whether it be a civil society. All will have to bother about their duties. First of all, there is need of strong feeling of nationalism in everyone. When a person works for the society and the nation instead of himself, then, he can never do any unethical work.

Question marks have always raised on the government machinery in democracy. For that reason, the NGOs were used for the implementation of government schemes and increase awareness about them. It worked well for a few years but later on they started doing the same acts of corruption. The NGOs received more than 28 thousand crores from foreign countries but the purposes of those funds are still a mystery. Should all these not be investigated?

In the same way, media is the fourth pillar of democracy. It, also, has crossed its limit. Paid news,

packages, and working with the motive of revenge have become normal these days. I think that they, also have crossed their limits. The press council is not effective. Therefore, it should also fall under the purview of the Lok Pal.

It has been seen that small businessmen have become industrialists within a very short span of time and they are adversely affecting the government exchequer by compelling the Government to frame Laws to their benefits. Therefore, they should also come under the ambit of the Lokpal.

There is only one reason behind the dissatisfaction among the people of the country today and that reason is the unearthing of incidents of huge corruption of the UPA Government one by one. More than crores of rupees of the entire budget is being engulfed by corruption. Black money is being sent abroad and the country is suffering from inflation. It is very unfortunate that poor and the middle class people are not able to satiate their hunger.

The Central Government did not take stern action against corruption, The incidents of corruption keep occurring even after the Prime Minister Office being aware of their. But now an effective Lokpal will be constituted under the pressure of the House and other Political parties so that the incidents of corruption could be curbed and checked.

SHRI LALU PRAŞAD (Saran): Sir, my turn comes in the end. All is well that ends well. It is not our misfortune rather it is fortune that four of our MPs have won the election. Four persons are enough for funeral procession. Our support to any party is very crucial. We are political people and have no malice for anyone. But today I am very surprised that an open discussion about corruption took place two days ago and leaders of all parties stood against corruption. There is no difference between previous proceeding and today's proceeding. Dr. Trehan is not only a government doctor but also a good doctor. We have good relations with him. As of now he is taking care of Shri Anna Hazare Ji. Anna Ji is a very good and senior person. I had told earlier also that fight against corruption is not a new issue. We were associated with the movement led by Loknayak Jayprakash Narayan Ji. All the persons including Advani Ji whether in opposition or in Government of Bihar were in jail. We were in jail under Maintenance of Internal Security Act (MISA). I had told earlier also that I named my first daughter Misa Bharti after MISA Law after consulting my colleagues. We are born from the womb of agitations.

We should not be so mean. A conspiracy is going on in the country. The proceedings of this House had been obstructed for 17 days in the name of corruption and black money. Bhartiya Janta Party had its hand in that and all were involved in that commotion. I would like to honestly submit that at the time of Government formation Congress party received support from our party and Shri Mulayam Singh Yadav Ji against BJP. All including our MPs rose their voice against corruption. It is not a new issue. Equal contribution is provided by you and the House. Sharad Yadav Ji has rightly said. He has mentioned many incidents. We come from rural areas. We have the experience of cattle rearing. In a democracy the poor can rise to power. We have come here by going without food for days. This is democracy, we have come to the House as MPs as per the Constitution drafted by Dr. Bhim Rao Ambedkar. But all of us are put in a miserable condition. Either this condition is created by the media or team Anna. Anna Ji may be a good person and definitely he is. We must learn from Anna Ji that he has been observing fast for the last 12 days at the age of 74. It is a crucial issue. Fast is a very effective weapon. At the age of 74 he speaks with great energy and claims to run three kilometers. We politician must learn this from him. Doctors should conduct research and write a book about the secret of Anna Ji's capacity to observe fast for many days. So that we may come to know as to what element does he have in him to keep fast for so many days and what should we eat in case of observing fast. We are discussing the question raised by Anna Ji. Anybody can raise the question of corruption. We have to reform the country. We need to bring total revolution proposed by Loknayak Jayprakash Narayan. There is no doubt in it. On the very onset I said that Parliament is supreme. What is my fault in it? A person from outside is dictating and you are entertaining him. This mistake is committed by you as a result of which you are facing the consequences. Then you call all of us and take the Parliament in confidence. I had asked Annaji that the Parliament would like to know as to when the election of civil society took place? You tell me when this election took place? Today, Aruna Ray Ji came, tomorrow somebody else will come, day after tomorrow somebody else this has become an endless story. We have to listen to everybody's views. Our that day also I had informed that he is an old person and can keep fast for many days. He keeps fast even without any reason. People do not consume salt for many days for their good health, and overhauling. What is the logic behind the discussion?

I said that the allegations have been levelled against ruling party. The Parliament is supreme out of all the Constitutional organisations. It is supreme law making body. Our Judiciary is neutral and respected by all the people. Madam, I cannot describe the word here which has been used by the representatives of Anna Hazare Ji. The cases wherein we have been defamed are acquittal cases from the hon. Supreme Court. Advani Ji was acquitted by the Supreme Court. The way derogatory words are being used and the people who are levelling allegations against us have no status before us. I have been a part of the parliamentary democracy since 1977. I have served as the Chief Minister, leader of Opposition, Member of Rajya Sabha and in the Upper House of the State. I am in Lok Sabha continuously since 1977. Our existence is because of democracy in the country.

But the way things are being carried out is surprising. That day an all party meeting was organised, I do not want to tell a lie, everybody was present there, the members from CPI, CPM were also present there. Pranab Babu got up from his seat and went to Advani Ji, Shrimati Sushma ji, Arun Jaitley Ji and reviewed the proposal with them in an empty room for an hour. We appealed on the proposal that the fast being kept by Anna Ji should be broken. This point has been clearly accepted in the Government Lok Pal. It is not like that we do not understand it. It is mentioned in the proposal that a strong Lok Pal will be drafted by you and a national consensus, wherein Arundhati Roy, Aruna Roy and the opinion of the intellectuals of the country will be sought. We have supported it.

Anna Ji is not being given the right information. We have been watching the stage minutely in T.V as to who all are visiting that place and as mentioned by Sharad Bhai also. They are snatching away the mike from one another. Kiran Bedi Ji if you are willing to fight election, you should go ahead. You are a strong candidate against Kapil Sibal Ji and this is the bone of contention. Anna Hazare Ji has no fault in this. Everybody goes to him in order to misguide him. We have been watching this on Television. We are not fools. We are students of political science. Philosophy and politics is all about making forecasts about the people as to who is going to have a good or a bad time. Therefore, whenever Anna Ji makes up his mind to do something, his team members misguide him. It is a ridiculous situation that Kejriwal has become our pioneer and he is teaching us. The Prime Minister had stated in this House that he salutes Anna Ji. He is concerned about Anna Ji's health. What has been the image of all the parties, people and this

Parliament? The country wants to know about the issue that is being discussed. Today you will pass this, but what is the need to pass this? Whatever is the proceeding of this House can be sent directly to the Standing Committee. It is our greatness. Standing Committee is the mini Parliament. First of all we had invited Anna Ji. Team Anna consists of people from all the parties. They are not general public. Thus, we paid respect to them. We told them that we would be inviting them again. We asked them to submit all the papers they had to the committee. The Government says that it has accepted demands. What are the merits and demerits of these three points will be discussed at the forum and comments will be given there. Thereafter we will bring those point to the Government.

Madam Chairman, sharad bhai has aptly said that Anna Ji is being misled. Somebody is playing a role similar to the Ravan in the holy epic Ramayan. It seems as if a fair has been going on. I was invited by the businessmen of Chandni Chowk on the occasion of Janmashtmi Majority of people are from Mujaffarnagar there. We went there because it does not look good to say anything. Everybody had got tatoos on his check there. Recently dada was telling that the situation has become volatile and explosive. Madam, we went there. People very well recognise me there. Even the small children saw me. I observed that 10-15 persons began to escort me on bikes. I asked my colleagues to return. We would go to workshop Lord Krishna but those people would create a scene. People would rather blame me that Lalu Yadav created all the problem. I offered my prayers to lord Krishna and prayed to him to take care of the situation.

Madam, I would like to give a suggestion. CBI was constituted in the year 1946. CBI is not any ordinary organisation. It carries its work honestly. But some officers are corrupt also. Officers who were corrupt were made ministers in Bengal. We salute them. I salute Shri Vajpayee Ji. Some colleagues said that Shri U. N. Biswas is doing a very good job. He should be made the Governor. I called him from Dumka and asked "Sir, are you making him the Governor? He said, "Lalu ji, how do you get all secret information?" I said that I get to know all such secret information as Khurana Ji is there. Is Khurana Sabab not there? Oh I see, he is no more. Such are the people.

Madam, I would like to say that Shri Anna Ji has himself told that it will not remove corruption entirely but it will definitely check the same by 60-65 percent. He

said that people will be terrified. They can make any law. Please make it. But we should not take any step out of greed that if someone loses his position others will be benefitted. We should not behave like Kalidas. We should not chop the same branch on which we are sitting. The existence of the Parliament will bring about the welfare of all. The Government made a mistake by sending Anna Ji to jail. The Government justified its detention. First of all they took him to Police Line. Therefore we can know that they have taken him to Tihar Jail. They should have at least asked us or could have asked Advani Ji. When Advani Ji was arrested he was given due respect. He was lodged in a guest house and sent by a helicopter. We had been in contact through telephone. I asked Advani Ji if he faced any problem he should inform me. Because you are going to attack Babari mosque therefore, it is our helplessness. You should not there to do such a thing. His daughter is our sister. He went there followed by his son-in-law. We asked him to develop some relation. But they committed a mistake and they got a mileage.

The poor cannot catch fish from the village pond. Thousands of people merely keep trying their hand to catch that fish from mud. When Boari fish starts fluttering a strong man catches it with the help of a net. You are instigating the fish and team Anna Ji is catching it. "Bhrashtachar mitana hai, naya desh banana hai" this slogan gets changed.

"Dhan aur dharti bat ke rahega

Aapna-aapna chod k."

"Duniya me aaye hain to kuch kaam kariye,

Chande ke paise se jalpaan kariye."

People look up to us when we give these speeches. Madam, your presence has boosted my confidence and I get a lot of strength to speak.

MADAM CHAIRMAN: There is a time limit for speaking.

SHRI LALU PRASAD: All right, if there is a certain time limit, then I will not violate that. Any kind of violation draws punishment. This has been my history. Myself and my party stand up for the questions raised by Anna ji. Make a law for corruption. Despite women laws for committing atrocities against females, injustice being caused to them and female murders, a lot of such incidents are still taking place. Any number of laws can be made. If someone takes money from another person and does not keep that money in post office or at home

or does not inform Income Tax Department about it and hand it over to some industrialist for safe keeping and to be returned when required. But when that person will go to take his money back, then that capitalist will refuse and deny that any money was kept with him at all. It is good to frame this kind of law, it must be prepared well but the people who are going to participate in the candle march related to this are expecting that now if these people will take any money, then they will deposit that money with their NGOs and this will make them rich. This entire game is of these NGOs. Today if the Government says that the NGOs will not be a part of this, then the entire drama will end by tomorrow.

So far I have not been able to read the complete Bill drafted by the Government, but I will. The Government has kept NGOs as a part of that. The so called Jan Lokpal Bill does not contain NGOs as its part and we must note this. That day also, I had told all my brothers and fellow Members to read and study this Bill very minutely. Mayawati ji, Mulayam Singh Yadav ji, Sharad Yadav ji and Gopinath Munde ji and his father went to the Ramlila Ground. Kiran Bedi used very foul language for them and called for gheraoing them and not let them go away. When the news about All Party meeting reached there, Kejriwal had said that the police officers had called him over phone to tell that at around 4 O'clock in the morning, Anna ji will be taken away. Anna ji got up. He said that no violence must be caused but all of you put a circle around me and some of us will go and protest at residences of all the Members. The media people should have asked Kejriwal the next day as to on what basis he misled the country. There could have been a small riot, fire may have been caused and someone's children might have got burnt and he would have gone quiet after that. Therefore, there is a need to understand these things. The country is not run like that. A country and a rule runs with a lot of right attitude. No injustice should be caused. The Supreme Court and media people must read this. Not all the print media and reporters but a few of them will forget about their correspondence and reporting. These young reporters are helpless, they only do what is being dictated to them by their master. Please bring the NGO and after a long discussion till late in the night and today's discussion, I would like to suggest that we will not let the supremacy of Parliament, Parliament and Constitution to be affected even in the smallest manner.

I am happy that today people of all the parties have woken up to this issue and have realized that we all are united. The question may be different but we will not

allow any harm to this temple of democracy. No power or no issue can harm our system of democracy. This has been a good beginning. I would request that all the proposals forwarded by all political parties and the speeches of all the leaders who spoke today may be sent to the Standing Committee ...*(Interruptions)* Voting for what purpose? No wrong message should go from here and there must be a national consensus on this. Today, it has been published in the Indian Express that Salve ji of Supreme Court, who is a very senior advocate, has said this. Salve ji has been in news for a long time. What super power does Salve ji has. There would be a Lokpal upon the judges. Who is the Lokpal in waiting and for whom Lokpal seat is being fixed. Who will sit above us? It is being said that Members of Parliament must be brought under this. Not only the existing Members but even the retired MPs are also being brought under this. A Member who has got retired and is living on pension in his village is somehow managing his two square meals. This is there in the Bill drafted by the Government. This wrong has been done by you, all this that is there in the Government Lokpal Bill. ...*(Interruptions)*

MADAM CHAIRMAN: Please conclude now.

...*(Interruptions)*

SHRI LALU PRASAD: Wherever it is ...*(Interruptions)* Madam, today, discussion is also against the Constitution. But now, this discussion has taken place. The rules have been relaxed because the Government has the power to do so. We have also participated in the debate but please do not repeat this mistake in future, otherwise, the coming times will never forgive us for doing something that is being dictated to us by someone from outside. We must not ruin our country in this manner. I have been saying that then there is no need of this Parliament ...*(Interruptions)* Ok tell me, there is an actor called Om Puri? He said that people from all villages are joining the protest, but I heard all are cine artists. Whether all of us and country are being taught by the cine artists? ...*(Interruptions)* No, no, Artist like Visakha, Pichasa, etc. and whosoever are sitting in Mumbai ...*(Interruptions)* What kind of situation has emerged? ...*(Interruptions)* Leave it, you have included Manoj Tewari in your party, mobile party ...*(Interruptions)* See, listen to me, whatever we may say, see, these people will not let Anna ji to take back his hunger strike, they will put Anna ji's life in danger, put it on the record. They are not telling the truth to Anna ji. They will kill that great, simple leader in this

hussle-bussle and fix the entire Parliament and the Government, therefore ...*(Interruptions)*

MADAM CHAIRMAN: Only Lalu ji's speech will go in record.

...*(Interruptions)**

SHRI LALU PRASAD: We may show our unity umpteen times but they will not agree, they will not let this happen. All NGO people are involved in it. NGO is involved in this Government Bill. All people from corporate houses to press-media are involved in it, ok, bring the entire country in it. I say that these communist people used to chant the slogans about the entire country's property, whether it is agricultural land, farm, apartments, black money, or money earned from any other source, but why they are silent today. We told them to takeover all the properties, whomsoever it may belong and redistribute it after nationalization. Everybody will be caught in this, but they did not utter a word. You have left your slogan, fight. Now, no other measure is left, if anybody commits the mistake, he may be interrogated as to from where he has got this property and shall be asked to show the papers. Papers of all flat should be checked, why land is being looted, why tension is prevailing in Noida Extension, they have make fun of everything. Therefore, slogans should not be changed, aims should not be shattered. These kind of slogans shall not be there, corruption, corruption, corruption, Anna ji, Anna ji, Anna ji. When law is enacted on point of distribution, this happens, that dharna will let divide the land excluding the land owned by them. Whether this is not happening? This is happening only, I told Anna ji that this is the main route. I told him that I will stand by you and hold lathi. Use it, the issue will be resolved only this way. He replied that now he has made the announcement, he will look into my suggestion later on ...*(Interruptions)* This is Delhi. I also do all kinds of prayers for his security over here. The people who are looking after these issues, should be apprised of all the facts. Media persons must also pay attention, if this country will continue to exist, this institute will remain, then only their business will run ...*(Interruptions)* We, people give them news. We are creators of the news and we are being shown in negative light. They include those people in panel discussion who wore cap out of fear like Sanjay Nirupam ji ...*(Interruptions)* No person from backward community, dalit, minorities is seen in these discussions, no woman is seen in these discussions. We oppose

*Not recorded.

Women Reservation Bill, but whatever Bill may be enacted, one-third women, backward classes citizens of India, dalits and Muslim brethrens must be given their proportionate representation, otherwise, problem will continue in whatever consensus is involved. Munde ji, do not fell suppressed, stay wherever you are ...*(Interruptions)* Advani ji, see, yesterday Govindacharya ji gave speech that 10 percent RSS people comprise of the crowd gathered there. It should not be so. You will not become Prime Minister, do you want to be, it may happen. We oppose it because the means adopted by you people are not right. Therefore, we shall work in this direction by debating the entire issue. We are going to create a new history. This is not a historical debate, but a new thinking, new concept, therefore, everybody has to be involved in it. Those who want to participate will be invited. Though we have opposed Ramdev ji, but Ramdev ji will also be invited...*(Interruptions)* People of all the parties are Members in Standing Committee. Therefore, I would like to appeal the Members of all the parties that do not let this organization downgraded. Do not belittle the organization. I would like to appeal Anna ji that people around you are not giving you right advice because of their vested interest. Please call off your hunger strike. Your life is precious. Please leave the issue. The biggest movements are postponed, suspended. Gandhi ji did so. Gandhi ji never asked his supporters to do gherao. Every MP is having family God knows what kind of elements have infiltrated the movement? I would like to thank you Shri Naveen Jindal ji for doing so much for the national flag. It is being hoisted on every house, every cycle, every motor car, it is because of Shri Naveen Jindal's contribution that people are wandering in the entire country with national flag. The people travelling in car are waiting flag by taking their hands out of both the windows of car. Kiran Bedi was saying that please do not come here in inebriated state, nobody will come here in inebriated state. When I switched on TV, I saw all this. Therefore, I would like to request, the media persons, cine people like Om Puri to save democracy. Save this body. Save this country. You put forth the right suggestion. You are on the street. We are not your enemies. You form a consensus along with the involvement of intellectuals then we will compel the Government. How the Government is to be compelled, we all will decide. The Parliament will decide. Law will be made from here ...*(Interruptions)* it will be decided from here only. Law cannot be made by fiat. The Parliament is the law making body and they point a censuring finger on it. He makes the girls sit in vests.

What comments he was getting the leaders to make? He was spreading hatred. He say that we have malice in our hearts ...*(Interruptions)*

MADAM CHAIRMAN: Lalu Ji, please conclude now.

...*(Interruptions)*

SHRI LALU PRASAD: Therefore, I would like to tell to the House, all the hon. Members and leaders that I cannot make any comment on the given three points. I am strictly against putting restriction on judiciary. Whatever you and Sushma Ji said about appointment is acceptable but judiciary should not be demoralised. They should not feel like demoralised otherwise there will be anarchy. All are not corrupt in politics and judiciary. It is not like that. There is a variety of people. Good people should not be defamed. I would like to appeal the Government and the House the entire proceeding and speeches of all the hon. Members should be sent to the Standing Committee. If the people of the ruling party congress violate this forum it means you are playing with the Constitution and the Parliament. Fast should be broken at any cost. I am appealing what else should I do? I have requested him in every manner but he did not agree. I said that Sushma Didi is sitting in all party meeting if, I went there people would be annoyed. I had said that the Parliament is the supreme body. I had said that there cannot be another Gandhi or Loknayak Jayprakash in the country. We can make effort but people interpret in another way they say that Lalu is protesting unnecessarily ...*(Interruptions)* Whatever is the matter, we are pushed forward in every issue. Therefore, I request you to send the whole matter. We will listen to Anna Ji and his selected representatives. After understanding it we will bring it to you. Then you can pass it and we will support you.

MADAM CHAIRMAN: All of you please listen to his speech with silence.

...*(Interruptions)*

MADAM CHAIRMAN: Please keep silence. Take your seats. We are discussing a very serious issue.

...*(Interruptions)*

[English]

*SHRI O.S. MANIAN (Mayiladuthurai): I am happy to put forth my views on behalf of my party AIADMK about

the setting up of a Lokpal. Right from 1968 at least on nine occasions this was taken up in this august House and was given up every time. Now due to the most respected Anna Hazare's fast that has crossed eleventh day and also due to the impact it has had on the youth of the country, all over the country this discussion assumes greater importance.

All the political parties, social activists, try to root out corruption and bribery. There is no difference of opinion on this. The difference comes only on the question of including lower level Government employees and on the question whether to include Prime Minister in the ambit of Lokpal. Our Leader J. Jayalalitha, the Chief Minister of Tamil Nadu has clearly stated that Prime Minister must be spared from Lokpal.

In the recent times the issues of corruption have greatly affected the minds of our countrymen. This has been felt all over the country right from the Himalayas to Kanyakumari as a scandal has been taken up for a legal enquiry under the supervision of the Supreme Court of India which has taken upon itself to intervene. Aadharsh scam, Commonwealth games scam, huge loss civil to our public sector organisation in the civil aviation has all appalled our people. Can we get justice in the court enquiries? There is also a question as to whether we can put an end to corruption of this nature.

Corruption has crept into judiciary to and this is the biggest threat to our democratic body polity. So the judiciary must also come under the ambit of Lokpal. Anna Hazare's fast and the support he has got are arising out of the concern and the concerted action to see that democracy does not become a mockery.

Parliament alone can legislate. People outside the Parliament can only make appeal for legislation. Instead if anyone threatens saying that he would end his life,

if his bill is not legislated is an action against our constitution. Both the ruling party members and the members from the opposition in the parliament have to go to people in the next polls. It is only people's verdict that is going to rule the country again. So people are the right judges. Their judgement can take the country in the right path. That is the reason why Anna Hazare could draw the attention of the people of the country through his non-violent agitation in the form of fast. When some officers are identified as honest officers and when some political leaders are referred to as non-corrupt honest politicians a question naturally comes as to what about others and who they are?

Though we can take some action against corruption with the existing mechanism available in the form of IPC and Vigilance and Commission and the anti-corruption wing of CBI, they are all found to be inadequate. The people of our country feel that we must take strong and stringent and right actions. AIADMK is of the view that the Lokpal bill that is to be passed accordingly must be a strong one.

Corruption begins with the Elections faced to seek power and it continues in the implementation of Plans and Schemes. We must change it right in the beginning.

We respect Anna Hazare's initiative. Hence we appeal to him to end his fast. He must continue to serve the people of the country. We need his service and sacrifice. So we urge upon him to give up the fast. Let me thank the Chair for giving me this opportunity to place my views before this House. Thank You. Vanakkam.

[English]

*SHRI SHIVKUMAR UDASI (Haveri): Mr. Anna Hazare's three demands to the Prime Minister includes, Citizen's Charter, Lokayuktas in all States with Lokpal powers and inclusion of lowest bureaucracy under the ambit of the Bill.

I am sure, the Parliament will find effective ways and means to discuss the Jan Lokpal Bill, along with the Government version of the Bill, Aruna Roy's Bill and the paper presented by Jaiprakash Narayan of the Lok Satta.

The Union Government has asked Parliament to consider Mr. Anna Hazare's three key demands within the Constitutional framework and by preserving Parliament's supremacy.

I also demand that NGOs, Media groups and Corporate houses should be brought under the purview of the Lokpal. If the Lokpal Institution indulges in corrupt practices, where the complaints should be lodged to investigate and prosecute wrongdoers, Lokpal Bill should take into account the above concerns, while passing the Lokpal Bill.

I personally feel that all political parties should accept the draft of this resolution with some riders. My Party has already backed these points during the Lokpal debate. I also appeal Team Anna to persuade the Gandhian to end his fast which has entered its 12th day.

*Speech was laid on the Table

I would like to lay on the Table of the House my views on Lokpal Bill.

SHRI H.D. DEVEGOWDA (Hassan): Madam Chairperson, only three minutes' time has been allotted to my Party. I am not going to exceed that timelimit. I respect the allotment of time by the Chair.

Madam, I am waiting from the morning to speak. I will just take three minutes. I do not want to make a lengthy speech. The hon. Leader of the House has made a statement today. We have been closely watching the outcome of the statement by way of discussions on the floor of the House. Just day before yesterday, the hon. Prime Minister had made a statement. Every Member of this House including the Leader of the Opposition has appreciated it; and they have all accepted the points raised by the hon. Prime Minister. The whole House was with him ...*(Interruptions)*

MADAM CHAIRMAN: Please maintain order in the House.

SHRI H.D. DEVEGOWDA: I do not know what happened day before yesterday night and yesterday night as various versions in the media were witnessed. We are not a party for any discussions. Today, your good self, in your statement, 40 issues were raised. Out of 40 issues, we have thrashed out 18 issues; and there were also seven issues, which were controversial and there were divergent views. Lastly, there are three issues, which we need to discuss. They are: (i) whether the jurisdiction of the Lokpal should cover all employees of the Central government, (ii) whether it will be applicable through the institution of the Lokayukta in all states, and (iii) whether the Lokpal should have the power to punish all those who violate the 'grievance redressal mechanism' to be put in place.

I would like to just draw the attention this august to a Bill, which had been passed in Karnataka in 1984 by the Government of Karnataka. It was the Karnataka Lokayukta Bill. Our former Chief Minister of Karnataka Shri Hegdeji and former Law Minister of India is also sitting here. The public servants who are covered by that Act include:-

- The Chief Minister;
- All other Ministers and Members of the State Legislature;
- All officers of the State Government;

- The Chairman, Vice Chairman of local authorities, Statutory bodies or Corporations established by or under any law of the State Legislature, including Co-operative Societies
- Persons in the service of Local Authorities, Corporations owned or controlled by the State Government, -a company in which not less than 50% of the shares are held by the State Government, Societies registered under the State Registration Act, Co-operative Societies and Universities established by or under any law of the Legislature.

It is a model legislation, which was brought in 1984. How has it been watered down today? I do not want to drag the names of any party or any party leader. This was a law enacted by the Janata Party Government in Karnataka in 1984.

So, Sir, I would like to draw the attention of the hon. Leader, who raised these three main issues; whether to incorporate them in the Lokpal Bill, which is going to be considered by the Standing Committee. I would only say that it is for the Standing Committee to consider what it has been mentioned in the 1984 Loyayukta Bill, which had been passed in Karnataka.

Madam, I do not want to take much of the time of the House. I know my limitations because we are only three Members from our party. But I had been waiting since morning from 11 o'clock for my turn to speak. Yes, we have to bow our head to the Chair. There is only one thing, which I would like to say. The corruption was also there from the days of Late Pandit Jawaharlal Nehru.

18.00 hrs.

Nobody can deny that. But from 1991 after the economic reforms were introduced, on one side there was the growth of our economy, what you call the GDP growth and on the other side the growth of corruption also simultaneously was going on and we must remember this.

What is Harshad Mehta's case? What is Ketan Parikh's case?

MADAM CHAIRMAN: It is six o' clock. If the House agrees, we extend the House till 7 p.m.

SEVERAL MEMBERS: Yes.

MADAM CHAIRMAN: Please continue.

SHRI H.D. DEVEGOWDA: The hon. Prime Minister has also taken his own decision to bring some of these issues under the Lokpal Bill. The Leader of the House is trying his best to see that the whole atmosphere calms down and Anna Hazare Ji discontinues his fast or breaks his fast. You are doing your best. I must compliment you on behalf of my Party.

Only one thing I would like to say regarding the corporate houses. What happened to Enron? Advani Ji is here. What happened to Enron? What happened to Satyam? What happened to Bangalore-Mysore Infrastructure Corridor? I must say that today the corporate houses are one of the breeding centres for corruption. Both the officials and the politicians are colluded or in nexus whatever you may call.

These are some of the issues which everybody has to think over. Your goodself during the period of elections went on agitating throughout the country that the black money which has been deposited in various banks outside India should be brought. That is one of the main issues you have raised. We have no objection. During our period, we declared only one issue, that is, voluntary declaration. The Finance Minister at that time Mr. Chidambaram refused. Our Left Party colleagues had agreed to what I proposed. The total amount of money that had been declared was Rs. 33,000 crore and the revenue we had generated was Rs. 10,800 crore. I am only mentioning that. I was not responsible for the amount of black money which was generated at that time. I had taken the charge on 1st June 1996. About the amount of black money, my colleague was mentioning that it was of the order of Rs.60 lakh crore. He was commenting that it was Rs. 60 lakh crore or Rs.60 million. I do not want to go into these issues. The Opposition Leader mentioned that the amount of black money, according to Wanchoo Committee, was Rs. 7,000 crore. There is no need for me to deliberate on all those details in this short time. I do not want to make a long speech.

I only appeal to the entire House to find out a solution to see that Anna Hazare Ji breaks his indefinite hunger strike. There must be some tolerance. We should all collectively pass a Resolution or whatever the views expressed by the hon. Leader of the House and the Leader of the Opposition should be taken note of and see that the whole atmosphere should be brought down to normalcy.

[Translation]

*SHRI CHANDU LAL SAHU (Mahasamund): I associate myself with the points raised by the leader of the Opposition Shrimati Sushma Swaraj Ji with regard to the discussion on Lok Pal Bill. Today corruption has been spreading on a large scale. There is corruption in the air. Moral values have deteriorated. Corruption is the result of nexus among bureaucrats, politicians and criminals. In addition to this the electoral procedure, inflating poll expenditure, criminalization of politics and illiteracy are the main causes of corruption. Our main concern should be to remove corruption.

Shri Anna Hazare Ji has been staging fast for 12 days with regard to anti corruption law "Jan Lok Pal Bill" Lakhs of people have come out in support of him. We support his intentions. Such a law should be made which may uproot corruption, so that our younger generation may get rid of it. today, renowned people are indulged in corruption. The report by comptroller and Auditor General has revealed the scams involving crores of rupees. But due action could not be initiated. Therefore, general public has lots of expectation from the Parliament and shouting slogans in favour of Anna Ji, Jan Lok Pal Bill Lao, bharashtrachar mitao. But the Union Government is dilly-dallying and trying to protect corrupt people which is not in the favour of the country. I accept that a single law cannot remove corruption completely. But its publicity will cause awareness. We, therefore, need public awareness, will power among the people.

Black money in the country has multiplied due to corruption. As a result of this prices are rising in the country and general public is facing its consequences. Our country which was known as golden sparrow has been staring at the face of poverty. Therefore we all should make a strong and effective, law which may be applicable in the country, states and villages etc. and all the leaders, officers, journalists, social activist and the big business houses of the country should be brought under the purview of this law, so that they may think twice about the result of corruption. This law will enable our country to restore its previous grandeur and glory by getting rid of corruption.

*SHRI ASHOK ARGAL (Bhind): The corruption that we are discussing here is not just a matter of illegal extortion. Infact, this is a matter of our entire system. Whether it is red-tapism or the insensitivity of people

holding senior positions, all this is corruption only. We will have to think about the reasons behind it that what happened all of a sudden that the entire countrymen have stood up behind social activists like Anna Hazare ji or Baba Ramdev ji. Whether it is the young people, old ones, females or children, all are standing with Anna ji. We will have to look into the reasons behind this and then only, we will be able to reach at some conclusion.

I believe that the present UPA Government has broken all the records of corruption. So much of black money has been stashed abroad that if the same is brought back to India, we can actually re-build our country and it can once again be known as a Golden Sparrow.

The people have started hating these corrupt politicians, officers and the system itself. But to whom the public can talk about this? Who is to be approached by the public? The people realized that the democracy in this country was only for namesake and votes could easily be traded in this Parliament. Governments are formed and dissolved on that basis. In this House itself, the Membership of 11 Members was terminated for a few rupees.

I also faced the same situation when in the year 2008, we were approached to vote for UPA-I Government in lieu of crores of rupees in order to save the Government. We also thought that if we had to expose this corruption before the people of the country, then whom should we approach? Whether we should trust police or some other institute like CBI? In case of a problem or in the situation of decision making, every common man of the country thinks as to whom he should approach.

The same question was being asked by the people of team Anna that earlier their talks with Kapil Sibal ji had failed, then with Dr. Salman Khurshid and later on, with Shri Pranab Mukherjee ji, who is considered to be No. 2 most powerful Minister.

It was during this adverse situation only that people got a call from someone like Anna Hazare ji who has led such an idealistic life and the entire country came forward to support him. Everybody is standing with Anna ji to support him, be it school children in cities or villages, priests of temples, soldiers or judges of judiciary. Everybody is praying for the good health of Anna ji in temples, mosques, churches and Gurudwaras. The entire House has urged Anna ji to call off his hunger strike.

This is a time when all of us will have to tell the citizens of this country that we are working day and night

for them. We will have to say that and prove the same in action also. Otherwise, we might lose our respect as leaders in the hearts of people.

Therefore, I would say that there was no facility like internet when our Constitution was framed, institutions like Parliament were established. I would request that today, crores of Indian youths are connected by internet. We can receive invaluable suggestions from crores of these young people. For this, we must launch an official website by the name of 'Jan Sansad' so that any common man of this country can directly give his advice and suggestions to their Members.

Every Member will have to post on the 'Jan Sansad' website about his whereabouts of the day and about what he did for the country in that day? The people are expecting more responsible behavior from us and which is not wrong also. They are absolutely right.

Therefore, we must now take a step towards making a strong and effective Lokpal. This is my request to the House.

*SHRIMATI SUSHILA SAROJ (Mohanlalganj): I would like to say that future generation will feel proud of us as we have seen Anna.

I do not want to indulge in any kind of flattery of Annaji but would like to salute that great person who has brought the entire country under an umbrella by his struggle and movement. Today the entire country is reverberating with the slogans of 'Bharat Mata Ki Jai', 'Vande Materam', 'Inqilab Zindabad'. The crowd is coming again and again. The common people are not those who are extending their support through emails, but are those who are struggling for two square meals even today. Today, the people's views have become sharpened in regard to politics and the government treasury. Corruption has become the issue for common man. Earlier it was everybody's pain, now it has taken the form of collective anger. It is surprising as to why the Union Government is not understanding this fact.

I would like to give my suggestion. The Government will have to give guarantee to pay attention to some definite principles in the new Bill and the Team Anna has also to agree to withdraw those provisions which are considered as more strict and rigid than required. Following principles can be presented to break the dead lock and a new bill can be prepared on the basis of these principles:-

All agencies shall be completely free from Government and Executives control to tackle corruption and financial crimes. They should not be kept under the control of any such individual nominated or appointed group. Such agencies shall remain under the Committee consisting of 7 to 11 Members. Members shall be appointed after proper scrutiny. The Members found involved in irregularities may be dismissed by a Committee constituted in the Chairmanship of the Vice-President. The Prime Minister and the Leader of Opposition in Lok Sabha should be among the Members of the said Committee.

There shall be no discrimination on the basis of the post in regard to action taken against corruption. All people from Peon to the Prime Minister shall be given equal treatment. It is very necessary to bring the Prime Minister under the ambit of the Lokpal. Similarly, there should be no difference between the Joint Secretary and officers working under him. The provision to take permission for making investigation under section 26 and filing case under section 18 of the CVC Act should be scrapped.

It is not essential to bring Judiciary under the ambit of Lokpa Judiciary is the final arbiter interpreter of the constitution in a democracy. A separate 321 mechanism, National Judicial Commission should be constituted to fix the accountability of the Judiciary.

Our constitution is based on the principle of division of power whereas the proposed Jan Lokpal Bill provides to give all the power of investigation, planning, vigilance and governance to only one organisation. The Government is holding most of the powers out of it at present. The Government has become corrupt and uncontrollable.

The Enforcement Directorate should be merged with the CBI and they should be assigned the responsibility of all kind of inquires. Lokpal should be assigned the task of administrative monitoring presently under the domain of CVC. At present CVC is a weak body. Independent Jan Lokpal should replace it. There is a need to make law dealing with corruption and black money more stringent. The punishment awarded under the Prevention of Corruption Act should be categorised. The punishment awarded should be in proportion to the amount of money taken as corruption. Maximum punishment should be upto life term.

Plaintiff should be given legal protection.

I would like to give suggestion in regard to given representation to women alongwith the Scheduled Castes, Scheduled Tribes, Backward classes and minority community in the strong Lokpal Bill.

Alongwith my suggestion in the end, I would like to appeal on behalf of my Samajwadi party and thousands of people of my parliamentary constituency to Shri Anna Hazare to call off his hunger strike.

[English]

*SHRI RAMEN DEKA (Mangaldoi): Today, corruption is a major issue and it should be addressed in totality. Corruption caused concern to every sphere of life. The suffering of common man due to corruption is unthinkable. To root out this evil factor, we need a strong and powerful Act which can perish the corrupt at all levels.

Corruption in the highest level which should be dealt with strong hand. The common people face difficulties to get a driving license, electric connection, ration card etc. and they are forced to give bribe. The lower bureaucracy which deals with common people is more corrupt and pollutes the society. In view of this, the lower bureaucracy should be in the ambit of Lokpal.

The mechanism to judge the corruption in judiciary should be discussed threadbare by this august House.

Today, people want a corruption free India. We must stand on this occasion to make our country corruption free.

A strong, vibrant and powerful Lokpal Bill will only be able to solve the problem of corruption.

I am concerned with the deteriorating health of Anna Hazare. I appeal to him to end the fast. Further, I appeal to the Government to expedite the process to bring the Lokpal Bill.

[Translation]

*SHRI BISHNU PADA RAY (Andaman and Nicobar Islands): The public has been listening to the Government for 63 years. But at least once the Government should listen to the public. This matter is pertaining to Jan Lok Pal and Lokayukt. Dr. L. N. Singhvi, an M. P. from the congress party had brought the proposal of Lok Pal and Lokayukt for the purpose of administrative reforms on 3 April, 1963.

*Speech was laid on the Table

The Congress led Government had passed the Bill for Lok Pal and Lokayukt in the year 1969 in order to make the country corruption free. But this Bill could not be passed in Rajya Sabha due to the dissolution of Lok Sabha and division of the Congress party. Respected Pranab Babu by supporting Lok Pal had suggested to bring the Prime Minister under the purview of Lok Pal in the year 2001.

First time, the son of the soil Shri Atal Bihari Vajpayee himself being the Prime Minister of the country had made the suggestion to bring the office of Prime Minister under the purview of this Bill in order to make the country corruption free. This can be called the love of the country, servant of democracy, and expression of will power. But today this will power is lacking in the head of the U.P.A. Government.

After the passage of 63 years of independence giving and taking bribe has become a common practice. To give and take bribe is not viewed as an immoral activity. Is it democracy?

The Supreme Court has given judgement many a time with regard to corruption but the Government has deliberately become blind and deaf like Gandhari, a character in Mahabharata. Recently the Supreme court has severely criticised as to why the Government do not fix the rate of bribe for each work. Recently the Supreme Court has severely criticised the appointment of C.V.C, 2G Scam etc.

Today, the main accused of 2G spectrum, the former Minister A. Raja, is calling the Members, senior Government officials, the Prime Minister, the Home Minister, Finance Minister for the witness to the dock. Everybody is equal before the law. Then why the Prime Minister is an exception? As for as the Citizen's Charter is concerned, even after the passage of 63 years of independence people have to run around the office and pay bribe time and again in order to get their petty works done.

An M.P is also a citizen and raises the matter of public importance during the Zero Hour in the Parliament and the Reporters' Branch provides it to the Members after a lot of hard work. But no action is taken on that. Even the Ministers on behalf of the Government are not available during the Zero Hour. I think the Government should stop the concept of Zero Hour or the session should run smoothly. This should be included into the Citizen charter by the administration or the Government in order to solve the problems of public.

No action is taken even after the letters sent to the Ministries and personal meetings by the Members. Only acknowledgement is issued for formality and the answers are generally wrong. This is the condition of the Parliament question in Lok Sabha.

No action is taken with regard to the demand made in the Parliament for the health facility, education, bridge etc. for the general public of Andaman and Nicobar Islands. A Member writes against corruption with proof, even then no action is taken. Scams were committed in the name of Tsunami but people are not raising their voice.

Member of Parliament Local Area Development funds are also not being utilized properly in Andaman and Nicobar Islands. The Member had recommended the work two years ago but the officers do not have the will power to carry out the work. Computer, Salary, fax machine etc. were purchase from the MPLAD during the 14th Lok Sabha. The Andaman administration was aware of the fact but it kept silence.

In some Union territories like Andaman and Nicobar, Lakshwadeep, Dadar and Nagar Haveli, Daman and Diu which do not have Legislative Assemblies, there are Lieutenant Governor and on some places, there are administrators. In the past Lieutenant Governor in the Andaman and Nicobar Islands embezzled crores of rupees and involved government officials in corruption. There are no Legislative Assemblies in these states. All rights are in the hands of Lieutenant Governor and administrators. He subsumes all the powers of Prime Minister, Home Minister and Chief Minister. One person controls everyone. If the hon. Prime Minister and Chief Minister would be brought under the Lokpal and Lokayukta then Lieutenant Governors of the Union Territories like Andaman and Nicobar, Lakshdweep, Dadar and Nagar Haveli, Daman and Diu which do not have legislative assemblies, should be brought under Lokpal or Lokayukta.

People support Anna ji's Jan Lokpal and as the Government has not made any strict law, the public has brought revolution in the country through Anna ji. This is a second movement for independence in the country. The coming generations would be able to enjoy a good quality life in a corruption free country due to this movement.

The Prime Minister should be brought under the purview of Jan Lokpal proposed by Shri Anna ji. I also

support this and the leader of opposition has also emphatically expressed his views. The Lokpal proposed by the Government has been made to protect the corrupt people. There are one or two examples for the same. The time limit for investigation in the Government's Lokpal is 7 years while in Jan Lokpal it is only 6 months to 2 years. The punishment for corruption in Government's Lokpal is 6 to 7 months and in Jan Lokpal it is a minimum of 6 years or life imprisonment.

In the Government's Lokpal there is no legislation, to recover money from corrupt people but there is a system in place in the Jan Lokpal to recover money. C.B.L and C.V.C. are weapons in the hands of the Government in the country. C.B.I, will hound the opposition and those who have raised their voices against corruption in Government. C.B.I, made cases and raided the residences of around 100 government officers in Andaman and Nicobar Islands but not even one of them was sent to jail. Therefore, C.V.C. and C.B.L should be brought under the purview of the Jan Lokpal.

The Government officials of all ranks should be brought under its purview because all of them are public servants. The senior officers instruct the junior officials to prepare files but there should be a provision to prevent abuse of Government employees. Therefore, I support three demands of Annaji-

1. Citizen charter—The common man's right.
2. Inclusion of Government employees of all ranks under the purview of Lokpal.
3. Hon. Prime Minister, C.V.C, C.B.L etc all should be brought under its purview.

Anna ji, an old but a great man of 74, has come again as another Gandhi in the country. We Hindus believe in re-incarnation. It seems that Annaji has completely emulated Gandhi ji. That is the reason why crores of patriotic people are chanting Vande Matram with flags in their hands. Today I recall the independence struggle. A Haryanvi youth entered the Lok Sabha and strengthened the cause of Jan Lokpal and Anna Hazare. Therefore, I urge the Government to not be arrogant and respect the democracy as well as keep in mind the health of Anna ji. They should act as exemplary in Lok Sabha and all of the parties and Members of Parliament should support Jan Lokpal and three demands of Anna ji and pass the resolution. Otherwise, there would be a revolution in the country.

[English]

Either Pass the Resolution or Face the Revolution.

*SHRI KABINDRA PURKAYASTHA (Silchar): Today the 27th August, 2011 is a memorable day in the political history of our country. The discussion as regards Jan Lokpal Bill will pave the way for passing the Bill which is a historic event. This is the 9th attempt for passing the Lokpal Bill in the Parliament. But the rousing of public sentiment for the Bill is extraordinary this time. As if the whole nation woke up on the clarion call of Shri Anna Hazare. That had never happened earlier though attempt for passing Lokpal Bill started since 1968. Involvement of mass people has given the movement a special feature.

Now the question is regarding acceptance of this Jan Lokpal Bill drafted by the Civil Society under the leadership of Shri Anna Hazare. There are several salient features of this Bill: (a) Whether a single Act be provided for both the Centre and the state? So far as I understand that Constitution allows cover of both in a single Act. This may be done in the public interest; (b) Prime Minister needs to be brought within the purview of the Lokpal in consideration of making the Lokpal more fruitful. Otherwise importance of the Act will definitely be less. But there should be exception like internal security etc; and (c) The activities of the Members of Parliament outside the Parliament be brought within the purview of the Act.

Shri Anna Hazare demanded that all employees of the Central Government should be brought within the jurisdiction of the Bill. The Govt. Lokpal Bill talks about the high officials only. But the grassroot level mass people need not have generally any business with the high officials. They always come in contact with the lower bureaucracy for their small purposes and face extreme trouble. So, the lower bureaucracy also should be brought within the jurisdiction of the Bill. That should be applicable in the state also through the Lokayukta.

A responsible person should not violate the mechanism of redressal of grievance. But now a days everywhere it is found that violation has become the rule causing immense miseries to the mass people. So, for giving a proper check to this, Lokpal should be given power.

In the present day of corruption a very strong and effective Lokpal Act should be enacted and brought into

force. This will definitely help the nation to be free from corruption.

[Translation]

SHRI GHANSHYAM ANURAGI (Jalaun): The whole country is united on the issue of Lokpal Bill. The entire House is very keen to get the said Bill passed after holding discussion on a serious and important issue. While supporting the Bill, I would like to draw the attention of the House towards certain important points.

Since the sixties, the demand for the institution of the Lokpal is being raised. The Lokpal (Lokayukta) has been appointed in some States. The institution is strong in some States and weak in others. It is not proper to cite examples here. New records of corruption have been set in the country during the last few years. We are committed to bring this Bill because it is in the interests of the country. I want that a strong Lokpal Bill should be enacted without any loopholes so that the corrupt persons indulging in the corrupt acts to damage the country are completely brought under the dragnet. The entire House should be unanimous in the approach that corruption should be nipped at the bud. I want that this Bill should be made so strong so that it could check corruption effectively. We have to adopt a positive and unanimous approach rising above our personal interests in order to achieve this target.

Some other provisions can also be incorporated in the Lokpal Bill in order to maintain proper decorum in public life and root out the evil of corruption. The big industrial houses, big capitalists and those involved in the management of the media and those who indulge in dubious activities in the garb of the media and earn money in arbitrary manner by using media as a tool to amass money through advertisements and those who don't make payment to their employees, should also be brought under the ambit of the Lokpal. NGO (social welfare institutions) should also be covered under the Lokpal Bill. I think it would be a major initiative to check corruption to the maximum. There should be a judicial commission for the judges. There should be transparency in the functioning of the departments so that corrupt persons could not escape the provisions of law in any manner.

All the hon'ble Members in the House are united for creation of the institution of Lokpal through this Bill. There is no doubt about the intentions. We are all united in the

interests of the nation. There may be difference of opinion among all the political parties but there should be no mala fide intention. There may be difference of opinion but objective should be one. Each individual of the society sacrifices one's own personal interests for the development of the country.

I urge that the participation of the Scheduled Castes, the Schedules Tribes, other backward classes and minority communities in proportion to their population should also be ensured at the time of constitution of the institution of Lokpal in order to safeguard the interests of these communities. It would be appropriate if sentiments of people belonging to these communities are taken care of. It is necessary to ensure participation of these communities in proportion to their population in constitution of the Lokpal, its formation and committee so that there could be no injustice with these communities. With this, an effective and strong Lokpal Bill could be constituted.

If my suggestions are included in the provisions to be incorporated in the Lokpal Bill, then this Lokpal Bill will prove to be useful to the people. Order will be restored in the society and corruption will be wiped out through this Bill. There should be a provision in the Lokpal Bill to carry out periodical review of the same after its implementation in order to make it more effective.

Today, we are discussing the Jan Lokpal Bill in the House. Besides Lokpal Bill, there are three other Bills. I want that discussion on all these Bills should also be held together. In my view, that outcome of the discussion would be vital because a number of suggestions will be put forth by the hon'ble Members during debate.

As per the Constitution, no one can challenge the powers that have been entrusted to the Lok Sabha. Constitution is supreme. Dignity of the Lok Sabha should not be lowered in any manner. Today, the hon. Members of Parliament

are being vilified all over the country. This is very disappointing.

History is testimony that such type of a language has not been used in any of the 3 3 ^ movements launched by Gandhi ji. MPs have their own dignity, an MP also works for the benefit of the country including his Parliamentary Constituency. This Parliament is not only a building. Parliament is an institution comprising of MPs. It has also been heard that MPs should take a test and

they should be given ticket only after scoring 60 percent marks. I say that MPs are tested by 15-16 lakh people and then only, they are sent to Parliament. How reasonable is it to say so? This is very shameful and insulting.

Injustice should not be done with the people of the country. The House should reach a decision after hearing one and all and considering all views and that decision should be acceptable to all. Today, a discussion is going on about Jan Lokpal. This Bill also has good points which cannot be overlooked fully, but Sushma ji has mentioned that this Bill has been tabled nine times earlier also. But it is true that this House never passed this Bill. I do not want to go into why this Bill was not passed.

If we go through the history, socialists have a history of fighting corruption. No one has had the history which the socialists have. I want to say this thing only that if anybody launched the biggest movement in the entire country, it was Jai Prakash Narayan ji who did it. It was such a big movement that an elected Government was deposed. No other leader of this country launched such a big movement in this country. He was also a socialist. Our leaders have continued this fight for the upliftment of the society and for the benefit of the poor people.

Why has this situation arisen today? Every decision and ineffective attitude of the Government is responsible for this abnormal situation. If the Government had taken the entire House into confidence on the very first day, this situation might not have appeared. The complete responsibility lies on the Government for creating this situation. I have expressed my view regarding this Bill. But I request that Anna ji should be apprised of the feelings of the entire House and he may be requested to end his fast unto death. In addition to that, he should also be informed that his principles have been accepted. His fast unto death should come to an end. The entire House also thinks so. Anna ji should also respect the feelings of the House. With these words, I conclude my speech,.

*SHRI KAMLESH PASWAN (Bansgaon): Today, corruption has reached our roots, the people are terrified by corruption today, our party has always been against corruption, but I thank Shri Anna Hazare ji who has united the entire society on this issue.

Today, the people are unitedly standing against corruption and the society expects a strong law from us. The Lokpal Bill which has been brought by the Government is so ineffective that corruption cannot be rooted out by it. A strong Lokpal will have to be made to fight corruption. Our party has been saying beforehand that the Prime Minister should be brought under the ambit of Lokpal.

Besides, today the people are trapped in their daily rounds to Patwari Babu. The officers of the lower rung should also be brought under the ambit of this Lokpal so that the common man may also get relief from corruption. We shall also have to think over it why we failed in 42 years. We should, somehow, take responsibility for passing the Lokpal Bill. But still, we are in time to learn from our mistakes and pass the Lokpal Bill.

Besides, we have also to take into account that there should be transparency in the appointment of Lokpal. Only an honest and dutiful person should hold the post of Lokpal. Personally and on behalf of my party, I appeal to Shri Anna Hazare ji to end to his fast unto death. The country needs great personalities like him very much.

*SHRI SAMEER BHUJBAL (Nashik): A stringent law should be enacted to deal with the rampant corruption in the country. I also support the point that there is a need of a citizen charter to cater to the needs of the people by the Government machinery in a stipulated timeframe.

There is a need to make the Central and State Government employees accountable to the people of the country. The Government has taken several measures in recent years making the Government employees more accountable. Right to Information is one such example. Of late, the Centre and the Government of several states have encouraged the use of information technology to remove corruption and bring transparency. This indicates how serious Government is in providing better services to the people and remove corruption.

In order to support a strong Lokpal at the Centre, we need stronger Lokayuktas in States on the same pattern. We should include State Governments also in the process of appointment of Lokayuktas in States and prepare a model draft on the pattern of the Central Act which should also be issued to State Governments for its speedy implementation. To think that corruption exists in the

Government machinery only would be equal to belittling the problem. In fact, citizens face corruption in all the walks of life. There is a need for strong, huge public awareness against corruption and the culture of taking and giving bribe.

It is a bitter truth that to fulfill the daily needs *viz.* for ration cards, food grain distribution, land documents, driving license, etc. and other such works which are done at lower level of bureaucracy, people have to grease their palms. There is a need of foolproof system at this level which can deal with corruption.

At this point, I would like to emphasize that today, when the Government machinery is seen as corrupt, we must not forget that in the same system, there are hundreds, thousands of employees who are working honestly with dedication day & night to cater to the needs of the citizens. We should ensure protection of honest and straight forward employees in all our initiatives so that they can give their best.

Election reforms are very important in the country. It is a proven fact that our present system of conducting election is one of the causes of corruption in the country. In public life, the role of print and electronic media are praiseworthy. I also express my concern for adopting the system of paid news by some sections of media.

Today, the entire country is talking about a strong Lokpal. I thank and appreciate Shri Anna Hazare ji for creating awareness about rampant corruption in public life and making it a major issue. I, on behalf of the people of Parliamentary Constituency, Nashik, fully support the setting up of a strong Lokpal through Constitutional and Parliamentary process. We need to work hard to restore the faith in the Parliamentary system.

At last, I request Shri Anna Hazare ji to break his fast. We shall continue to take guidance from him on various issues of the country including development.

*SHRI ARJUN RAM MEGHWAL (Bikaner): I want to lay the following suggestions regarding the statement made by the leader of the House on the Jan Lokpal Bill.

A strong and effective Lokpal is needed in view of the public sentiments throughout the country, so that the tendency of rise in corruption in each sector can be checked and a system can be evolved to punish the

corrupt persons within a fixed time limit and minimize corruption in the public sector and bureaucracy and at the local level.

The hon. Prime Minister should come under the jurisdiction of the proposed Lokpal Bill, but the issues related to National Security and law and order should be kept outside its framework. If the hon. Prime Minister in the exercise of his duty happens to benefit some person, then such issues should come under the jurisdiction of Lokpal.

Among all the democratic systems of the world, judiciary has been made independent and impartial. The framers of the Constitution in India have abided by this principle but rise in the complaints of corruption in judiciary has put emphasis on the demand that the corrupt Judges in the judiciary should be probed. For this, although the Judges of Supreme Court and High Court should not be brought under the jurisdiction of Lokpal but there is a need for making the highest judiciary accountable by constituting the National Law Commission. The process of appointments of Judges in India also needs to be in accordance with the basic spirit of the Constitution. Before the year 1993, the Judges used to be 341 appointed with the concurrence of Executive but the decision of Supreme Court in 1993 transformed this procedure and adopted a collegiums system which has given rise to the scope of corruption in higher judiciary. Therefore, the system prevailing before 1993 should be restored. In addition to this, an All India Judicial Service should be set up in the country. So that all the sections of the society get representation in judiciary and the most able citizens are able to achieve position through competitive examination and the Code of Conduct rules should be formulated in this regard like the All India Services Conduct rules.

The news of corruption in Corporate Sector, Non-Governmental Organizations and print and Electronic Media Sector in the country is often reported upon. Corruption in these sectors, somehow, also helps in abetting corruption in other sectors. Therefore, a provision should also be there in the Lokpal Bill or the similar ensuing proposed Bills to banish corruption in all these sectors by adopting a holistic approach in the fight against corruption.

With regard to the opinion sought by the leader of the House on these points, I would like to associate myself with the suggestions put forth by the Leader of Opposition Shrimati Sushma Swaraj to the Government.

The proposed Lokpal Bill should be formulated in accordance with the spirit of the Constitution. The basic structure of the Constitution should not get damaged and an effective Lokpal Bill should be enacted to maintain the supremacy of the Parliament.

The appointment to be made in the form of Lokpal and the members of Lokpal in the proposed Bill should include the adequate representation of the weaker sections of the society, particularly, the Scheduled Castes and Scheduled Tribes and backward classes.

It is necessary to have a strong law but we have to hit at the root of corruption in order to completely get rid of the malaise. For this purpose, the school curriculum should be drafted from the beginning of the Primary education itself in such a way that the character building and the inculcation of values takes place, the most, in the citizens of India and the corrupt person should be put in the category of traitor, only then we can have well-cultured and good character citizens in the society who can bear the burden of running administration, politics, media, commercial institutions, judiciary, and other private institutions, etc.

Corruption is a social evil. Hence, if money is earned in every sector of the society through corrupt practices, a tendency of looking at them with disdain should develop or social values should develop in the nation to socially boycott such persons and on the contrary, if any citizen is found leading a simple corruption free life, the tendency of looking at him with a respect should be developed.

The Government should take initiative in respect of the tendency to consider each and every politician as corrupt in present scenario and the Government must obtain intelligence report about all such hon. Members. Besides, the Government should also obtain information of those hon. Members of Parliament who are leading a virtuous life or do not indulge in any corrupt practice and it should be shared with the Parliament. The Government will not face much difficulty in obtaining such report because entire information of the politician will be made available to the Government if a survey in the constituency is carried out and uploaded on the website and there should be certain parameters to judge the conduct of hon. MPs and politicians. Such parameter should include popularity graph and conduct of hon. MPs and politician in order to raise the moral of virtuous MP or any politician to lead a virtuous life and those MPs or politicians who fail to fulfill the said criteria will get inspiration to improve their conduct and lead a virtuous life.

THE MINISTER OF COMMERCE AND INDUSTRY AND MINISTER OF TEXTILES (SHRI ANAND SHARMA): Hon'ble Madam Chairperson, today, the parliament of India, this House and the Rajya Sabha have taken up discussion on an issue which is of concern to the entire nation. It is a historical moment as we have taken up discussion on an issue which is of concern to the entire nation in the Parliament which has been entrusted the constitutional power for enactment of law in the country. There are no two opinions about the seriousness of the topic raised. As both the ruling and the opposition parties have submitted their views in this regard. It is clear that the Parliament of India is awake, aware and sensitive. It keeps a close eye on the prevalent conditions, lends an ear to the voices of citizens and then takes a decision. This is the basic rule and ideology of democracy. We have to consider the events due to which this discussion is being held. It is correct that a movement was launched in the country in this regard. Earlier also voices against corruption had been raised in the country in April. The Demand in respect of constitution of a strong and powerful institution in the country has been made through this movement to root out corruption from all walks of life. The entire House including the Prime Minister, the leader of opposition was unanimous in saying that a strong Lokpal is the need of the hour which reflects the commitment of the House towards the issue. There is no dispute in this regard. In my view the entire House, every section and individual of society who understand the dignity of the country and are concerned about the future of the country are unanimous on the issue of corruption. We respect our freedom, its institutions, dignity and sovereignty of the Parliament which the country achieved after a long struggle. The issue as to who is supreme cannot be debated in the country. Our constitution is supreme. As far as sovereignty is concerned, the people of India are sovereign. This sovereignty is an integral part of the Parliament. The makers of the Constitution were pioneers of the national freedom movement of the country. The country has got freedom and our constitution after a lot of sacrifices. The people of my generation are very fortunate who were born in the post independent era, in an independent nation which can enact law and draft constitution and take decisions. The people were entrusted the right to live their life with dignity. Hence, it is our national duty. Today the leader of the House has submitted that whatever work or issue we undertake or discuss and whatever decision we take should be within the ambit of the constitution. Our Constitution cannot be compromised.

[English]

The Constitution of India is and shall remain inviolable and non-negotiable.

[Translation]

Today discussion is going on in the country and I think that this is a national discussion, a national debate. There has been a tradition in India for centuries, there has been a tradition of discussion and deliberation in our society, there has been a tradition of debate. Debate does not mean clash of views. A good conclusion comes out of a debate, a consensus is reached and the future of the next generations in the society and the country is preserved. There must be such debates. This country is large having a population of around 120 crore. We are multilingual and multi-religious. Our diversity is our strength. Hence that quality of diversity of India is reflected in the Parliament of this country. So, it is necessary to talk to everyone regarding this issue or any other issue, there are many challenges before the country. Corruption is like the disease of cancer. All of us feel that everyone is concerned about the health of Shri Anna Hazare. The issue which he has raised is not confined to the political arena of a party. That issue adversely affects the public of entire India. This is like the disease of cancer which needs to be removed. But for this we shall also have to think about what is right.

Several hon'ble members have said in the House about the type of corruption which adversely affects people and which makes them angry. If I could understand the gist of the speech of hon'ble leader of the Opposition, Sushma Swaraj Ji, it meant that the common man struggled very hard in life for performing works like issuing of any license, making entry in land documents at the office of Patwari or Tehsildar, going to a police station to lodge a complaint, visiting a school for admission of his children or going to college, university for study or for getting a job. Therefore, he has to face these difficulties. He views the same difficulty in the form of political leadership of the Government. He gets frustrated due to these things. Nevertheless, it is true that if there is a big corruption, he is furious at it, but he does not think so much about taking actions. I shall comment on this issue later as several issues have been raised in the House.

The hon'ble leader of opposition has also expressed her view about it. I have to say one thing that our constitution has provided us fundamental rights through this and various other institutions and assured us that

fundamental rights are secure for every citizen of the country. If any infringement is made, the judiciary executive and independent media are these to safeguard them.

The issue of fundamental rights has also been raised in this country when we talk about it today and when fingers are raised all around during the time of allegations and country allegations and when question marks are being pointed against the credibility of several institutions, it is necessary that none should talk like this, no such thing should be done, no such struggle should be made which may make difficult for the institutions of this country to regain dignity for a long time. No right is provided without any responsibility.

If we go through and discuss the constitution drafted by the Constituent Assembly, we find that the makers of the Constitution sat for two and half to three years and discussed every topic. Jawahar Lal Nehru, Maulana Azad Ji, Sardar Patel Ji were great personalities. If they had wished, they would have drafted the Constitution themselves. But after having discussion with all the Members, and hearing everyone's view, the Constitution of the country was drafted under the Chairmanship of Baba Saheb B. R. Ambedkar Ji. We shall have to keep this thing in mind. The people of India have handed over the constitution to themselves. It has been written very clearly in the preamble of the Constitution. We shall have to see that a challenge has surfaced today, tomorrow another challenge will also surface and there are even bigger challenges before the public of this country. Besides corruption several big struggles are lying dormant now in the country. Poverty, unemployment and the killing of girl children will also be big social struggles. Big struggles against casteism and the oppression of Dalits are remaining before India.

I listened to every word said by hon'ble Sushma Ji very carefully. Sushma Ji, you rightly said and the entire House was pleased to hear that the level of discussion should be very high and beyond party feeling. It should be discussed keeping the interests of the country in mind you said very good things, but I was surprised at few things said by you. I respect the Leader of opposition very much both as an individual and as the leader of the opposition. I also respect democracy very much. There has been a tradition of discussion, deliberation and debate. We listened to you, now you should also listen to our point.

I am sorry to say that at first the House became assured and pleased, but that sequence was immediately broken. Subsequently the level of discussion went higher and higher and later on distracted in many directions. I also want to reiterate that that earlier she, hon'ble Adwani Ji and senior leadership had no knowledge about the maturity and gentleness of the members of Anna Hazare Ji's team, which have been discussed in the House today. Hon'ble Sushma Ji, earlier you said yourself that the issue was old. A fast had also been started in the month of April on this every issue. After that, the team of Anna Hazare Ji met the leaders of all political parties. They also met BJP leadership and Congress leadership. It was also discussed in the all-party meeting. They also met the Standing Committee. Therefore, this is not only a matter of knowledge of yesterday and the day before yesterday, we all have full knowledge about this issue. I am commenting only after hearing your views, I am saying nothing on my own.

SHRIMATI SUSHMA SWARAJ (Vidisha): Day before yesterday when team Anna came to meet us, they said that the Government would bring about a resolution on these three issues and sought our support. We had some doubts about these three issues. Since they met us for the first time, we understood some of their points. As regarding this matter of Lokayukta, we explained to them that it could be possible only under Rule 252. The Constitution puts limitations, but a clause of the Constitution says which you will either accept or not. I had just said this thing, the matter of knowledge did not come. I said that when they had come to seek our support on these three issues, after that, the Government would bring about a resolution on these three issues. You are the main Opposition party, we want your support. We discussed the three issues and we became successful in explaining to them a little bit, and they became successful in explaining to us a little bit, then we reached a consensus on these three issues. I had said this thing.

SHRI ANAND SHARMA: There should always be a consensus on every subject in this House about which the nation is concerned. This is what is in the interest of the country. This controversy is going on whether the head of the nation, the Hon. Prime Minister of the country should be brought under the ambit of Lokpal or not. The Leader of the Opposition also mentioned that two Bills were enacted during their rule. The post of the Hon. Prime Minister was also brought under the ambit of Lokpal. It would have been better, had this controversy and movement not taken place. Neither Anna Hazare ji

nor you would have faced any suffering, had that Bill been passed because the opposition was ready for support at that time ...*(Interruptions)* This is not a matter between the two of us. You mentioned this thing that eight Bills had been tabled so far. We did not mention this thing. To bring the Hon. prime Minister under the ambit is the development of today in this August House. It is my duty to reply to them.

18:20 Hrs.

[SHRIMATI SUMITRA MAHAJAN *in the Chair*]

Please accept it gracefully ...*(Interruptions)*

SHRI NARENDRA SINGH TOMAR (Morena): Most of the time, you have been in power. You should admit your fault ...*(Interruptions)*

MADAM CHAIRMAN: Sharma ji, you please address the Chair.

SHRI ANAND SHARMA: I have not made any personal submission. Very respectfully, I have discussed it with the Leader of the Opposition.

There is no consensus whether the Hon. Prime Minister should be under the ambit or not. You also said that the head of the nation represents the country in the entire world. Therefore, several safeguards have been provided to this post. You yourself said that this matter should be left to the wisdom of the Standing Committee. This suggestion has come in the House. But this comment that if the head of the nation said that he wanted to be included, but you say that you are not listening. Very respectfully, I would say that the post of the Prime Minister is an institution. He is the Hon. Prime Minister of the country. I think that this is not a responsible thing to think and say so about him. This is unfortunate. It is his Ministers and MPs who know whether the view of the Prime Minister is heard or not. The country respects the Hon. Prime Minister. He is honest, a man of sound character and learned ...*(Interruptions)* You see, when I discuss here, I shall never say this thing, ask any member from my party to ask from Shrimati Sushma ji this question whether the members from her party also respect or not....*(Interruptions)* This is not a reasonable question. What respect the Hon'ble Prime Minister holds in our party. We regard him and maintain discipline. He is our leader. We have selected him. I shall never ask Sushma ji to what extent her party President agrees to her view and to what extent agrees to the view of Advani ji. I do not want to go into that debate ...*(Interruptions)* This is

also not reasonable. This is not a matter of two political parties, this is a matter of the country ...*(Interruptions)* We have also to remember this thing that the time about which I discussed earlier that our democracy is very large. The greatest right is the right to vote. Voting rights had not been provided in several countries of Europe at the time when India adopted this right in the Constitution. All citizens were given equal voting rights whether it is the big industrialists of the time, or the rich people or kings-emperors or common man, all were given equal voting rights. The credit for this achievement has been given to Indian National Congress. The credit for this goes to the then makers of the Constitution. This is not a matter about our Government today, our UPA Government ...*(Interruptions)*

SHRI SHARAD YADAV (Madhepura): Madam, I think that we have been sitting here for the whole day and the opinion of the House should also be taken. The leader of the House is present here. If he speaks, after that the remaining speakers will speak. The leader of the House should first issue a statement about the steps which the Government is taking in this regard. If consensus is reached, nothing will be better than this ...*(Interruptions)* People are also on Rosa (fast) ...*(Interruptions)* You should give a ruling in this regard.

MADAM CHAIRMAN: Sharma ji, please finish your point.

SHRI ANAND SHARMA: Madam Chairperson, I have to say one more thing. Yesterday, with the permission of the Chair, hon'ble Shri Rahul Gandhi ji stated his view in the House by using his right. Today, hon. Leader of the Opposition took a very long time on the statement issued by hon'ble Shri Rahul Gandhi ji yesterday and commented on it. I would like to ask to which matter she has objection? Should electoral reforms not be undertaken? Should state funding not take place? He said one thing that Lokpal should be made a Constitutional institution. What is objectionable in it? ...*(Interruptions)* I think she has political objection, and restlessness because this UPA has both Shri Manmohan Singh ji and Shri Rahul Gandhi ji ...*(Interruptions)* Best of luck to you too. I understand that the Leader of the Opposition took such a long time for that statement ...*(Interruptions)* I just thank her ...*(Interruptions)*

Through you, I have to apprise the House of two very important things. The discussion which is going on today is about what power the executive holds in the country. This is also a constitutional matter because the

makers of the Constitution have made a very fine balance of separation of power whether it is the Legislature, or the Executive or the Judiciary. The powers of the Executive are to make policy, to implement it and the third power is to punish. If this is about curtailing any of these three powers of the Executive, it is definitely a constitutional matter. That matter is not restricted to discussion only because *[English]* Executive will become dysfunctional. This is not an issue which is frivolous. This is an issue which the House must take in all seriousness before we take any view on such matters. *[Translation]* The Leader of the Opposition also said that Lokayuktas should be appointed in States and Article 252 of the Constitution was also mentioned. I have to say one thing. Lokpal should be formed, Lokayuktas should also be formed but the Standing Committee will decide it in the light of the Constitution as to which decision may be appropriate in this regard because the legislatures of the States have been provided constitutional powers. Any development in this regard will have to be made taking those powers of the States into account and with their concurrence ...*(Interruptions)*

MADAM CHAIRMAN: Please wind up your speech now. More than twenty minutes have passed since you started speaking. Please wind up your speech now.

SHRI ANAND SHARMA: Madam Chairperson, ...*(Interruptions)* I shall be able to finish my point if comments and criticisms spare me any time ...*(Interruptions)*

MADAM CHAIRMAN: The comments of the hon'ble Members who are giving their comments from their seats, will not go on record.

...*(Interruptions)*

[English]

MADAM CHAIRMAN: Nothing will go on record, except what Shri Anand Sharma is saying.

...*(Interruptions)**

[Translation]

SHRI ANAND SHARMA: Lokayukta should be appointed in every State. This has not happened in several States. This issue was also raised today. Chief Minister, Keshubhai Patel had formed the Lokayukta in

Gujarat whose tenure lapsed in the year 2003. After that, no Lokayukta was appointed from 2003 to 2011. This is also a reality ...*(Interruptions)*

MADAM CHAIRMAN: Please conclude your point now. You have taken so much time.

SHRI ANAND SHARMA: The issues which have been raised in view of the prevailing atmosphere today, I think that whether it is the Judiciary or the Executive or any organization which works in the country, as was mentioned here, a mention was made about NGOs, a mention was made about corporate houses, besides a mention was made about media through which people have been provided the fundamental right of expression, these are such professions which are meant for the empowerment of the public of the country. They are for the service of the country and society, so on every such profession, there should be kept guard ...*(Interruptions)*

MADAM CHAIRMAN: It is not a right thing.

SHRI ANAND SHARMA: Madam, this is the time allotted for my party.

MADAM CHAIRMAN: Please conclude. Take care of the time of the House, too.

...*(Interruptions)*

MADAM CHAIRMAN: You all sit down. Sharma ji, you conclude your point.

...*(Interruptions)*

MADAM CHAIRMAN: Mr. Singh, you sit down. Let him conclude his point, then only the matter will go ahead.

...*(Interruptions)*

SHRI ANAND SHARMA: Madam, I am concluding my point. I knew that there would be interruptions. It happens so, I have no objection.

MADAM CHAIRMAN: You tell your point

...*(Interruptions)*

SHRI ANAND SHARMA: Madam, this is also a basic thing. Here, we hear the views of each other respectfully. It is the right of the Parliament and Constitutional and all Members can give independent views. If there is a right of protest, debate and dispute, there should also be tolerance to hear. Reality is definitely bitter.

In the end, I have to say one thing that the matter is serious, so I hope that the House should unanimously take such a step that the country may overcome this situation. But there is an atmosphere of enthusiasm and excitement. It is necessary not to lose sense in excitement. It may not happen that we take any such decision or step in excitement which may have far-reaching repercussions. We have heard the discussion about the country, the House will have to think because what we do here, will have a direct impact on the entire country and the future of the country. In the end, I have to say only this thing that the Constitution is supreme here and similarly, the tricolor flag should also be respected. Hon'ble Lalu Ji had mentioned about National Flag that a number of sacrifices were made to unfurl the tricolour. When we look at the National Flag. We automatically think of these who sacrificed their lives for independence ...*(Interruptions)* You may make mockery of it but you were not associated with the movement. Please respect the National Flag ...*(Interruptions)* The manner in which National Flag is being unfurled ...*(Interruptions)* I am aware as to what happened there ...*(Interruptions)* I know as to what I am saying ...*(Interruptions)*

MADAM CHAIRMAN: You will get a chance to speak. Please take your seat.

...*(Interruptions)*

SHRI ANAND SHARMA: I have gone through the history as to what contribution has made.

MADAM CHAIRMAN: Please conclude you speech.

SHRI ANAND SHARMA: I know about the ideology and contribution of everyone. History cannot be changed. The truth cannot be denied. One has to accept the truth even if it is bitter. Please respect the country. I am extremely grateful to you for allowing me to speak.

*SHRIMATI JAYSHREEBEN PATEL (Mahesana): I would like to put forth my views on the Lokpal Bill. Democracy is not merely a structure but a way of life. Even Churchill had said that democratic form of Government was slow and had several shortcomings but no other form of Governance was better than it in the world.

Public opinion plays a vital role in any democratic setup to make it strong mandatory and dynamic. It keeps

*Speech was laid on the Table

democracy sensitive. Civil society, pressure groups, Public awareness play an important role in it.

Constitution of Lokpal is mandatory and necessary to strengthen democracy. The ideology of democracy first originate in Scandinavian countries of Europe. The word 'Ombudsman' found in the Law Book of Denmark is the synonym of Lokpal.

The necessity to bring Lokpal Bill and the demand of the people to root out corruption originates from the wish to get rid of it. Corruption is like a cancer for democracy which makes it weaker in the same way in which 'Leukemia' weakens our body.

Presently, corruption is damaging the democracy of structure. Even Indira Gandhi had said that corruption is world phenomena. United Nations have expressed concern in this regard, corruption is prevalent in 192 countries of the world. Even America, Britain and India are not untouched by its effects. Corruption is widely widespread in our country. Such movement was initiated in the year 1974 under the leadership of Jai Pradesha Narayan when he raised the slogan "Sampoorna Kranti and Annaji started the same type of movement. But the Government has failed to check corruption. Various corrupt groups have come out clear from the cases of corruption due to long and delayed legal process prevalent in the country. Corruption is rampant in the government institutions as the Government don't have the will power to put a check on such practices.

Today corruption has become a national phenomenon and has been institutionalized in the country. Corruption has affected the country very badly and even the industrialists have expressed their concern in this regard because the image of the country is being maligned worldwide.

Former Prime Minister Late Shri Rajiv Gandhi had once said that beneficiaries of rural areas received only Rs. 15 out of the assistance of Rs.100 released from the Union Government. It means corruption is existing from higher to lower level in the country. All the departments and Divisions of the Government of India are indulged in it from top of bottom. There is a 43 year long political history of "The Lokpal Bill". Earlier former Prime Minister Late Shri Nehru ji had taken initiative to bring Lokpal Bill but the initiative was not successful.

A Bill was introduced for appointment of Lokayukta and Lokpal on the recommendations made by the Administrative Reform Commission under the

Chairmanship of Morarji Desai in the year 1968. The Bill was passed in Lok Sabha. But this Bill lapsed due to the dissolution of Lok Sabha.

This Bill was again introduced in the House in 1971. But it remained pending for six years for want of discussion.

The Bill lapsed with the dissolution of Lok Sabha in the year 1977.

The Government of Morarji Desai introduced the Bill in 1977. The Bill lapsed due to the dissolution of Lok Sabha.

Lokpal Bill was introduced during the year 1985. The Joint Parliamentary Committee holding discussion on the Bill visited 23 States and Union territories. The tenure of the committee was extended 8 times. It remained functioning upto three years of its fixed tenure. This Bill was withdrawn in November 1988.

The Bill was presented by the non Congress Governments during the years 1989, 1996, 1998 and 2001. However, every time it could not be passed due to one reason or the other. Lokpal Bill has been presented 9 times so far in Parliament.

As per an estimate, Rs. 8500 crore is given as bribe every year in the country.

Eight meetings were held between the Government and the Civil Society. 40 issues were raised in Parliament out of which agreement could be reached only on 34 issues and there are 6 issues on which there is no consent till date.

Today, everyone like Civil Society, Union Government, J.P. Group, Aruna Roy, T.N. Sheshan have drafted Lokpal Bill as per their own belief or notion. Lokpal Bill has been passed in 17 states and Lokpals have been appointed. Lokpal bill has generated great enthusiasm both inside and outside Parliament today.

The Congress Governments have always opposed bringing the Hon. Prime Minister under the ambit of the Lokpal. Bill of the civil society and the Government. On the other hand the non Congress Government have advocated the Bill. The Bill was introduced 8 times before in Lok Sabha out of which the Hon. Prime Minister was not kept within the preview four times. The issue of bringing the Prime Minister under the ambit of Lokpal has been raised four times later on.

The Congress always stepped back.

Sl. No	Year	Ayes/ No	Prime Minister
1.	1968	No	Indira Gandhi
2.	1971	No	Indira Gandhi
3.	1977	No	Morarji Desai
4.	1985	No	Rajiv Gandhi
5.	1989	Ayes	V. P. Singh
6.	1996	Ayes	H. D. Devegowda
7.	1998	Ayes	Atal Bihari Vajpayee
8.	2001	Ayes	Atal Bihari Vajpayee
9.	2011	Ayes/No	Dr. Manmohan Singh (Agreed personally although the Government always refused).

The Prime Minister cannot be tried in any court of law. It means that if Lokpal shall inquire into any matter involved in or arising from, or connected with, any such allegation of corruption against any Member of either House of Parliament in respect of anything said or a vote given by him then that shall be in violation of provisions contained in clause 105(2) which may create conflict between Judiciary and Parliament regarding parliamentary privileges. So, if Anna's Bill is to be passed in this form then amendment will have to be carried out in Article 105(2) which is a long procedure and definitely involves a good deal of time. My demand is that:-

1. Prime Minister should be brought under the purview of Lokpal barring the subjects of national security and public order.
2. Lokpal Bill should be made more effective and strengthened by maintaining the dignity of the Parliament and the Constitution and capability of the Hon. Members of Parliament under the Constitutional process.
3. The freedom and fairness of Judiciary which is the third strong pillar of democracy should be maintained. It should not be "Judiciary Account Bill" should be passed immediately and National Judicial Commission should be set up at the earliest.

4. The UPA Government has nationalized and institutionalized corruption. The country must get rid of this situation.

5. The autonomy of CBI, which has become Congress Bureau of Investigation, must be ensured.

My suggestions are as under:

1. A Citizen Charter must be prepared.
2. The corruption rampant in lower and upper bureaucracy which is hitting the common man hard, must be checked completely and Appellate Authority should be provided regarding cases of corruption.
3. Corporate sector and corruption must be brought under control. The collusion between the bureaucrats and industrialists must be kept in mind.
4. Cases of corruption in NGOs (Non Government Organizations) have also come into notice. Sometimes, they are involved in anti-national activities; it must be checked.
5. Public grievance redressal system and mechanism should be implemented by enacting model Lokayukta Bill in States.
6. There should be a provision of punishment regarding the false complaints railed with Lokpal and Lokayukta with *malafide* intention to harass anyone.

Today, people have come out on road in India and across the world against corruption. It is my demand that respecting their sentiments, an effective, competent, strong and transparent Lokpal Bill be introduced or the anger of the people will grip the entire country and the result will be same as the dictators of the middle-east who has been thrown out of power.

I think the people are supreme in a democracy and we should not ignore their feelings.

*SHRI PREMDAS (Etawah): Corruption is rampant in our country. I do not want to delve deep honoured Members of Parliament have conveyed the message very well. The common man are distressed, the poor are getting poorer and the rich are getting richer. There is an

urgent need to check it. People see the politicians in bad light. Whereas even today, the Members of Parliament and public representatives go to the people, talk to them and try to solve their problems. There is a need to pay special attention on the following points:-

1. Lokpal Bill should be drafted keeping in view the Constitution and the dignity of the Parliament.
2. Corruption exists not only in Government organizations but also in Non-Government organizations. Therefore, NGOs should also be brought under its purview.
3. There is a need to prepare a Citizen Charter.
4. Immediately after the Constitution of 15th Lok Sabha, one of the Members of Parliament had raised an issue that people from media demand money during elections. Therefore, it should also be brought under its purview.
5. Derogatory remarks were made about Members of Parliament from Shri Anna Hazare's stage. It is a question of the dignity of the House. Strict action should be taken against persons involved in such activities. 6. All small to high officers except the Prime Minister and the Chief Justice should be brought under its purview.

*SHRI SHAILENDRA KUMAR (Kaushambi): Sir, I would like to give some suggestions which are as follows. Regarding the discussion on the statement of the Leader of the House, Shri Pranab Mukherjee related to the issues with regard to the Constitution of Lokpal, I would like to say that the Government Bill was presented on 4th August, 2011. This Lokpal Bill has been presented for the 9th time and has been lying pending for 43 years. Shri Pranab Mukherjee has elaborately told as to what has happened till now including the Jan Lokpal Bill prepared by the Civil Society. Officially, the Government had 9 round of talks with the Civil Society, whereas the All Party leaders were ignored. People like Anna Hazare got prominence due to the unearthing of huge scams. 34 issues out of the 40 basic issues have been resolved and the rest are under dispute. These Bills should be prepared within Constitutional limits. Prime Minister should be brought under its jurisdiction and a National Judicial Commission should be constituted. The members of Lokpal Committee should include persons from Scheduled Castes, Scheduled Tribes, other backward

classes, minorities and women also. The opinion of the State Governments as well as the leader of six main political parties was sought on 31st May, 2011. The Standing Committee also sought opinion with lot of respect. Some people outside burnt the copies of Constitution. These people call it "Lokpal or Jokepal." They started their indefinite fast from 16th August, 2011. The fast is continuing and has entered its 12th day. My appeal to Anna ji is to end his fast. Lalu ji has rightly told not to overlook the Standing Committee and give it due respect. Let the Bill be passed after final discussion in the Standing Committee. Lokpal will not remove corruption immediately. Structural reforms should be brought in administrative, police and judicial system. Please include the lower level bureaucrats in it, only then justice will prevail. Inclusion of Prime Minister is a welcome step. Have discussion on all the Bills. All the drafts that of Government, Private, Miss Roy and Dr. Jaiprakash should be considered. Please include media, corporate houses, NGOs also which have been left out under its purview. The Bill should be so effective that it can uproot corruption completely. The person selected for the post of Lokpal should take oath of Constitution and then start functioning.

Lokayuktas in the States should also be appointed on the basis of Lokpal and the rights of Lokayuktas should be similar to that of Lokpal. The name and details of the Lokpal to be appointed should be made public through the newspapers and electronic media and the opinion of the public should be sought before his appointment. While appointing Lokpal, care should be taken to provide proper representation to the minorities, dalits and the backward classes in proportion to their population. All the lower and higher level officers, employees, Members of Parliament, Members of Legislative Assembly, Ministers and the Members of Bench all over the country should be under the jurisdiction of Lokpal and Lokayukta. Even if the Prime Minister is to be brought under the jurisdiction of Lokpal, the matters related to Defence and Foreign policies should be excluded from its purview. All the NGOs, Trusts, all Corporations, Private Universities, the management of the Private Medical and Engineering Colleges, Electronic and Print Media, Drug manufacturing companies and Drug retailers, Fertilizers and Pesticides producing companies, Teachers of all types of Educational Institutions, Doctors of all Government and Private Hospitals, all Traders dealing with food products should be brought under the jurisdiction of Lokpal or Lokayukta (as the case may be). There should be no compromise on the freedom of Members of Parliament to speak and

vote in the Parliament provided under the Article 105 (2) of the Constitution of India. There is a provision of going to Supreme Court or High Court against the decision of Lokpal and any common man cannot approach High Court or the Supreme Court because the fees of the lawyers per case per day amounts to Rupees two lakhs to Rupees five lakhs. Therefore, my suggestion is to fix the maximum fees of the lawyer of the Supreme Court per day per case to Rupees ten thousand and that of the lawyer of High Court per day per case to Rupees five thousand.

The issues in the above said suggestions related to the Union Government should be brought under the jurisdiction of Lokpal and those related to the States should be brought under the jurisdiction of Lokayukta.

[English]

*SHRI R. THAMARAISELVAN (Dharmapuri): The Lok Pal Bill, an effort to rein in the pervasive corruption in public life, was first mooted in the late 60s. However, it failed to become law despite successive attempts.

For the last few weeks the country has been witnessing a strong wave in favour of a strong Lok Pal Bill in whatever name you call it whether it is Lok Pal Bill or Jan Lok Pal Bill.

Our beloved leader, Dr. Kalaignar had made it very clear from the very beginning that the Lok Pal Bill should cover the Prime Minister as well and it has been the consistent stand of our party since the issue of setting up of Lok Pal Bill cropped up.

While debating on this issue in this august House today by Shri Pranab Mukherjee, he made it clear about the need to discuss (i) whether the jurisdiction of the Lok Pal should cover all employees of the Central Government, (ii) whether it will be applicable through the institution of the Lok Ayukt in all States, and (iii) whether the Lok Pal should have the power to punish all those who violate the 'grievance redressed mechanism' to be put in place. Sir, When our leader, Dr. Kalaignar had made it clear that the Prime Minister should also come under the purview of Lok Pal, our party's stand is clear that the jurisdiction of the Lok Pal should also cover all employees of the Central government and there is no doubt on it. Lok Pal will be applicable through the institution of the Lok Ayukt in all States, our party's stand

since its inception is that we should uphold the true federalism. Therefore, Lok Pal should not encroach upon the States power and whatever the institutions functioning in this direction in the states should continue to function as it is without curtailing any power of it. Therefore, the Lok Ayuktas of the States should not come under the purview of Lok Pal Bill. Lok Pal should have the power to punish all those who violate the 'grievance redressed mechanism' to be put in place. So, these are the three main demands of Team Anna Hazare with regard to Lok Pal Bill.

Shri Anna Hazare Deserves congratulations from all corners, for taking up Lok Pal Bill issue very seriously and he did receive appreciation from our Hon'ble Prime Minister too. We are all in agreement with the movement he has been carrying on. But what I disagree that no Bill or an Act or Rules can be generated outside the Parliament. No one should bypass the procedures of this august House. Lok Pal Bill should also be passed immediately in the same way and in the same respect as any other Bills passed in the Parliament. The Standing Committee has the provision to obtain more views on the Lok Pal Bill from the common man and other experts. It should not be limited to Team Anna, the people of the entire country should be provided with an opportunity to air their views on Lok Pal and frame a more meaningful Lok Pal Bill.

With this, I conclude my speech and I support the initiative taken by the Govt. in this regard.

[Translation]

*SHRI BALIRAM JADHAV (Palghar): Today, a historic discussion is taking place in the House on Lokpal and Jan Lokpal Bill. Lokpal Bill has been presented several times in this House but no serious discussion has taken place in this regard till now which is unfortunate. The huge scams committed in the last two years are quite horrible. It is definitely not so that only the sitting incumbents of the Government have committed this corruption. This corruption has been done by the Media houses, NGOs, Private big industries/ companies. This is a highly serious issue. It is imperative for us to uproot this corruption together.

There is a lot of anger among the people, therefore, common people in our country are protesting so much against corruption that corruption has become the biggest

and the most important issue of fighting. People are not so much concerned about bringing Lokpal or Jan Lokpal Bill but their major concern is how corruption can be uprooted. The question is not merely of Lokpal Bill or one fast of Anna Hazare but it is related to the circumstances in which common people are leading their life. There is corruption everywhere, from the birth to death. Even now, the common people have to face corruption everyday at the lower level. This happens not only in the Government offices but it has spread to every place like Media, NGOs, Private big industries/companies. We have to remove it. For this purpose, there is a need for bringing stern and strong law & order.

Various institutions like CAG, CBI, Police, JPC, etc. are there in our country to check corruption but all these systems have become weak, so corruption is taking place. Therefore, there is need of social revolution in the country. It is necessary to enact a strong Lokpal Bill to curb corruption by taking people into confidence at the earliest.

I respect Shri Anna Hazare Ji and I support the Jan Lokpal Bill on behalf of my party Bahujan Vikas Aghadi Party. I support the movement of Shri Anna ji which is based on the values of Gandhi Ji. But I am against the dictatorship and arbitrary attitude of Kiran Bedi and Kejriwal in the name of Team Anna and condemn such behavior.

I support the three demands made by Shri Anna Hazare ie. Appointment of Lokayukta in the States, establishing a Citizen's Charter and bringing all employees under the jurisdiction of the Lokpal. It is necessary to enact a strong and strict Lokpal Bill to curb corruption. I expect that a committee consisting of 100 people should be constituted with the representatives of different fields *i.e.* Doctors, legal experts, scientists, industrialists, farmers, labourers; social activists and having a clean image and this committee should be assigned the task to make recommendations in respect of Lokpal Bill and present the report within two months. It should be taken into account that the Constitution made by Baba Saheb Ambedkar should not be adversely affected in any manner.

I support the demand made by young congress leader Shri Rahul Ji that Lokpal should be given the status of constitutional authority similar to the Election Commission. It is necessary to put a check on exorbitant election expenditure, since it is one of the reasons for promoting corruption. There is an urgent need to enact a transparent law in order to check such a practice.

There is an urgent need to make various social schemes of the Government as transparent and conduct social audit and enact stringent law to terminate the services of corrupt officers in order to tone down anger of common man against corruption. I hope that the Government will pay attention towards this direction and enact a law in the Parliamentary in this regard. I conclude my speech while supporting the Lokpal Bill to root out corruption.

*SHRI OM PRAKASH YADAV (Siwaim): I express my gratitude to you for allowing me to speak on an important discussion on Jan Lokpal Bill. Shri Anna Hazare and his team has been agitating for a long period for the establishment of Jan Lokpal institution and make it an effective tool. Shri Anna Hazare has been on fast since the past twelve days. We are all concerned for his health. The Government has taken a good initiative and also some concrete steps in this regard, it is a welcome step. Therefore, through the House, I would like to request Shri Anna Hazare to withdraw his fast. His life is precious for us and the whole country.

Corruption is rampant in the entire country. We are all affected by this evil and I think, we are all united with Shri Anna Hazare's movement against corruption. As far as the question of procedure is concerned as to what should be the provision of the Lokpal Bill and the manner in which such institution should be established. The August House is discussing these issues. We should have to find a way out within the constitutional limitations by following democratic process.

There are only two-three issues on which the Team Anna and the Government have differences. But these could be addressed through dialogue. It is possible that it may take some time, but it is in the need of the hour that sincere efforts should be made to assure Anna Ji through the House and ask him to end his twelve day long fast.

No one can deny the fact that each citizen of the country is affected by the evil of corruption in one or the other manner, but, the common man is mostly affected by corruption on the lower level of bureaucracy be it district court, BDO, CO or Patwari office or local Police Station. He has to give bribe to get trivial things done *i.e.* issuance of birth certificate, licence or passport or filing of FIR at Police Stations.

The Government's policy of providing funds directly to the Panchayats has decentralised corruption and which has percolated down to the villages. That's why I support this demand of Shri Anna Hazare that bottom level bureaucracy should also be brought under the purview of Lokpal, only then this legislation would be able to benefit the common man.

With these words I express my gratitude to you once again and conclude.

[*English*]

*SHRI SANJAY DINA PATIL (Mumbai North-East): Today on this historic occasion when parliament is to consider the Gandhian's three key demands on Lokpal Bill, I strongly feel that whatever be the outcome of the debate, be it within the Constitutional framework and by preserving Parliament's supremacy.

In fact, we all agree that the issues raised by Shri Anna Hazare are "important" and "genuine" which "deserve our serious consideration" and therefore we as lawmakers must "seize the moment and demonstrate the commitment" in dealing with corruption which is "gnawing at the vitals of our polity". Shri Anna Hazareji has put forth three points that are (i) whether the jurisdiction of the Lokpal should cover all employees of the Central government; whether it will be applicable through the institution of the Lok Ayukt in all states; and whether the Lokpal should have the power to punish all those who violate the 'grievance redressal mechanism to be put in place.

Our party in fact is strongly in favour of having a strong anti-corruption law and therefore I would strongly urge the Government to bring Bill for a strong Lokpal. For much of the past month, our country has been gripped by a raging public debate about how to tackle corruption, which is seen by many of us as the country's most important challenge and we all are committed to tackle the problem. Madam, regarding the second issue of whether it is practicable to have Lok Ayukta in all States, I would only urge the Government to cautiously tread on this path as many of the States have already raised serious doubts on infringement of 'Centre-State Relations' but at the same time I support the idea very much because at the end of the day it is the Common People or 'Aam Aadmi' who suffers the most through Corruption. Further on the issue of whether the Lokpal

should have the power to punish all those who violate the 'grievance redressal mechanism' to be put in place, it would be pertinent to mention that many of the States have already have put such a mechanism in place and we may adopt the same with necessary checks and balances. Madam Speaker, with these words, I would like to associate myself in supporting the above three issues raised and likely to be considered by the Standing Committee while drafting the "Lokpal Bill".

[*Translation*]

*SHRI DANVE RAOSAHEB PATIL (Jaina): Shri Anna Hazare and his team is sitting on fast in the Ramlila Maidan for 12 days now. The Government has constantly made efforts to break the fast but has not been successful. It is because none of the agitationists is ready to believe the Government. The movement began at Jantar Mantar. Civil Society was given assurance, however, what happened? Earlier assurance was given then it was cheated. They are on fast for 12 days now. Why is this agitation going on? Why is this movement getting support from across all corners of the country? Who is involved in this agitation? There is a need to ponder as to why this agitation is going on. The Government has been a failure in checking corruption and black money that is why everybody is supporting this agitation. This movement is no longer that of Anna Ji this has become a movement of the common man. This agitation is not sudden, civil society approached the Government one year ago, the Government did not pay heed, Anna Ji has led several movements in Maharashtra, he was restricted to Maharashtra. There was a time when the people of Bihar, Jharkhand used to ask who Anna was. However, today, who doesn't know Anna. This anti-corruption campaign has been launched by Anna Ji and has stressed the need to bring Lokpal to address the problem of corruption. I support this demand. People from across the corners of the country are extending support to this movement. The youth is aware and feels cheated by the Government. Wherever one goes, be it any office that of electricity or ration, one has to pay to get work done. Corruption is rampant everywhere and nothing is done without paying bribe, that is why this campaign is getting support from every corner of the country. This campaign belongs to every section of society and not of any particular group. This campaign is common man's voice so the Government should listen to it. Through you, I would like to request the Government to listen to Anna Ji, bring the bill, bring a comprehensive and strong Lokpal bill and check the corruption rampant in the country.

With these words I conclude.

***SHRIMATI KAMLA DEVI PATLE (Janjgir-Champa):** It is very important to check corruption rampant in the country. Today, people are on fast to protest against corruption rampant in the country from top to bottom. The people of all age group be they senior citizens, youth, children, women have all come on street. A strong and effective Lokpal Bill would be in the interest of the country in view of the voice of the people of democratic country.

The cases of corruption have come to light in the country during the recent few years be those scams like 2G Spectrum, Commonwealth Games, Adarsh Society or black money stashed abroad. Several such scams have been unearthed in the country which has infuriated people, prices have sky rocketed due to scams in the country and these prices are increasing day by day further infuriating the masses. The villages, the poor, farmers and middle class families are the worst sufferers and most harassed because they are not able to provide good education and health to their children. They are not able to provide two square meals per day to their family. Farmers are committing suicide, youth is unemployed, there is distress everywhere, so a strong and effective Lokpal bill should be brought so as to check atleast 75 per cent corruption. It should be brought so that the economy could be streamlined, democracy could be safeguarded and the decorum and dignity of the Members of Parliament could be maintained.

Strong Lokpal Bill should have provisions on completion of work in all offices within a specified period of time, making laws for Lokayuktas in states and bringing all the employees under the ambit of Lokpal. Besides the Prime Minister and the C.B.I, should also be under its ambit. It should also cover NGOs, Doordarshan, media and advocates.

***SHRIMATI SEEMA UPADHYAY (Fatehpur Sikri):** Whatever draft of the Bill is prepared today with consensus must be within the parameters of Indian Constitution and it should be introduced in the House as per the provisions of the Constitution. I would like to request the Government to provide sufficient representation especially to those Scheduled Castes/Tribes and other backward classes, religious minorities who have been exploited for centuries at each level in our country, at key decision-making positions in proposed Lokpal Bill respecting the feelings and thought of hon'ble Baba Saheb Dr. Bhimrao Ambedkar. People of all

religions should get proper representation in this proposed Bill as our Constitution is a secular Constitution. If the Government does not implement these things, this Bill is not worthy of support.

So far as the question of addressing the problem of corruption is concerned, all of us present in this House are strictly against corruption and we always support the organizations which are fighting against corruption.

I want to say that the Bill proposed to be introduced by the Government should be effective in every respect. Therefore, before passing this Bill, we should ensure that this Bill should be fully effective in rooting out corruption and its provisions should be clear and comprehensible for the common man. Lest it is restricted to important persons only and the common man of the country do not get its benefits.

I would like to inform that the institution of Lokayukta is functioning effectively in Uttar Pradesh. The Government is taking decisions on the basis of the recommendations of Lokayukta. The Bahujan Samajwadi Party, Government of Uttar Pradesh has implemented Uttar Pradesh Public Service Guarantee Act by taking effectio'fr' action regarding Citizen Charter which is needed most by the society, the weaker section and poor people on daily basis. Under Public Service Guarantee Act of Uttar Pradesh officers are bound to take proper action within stipulated time period and there is provision of penalty to be imposed on officers for its violation.

So far as bringing hon'ble Prime Minister and the judiciary within the purview of Lokpal Bill are concerned, I would support any decision taken unanimously in the House.

It is my submission that whatever decision is taken on the issue of Lokpal should be within the purview of the Indian Constitution prepared by hon'ble Baba Saheb Dr. Bhim Rao Ambedkar and as per the dignity of the House.

In the end, I would like to say that this issue is resolved as per the provisions of the Constitution in national interest and get Anna ji's fast broken as soon as possible.

***SHRI BHISMA SHANKAR ALIAS KUSHAL TIWARI (Sant Kabir Nagar):** Whatever debate is going on today

is basically due to the ongoing campaign against corruption which has been started by Shri Anna Hazare and the Civil Society.

The debate on corruption is not held for the first time but the special thing is that whether the enactment of Lokpal Bill or any other similar Bill will address their problem or the Lokpal itself will become an autocratic institution. At present, nothing can be said clearly in this regard. Regarding the issue of corruption, I would like to say that it is directly related to the powers given to any person or institution. The allegations of corruption are generally not made against the poor people. Because they are dependent on others or objects of pity due to circumstances or other reasons. Hence a person or an institution which attains excessive power is more likely to become corrupt or despotic. The current agitation has given the Government and its policies a monstrous image. There are different parties in power at the Centre and in the States, India has the federal structure in which the powers and responsibilities have been divided up between the Union and the States. Where on the one hand, the Union Government is responsible for funding many projects while on the other hand the State Governments have their own responsibilities and scope of work.

Ana Hazareji is agitating against the Centre for the enactment of a legislation. Earlier he held anshans/ agitations against the Maharashtra Government. He lives an idealistic life like many yesteryear leaders/social workers. It has been seen that through mere idealism which is far different from ground reality we are unable to heap substantial gains. Hence the crusade against corruption, that Annaji has undertaken against the Union Government, could turn into a crusade against some other Government over some other issue too in future. India is a vast country which is facing varied problems which do not have simple solutions. In this scenario, the question arises whether the scope of the agitation Lokpal Bill is limited to the sphere of the Government or does it extend to the system too.

I feel that Annaji and his supporters want to overhaul the entire system. The system which has been formulated by the Indian Constitution and which is the genesis of the three wings of the State viz. the Legislature, the Judiciary and the Executive. Apart from this we have a democratic set-up with provisions for adequate checks and balances. In this situation, if we constitute any new institutions which has inbuilt powers regarding policing, investigation and judgement then what is the guarantee

that this institution itself would not become a self contained super legislative, executive judiciary power till now. Our Constitution has been amended almost one hundred times. This was possible because the makers of the Constitution knew that flexibility to amend would be required to deal with changing circumstances. Hence, they included the provision for effecting amendments in the Constitution. So, how can we say that one Jan Lokpal Bill would have the capability of dealing with all kinds of situations and would be able to eliminate corruption in the country.

Corruption is not confined in our country only. In a number of countries which attained freedom from colonial rule alongwith us, the new local rulers, popular amongst the people, were found involved in such large scale corruption and abuse of power that the beleaguered public had to rise against to depose such rulers. Interestingly, such rulers exploited the public despite coming to power with its support and did not give any consideration to the democratic system. We have and are still witness to the fate of such rulers. There is no denying that corruption is rampant in our country but in a democratic set-up the public cannot be said to be helpless or powerless. The public has voice and also gets a hearing. It is not as if the protests are crushed as it happens under despotic rulers.

Today we are discussing the voice of this same public. Our Parliament has so far formulated a number of legislations which have served to improve the lives of the public and have brought about transparency in public life and official dealings. The Supreme Court has ruled that the Parliament may formulate any law provided it does not change the basic structure of law or the Constitution.

Now the question arises that the institution of Jan Lokpal, in the format being demanded by Hazareji and his associates, would have powers exceeding the powers of the Constitution and also be above the Parliament, the Executive and the Judiciary and would monitor these very institutions. Now I would like to repeat whether this could happen under the Constitution and would it not be needless meddling with the basic structure of the Constitution.

Everyone wants a strong Lokpal having teeth, but perhaps, not a super Lokpal.

It is said in support of the Jan Lokpal Bill that the United Nations Organisation against corruption itself says

that member countries should follow it within the limits of their constitutions, but is the Jan Lokpal Bill within the limits of the constitution? Perhaps not.

Corruptions spreads muc whcn there is scarcity or any person or institution is given pervasive or unlimited rights. So, the arrangement of delivery mechanisam should be strengthened, regulatory mechanism should be streamlined and prompt actions should be taken along with strengthening the monitoring system. You should bring a strong Lokpal Bill. The Bill should be respected even if MPs pass it in any form. The State Governments should be advised that they should also take necessary actions in this regard. Let us fullfull the dream of a better and powerful India together.

[English]

SHRI VARUN GANDHI (Pilibhit): Madam, as the Sun sets on this fateful day, I stand here to speak with a very heavy heart. While I...*(Interruptions)* Shri Anand Sharma ji, please show me the courtesy that I showed you and listen to me.

As I stand here to speak, it sits very heavy on my conscience that while we sit here and debate these larger issues, there is a 74 year old man who sits quietly battling between life and death.

The issues are not whether this Lokpal Bill, this Jan Lokpal Bill or the other Lokpal Bills are perfect pieces of legislation because obviously no one piece of legislation can be entirely perfect. There is something ...*(Interruptions)*

[Translation]

SHRI SHAILENDRA KUMAR (Kaushambi): Madam, I have a very important point of order.

MADAM CHAIRMAN: Under which rule is your point of order? You show the rule.

SHRI SHAILENDRA KUMAR: Madam, in 1992 ...*(Interruptions)*

MADAM CHAIRMAN: No, it is not so. You show the rule, then I will listen to you, No, I am sorry.

...*(Interruptions)*

MADAM CHAIRMAN: If you have a point of order, you should show the rule. It does not happen so.

...*(Interruptions)*

MADAM CHAIRMAN: Varun ji, you start speaking.

SHRI SHAILENDRA KUMAR: Madam, this is a very important issue.

MADAM CHAIRMAN: You show the rule, under which rule is it permitted?

SHRI SHAILENDRA KUMAR: This is a matter of the House. This is a matter of the right of our members.

MADAM CHAIRMAN: No, it does not happen so. Shri Varun ji, you speak.

...*(Interruptions)*

MADAM CHAIRMAN: You know that he is not yielding, so I won't allow. Varun ji, are you yielding? You have a point of order, you say under which rule it comes. If you show the rule, I shall allow you. No, I am sorry.

SHRI SHAILENDRA KUMAR: Under rule 376, the Odisha High Court gave a judgement 1992 in which we, MPs, were considered public servants and the hon'ble Supreme Court upheld it. But, through you, I would like to ask the Government whether we are public servants or public representatives. We should be apprised, it is very remarkable ...*(Interruptions)*

MADAM CHAIRMAN: It does not make any point of order. Varun ji, you speak.

SHRI SHAILENDRA KUMAR: We should be told whether we are public servants or public representatives.

MADAM CHAIRMAN: Varun ji, would you like to speak or not?

...*(Interruptions)*

MADAM CHAIRMAN: This is not a point of order.

...*(Interruptions)*

[English]

SHRI VARUN GANDHI: Madam, I entered this House in my 29th year. I have never seen or encountered any of the great movements of this century. I was not a part of the freedom movement obviously. I have not witnessed Swami Vivekanandaji or Jayprakash Narayanji or Panditji

or Vinoba Bhaveji. But when I saw the initiative that Shri Anna Hazareji has taken, it sparked something within me. There are hundreds of millions of young people in this country that may not be agitating on the streets today, but in their own quiet and dignified way this movement has changed all of us for the better. All of us in some way, shape or form were passive observers. Many people even consider themselves fence-sitters.

It was very fashionable to say that there is something wrong with the system, there is something wrong, there is something broken. But this movement has convinced almost the entire youth of this country that they are active agents of change, that they can rise up and be counted, that their voices will not get beaten down, that when they stand it will make a difference. This entire day today is a testimony to that fact.

Madam, listening to the debate over the last two, three weeks, it occurs to me that a manufactured divide is being brought about between this great institution of Parliament and the people that we represent. Madam, this sets about a very dangerous precedent for the future of all of us. When you study history, as Shri Sharma said before me, you will realise that under colonial times it was the State that was sovereign. But as our nation achieved freedom, it was the people that became sovereign. It is very clear to me that we must stand here and speak as servants of the people, as mirrors of the people that we represent.

The BJP and many other parties in the Parliament today I think have shown a tremendous respect for the people of this nation by taking the stand that is today in the hearts and minds of Indians, a stand that is displayed on the streets outside Parliament as we leave today. Madam, a churning has taken place. We could say it was a silent revolution, except it is not so silent any more, and it has compelled us, it has in a way forced our hand to react. Today the nation looks to us for a solution, not semantics; for answers.

What have we seen in the last two weeks of debate, specifically from the treasury benches but in some shape or form from perhaps all of us? We have been talking about protecting the privileges of Parliament. That is fine. But what about protecting the privileges of people? Madam, the people's rights in our democracy cannot be extinguished after casting of vote once every five years. It is the people that must govern, rule, maybe not through referendums, the kind that we see in Europe or Africa or in several parts of the world where if the public has

something very important to say, a referendum is conducted. There are no points of recall in our democracy. But at the end of the day, Madam, it is our duty to reflect public opinion, not to judge it and reject it. Remember, it is to the people that we go to reaffirm our strength in 2014.

Madam, the debate is one on corruption. Many hon. Members, especially the Leader of the Opposition, have given masterful speeches, debating the technicalities of this proposal. So, I choose not to do that because it will merely be repetitive and there are other hon. Members who want to speak.

I just want to say, when we talk about corruption, we have to be very careful not to look at it in abstraction. I come from Uttar Pradesh. Large parts of 27.08.2011 302

Bihar and Uttar Pradesh today have been ravaged by flood. All those people whose lives have, for ever, been darkened will receive cheques of Rs. 1,000 at best. Why? It is because there is no money; there is a Consolidated Fund of India; there is a certain amount of money that the Government has at its disposal. When we look at a scam like the 2G or when we look at a scam like the CWG, or when we look at various scams since 1947 till today, what do we see? We see a figure, we see a number and we see statistics. What do we not see? Imagine, if there is a scam involving Rs.1,000 crore, there are a thousand villages that will go without electrification, there are a thousand schools or inter-colleges that will not get built. In Uttar Pradesh, for instance, we do not have proper teachers today. We have what we call 'Siksha mitras'. Who are they? They are 16-17 year old children who have passed the 8th standard and who are teaching other children. ...*(Interruptions)* You can speak, once I have spoken. ...*(Interruptions)*

MADAM CHAIRMAN : No. Do not disturb. This is not the way.

...*(Interruptions)*

SHRI VARUN GANDHI : I am speaking from a point of my experience. You may speak from the point of your experience. You cannot drown down my voice. ...*(Interruptions)* I have earned the right to speak and you will listen to me! ...*(Interruptions)* In our country, do you agree or not, that the system of education in most parts of rural India is lacking? Is that the moot point? Or are we here just to make cheap shots at one another? ...*(Interruptions)*

MADAM CHAIRMAN: Please sit down. This is not the way.

...(Interruptions)

SHRI VARUN GANDHI: I do not yield to you. ...*(Interruptions)* The fact remains that in our country today the education system, the health system, the systems of infrastructure are lacking. The reason why they are lacking is, there is no money.

Yesterday, during Question Hour, we had some hon. Members who said that the RGGVY which may have been created with the best of intentions, today lies incomplete or at rest. Why is that? It is because there is no money, not because there are no means to implementation; it is because there is no medium for implementation.

We are talking about corruption here. What systems we had in our country to take up corruption? We have had systems of self-policing, whether it is in judiciary since 1993 or whether it is in the departmental vigilance or in the CVC or the CBI; the entire scheme and the system is one of self-policing. It is clear from the voices out on the street that the system is broken; it has failed us. So, what are we going to do about this?

What is Shri Anna Hazare asking for? Is that such a calamitous demand? In essence, he is asking for an independent Ombudsman. Why should we assume, as a polity, as the leaders of elected India, that the first thing this independent Ombudsman will do is try and gobble us up? Is that not presupposing guilt?

I do not think that is what is going to happen. It may be a naive thought. Why are young people on the streets today? The numbers can be debated but why are the young people on the streets today? It is because corruption affects us as team as a nation. If a young person has to stand in line for a job and to pay a bribe of Rs.50,000 or Rs.1,00,000 to get a Government job, it affects your self-esteem as an Indian. That is why young people are on the street today. If you are a rickshaw puller, a street vendor or a farmer who goes to the mandi to sell the produce and if you have to pay 20 or 30 per cent bribe, not only does it depress incomes of Indians but it also makes them go hungry.

Madam, there has been a lot of propaganda about the BJP being the force behind Anna Hazare's movement. The fact remains that the movement has been an entirely spontaneous one that has erupted from almost all of our

individual constituencies. All of us know this. All of us are getting calls from our constituents asking why we are not speaking for Shri Hazare. The BJP is proud of its association in supporting this movement. We stand behind Shri Anna Hazare.

We stand with Shri Anna Hazare and in the event of an assault on his liberty we stand in front of him to protect him.

Madam, as I conclude my speech today, I will say that the most meaningful experience I had was when I went to the Ramlila Maidan to sit with the people in support of this democratic movement. There was an old man who sat next to me. He must have been in his mid to late eighties. He said to me:

[Translation]

"My son, Anna Hazare is not a person but an ideology and it is necessary for us that this ideology should win to make our country great again."

I am just saying that we all imagine that whether it is Congress or our party or Left party or anybody else, through this movement, through this new path, this ideology should win, the process of nation building should win.

*SHRI MAHESHWAR HARZARI (Samastipur): Today, a discussion is going on in the House on the issue related to the constitution of Lokpal. Today is a historic day. It is necessary to make the society aware of the corruption under which the entire country is groaning. All the members are united to root out corruption. Some people from the street are putting question mark on the dignity of our House. It is unfortunate for this democracy. Corruption is prevalent from Block level to Delhi Secretariat level today. A strong anti-corruption law is required to root it out. I think that electronic media and print media should also be brought within the ambit of Lokpal. Besides, NGOs and industrialists should also be brought within the ambit of Lokpal.

I request the Government that Scheduled Castes, Scheduled Tribes, other backward classes and extremely backward classes should also have representation in the constitution of Lokpal so that the hardship, difficulties and matters regarding education of poor people of the society may be put forward. £ My personal opinion is

that the Hon'ble Prime Minister and Members of Parliament should not be kept within the ambit of Lokpal.

I thank Shri Anna Hazare who has created a mass awareness against corruption in entire India. All our MPs are also fighting against corruption. I appeal to the Union Government that the fast of Shri Anna ji should be brought to an end immediately. All our friends should appeal that Shri Anna ji may remain well and healthy. His life is very important for India.

With these words, I conclude my speech.

[English]

*DR. MIRZA MEHBOOB BEG (Anantnag): Sir, I participate on the Discussion on the statement made by Hon'ble leader of the House on Lokpal Bill. The crisis the country is facing is to say the least is credibility crisis. Huge trust deficit does exist between all sections of the Society and that is the basis of present situation prevailing right now. We are grateful to Anna Hazare ji for making a very valid point that corruption has eaten into the vitals of the society and needs an immediate checks and Balances. We must salute the common man, because it is because of them that Indian Democratic System and its constitution puts us ahead of many countries and has world wide appreciation. While putting an effective Bill in place, so that the Monster called corruption is put under control but nothing should be done to demolish an existing, vibrant Parliamentary system and players, elected by them are not reduced to a ridicule. Anna has made his point and it is now for their elected representatives to go ahead and come up to the expectations of common man. Let the Constitution and the Constitutional procedures take it up and respect and recognise the sentiments of our people.

If we are want to put Judiciary system under the vigil why leave other sections of the Society out of the vigilance net. Why leave out NGO's, leave out MEDIA? Include all and make us all accountable. We have many Laws, Bills and Commissions to control the Monster caller corruption. Putting more and more Accountability Bills and Commission and adding one more, is it the answer for the effective implementation on ground? Attacking Institutions, which have taken roots and are doing well will not help. One can agree to make improvement and plug loopholes rather than making new Institutions and demolishing the older, established ones as that will be

a tragedy in the long run. It seems there is a constant campaign and conspiracy against the well defined and established Parliamentary Democratic System. It has to be preserved at all cost.

[Translation]

*SHRIMATI RAMA DEVI (Sheohar): We have not been able to provide Lokpal to the country during the last 42 years. It has proved to be only an illusion. As far as my experience goes, the poor uneducated citizens residing in the rural and urban areas are the worst sufferers, who have been denied their rights even after 63 years of independence. The vanguards of the freedom struggle, Mahatma Gandhi and Baba Saheb Ambedkar would have never thought that a time would come when the country would be in the grip of corruption. My practical experience tells me that not a single area is spared from corruption which has spread like cancer in all the institutions. The citizens have to pay bribe in the name of service charge in all areas, be it obtaining a birth certificate, income certificate, caste certificate, admission-discharge certificate, treatment in hospital, driving license, passport, applying for bank loan, obtaining electricity connection and ration card, registering a case in police station, even if claiming a dead body from mortuary. The common man is fed up with corruption. He is disappointed and a campaign is being launched under the leadership of Anna Hazare. The public support being received by Anna ji makes one thing clear that the public is fed up with corruption rampant at lower and higher levels of bureaucracy. There is trust deficit. Public is following and believing Shri Anna Hazare owing to his impeccable image. Ram Manohar Lohia ji once said that a living community does not wait for five years.

However, the country has been waiting for years. Our Constitution makers would have never imagined horrifying picture of an independent country. There is no need to explain the corruption rampant at higher posts. Our senior leaders and Members have thrown light on it. The centrally sponsored public welfare schemes are being sacrificed at the altar of corruption, today even the Planning Commission has admitted this fact. The dungeon of corruption is not restricted to Switzerland where more than half of the black money deposited belongs to corrupt Indians but this illegal money is stashed in other banks of several other countries.

It has become a dream of common man to make India free of corruption. We have to deliberate on how to free India from corruption from bottom to top. It is my suggestion that for the States, there should be a model of effective and strong Lokpal for the officers/ officials of panchayat, block and district level. The Prime Minister should also be brought in the ambit of the Lokpal. CBI should be brought under the ambit of Lokpal to prevent its misuse. An effective and strong National Commission should be constituted to curb corruption in Judiciary. NGOs and industrial houses should be brought under the purview of the Lokpal to weed out corruption rampant in these institutions. Private educational institutions should also be brought under Lokpal. Black money stashed abroad should also be under the purview of Lokpal.

Today, the credibility of the country is at stake. One hundred twenty one crore population looks up to the Supreme House of Parliament for redressal of this problem. The public is furious. The public wants a strong and effective Lokpal Bill. After independence, the dignity of the House is at stake for 42 years. We have not been able to formulate a strong Lokpal Bill for the country.

Whatever be the reasons today, it is time to exonerate ourselves in the eyes of public and a strong and effective Lokpal Bill should be formulated so as to provide a tool in the hands of citizens to fight against corruption. Besides, awareness should also be created among the public. Only then, the country would be free of corruption. I conclude with these words and appeal to Shri Anna Hazare and his associates and the people who have associated themselves with the cause to end their fast as they have become very sick. As our leaders hon. Sushma ji and hon. Sharad ji have agreed to three conditions of your Bill, so I request that they should end their fast keeping in view the sense of the House.

[English]

SHRI NARAHARI MAHATO (Purulia): Madam, on behalf of my Party, All India Forward Bloc, I stand here to participate in this very important discussion.

Madam, corruption has become a major public concern in the wake of successive scams unfolding over the past few years. The battle against corruption in order to be effective today can be achieved only through a comprehensive reform of our political, legal, administrative and judicial system and not through one-off or piecemeal measures. The establishment of an effective Lokpal institution is one such measure. There has to be a

grievance redressal set up for citizens based on legislation. There has to be a National Judiciary Commission to oversee the higher judiciary. There has to be electoral reform to check the use of money power in elections which is another source of corruption.

Today, everybody be it poor, rich, young, old man or woman wants a strong and effective Lokpal so that they can get rid of day-to-day corruption. Shri Anna Hazare through his fast just wants to draw the attention of the Government to the fact that everybody is fed up of corruption and this is proved by the huge crowd and support that we can see at the Ramlila Maidan.

The Lokpal should essentially be a fact-finding body that receives complaints, enquiries, investigates and forwards cases to special courts. It should oversee the entire machinery related to the corruption cases at the Central level. The Lokpal Bill, which we have seen in the agitation and demonstration, which is going on for the last 13 days will be written in our Indian history with golden words, as this is very unique. All the protestors are carrying this agitation and demonstration very peacefully in a non-violence way and not a single public and private property is damaged, whereas we all know that even if there is any small agitation or protest against any policy, the general public always damages the public and private property. We all should salute those who are part of this great movement.

There must be a separate mechanism for grievance redressal. This should be set up by a separate legislation. The grievances of citizens about the citizens' charter, etc., should be brought under this set up.

The Lokayukta set-up on the lines of Lokpal should bring all State Government employees, local bodies and State Corporations under their purview. Further, a citizen grievance redressal machinery that we have proposed to be set up separately, should address all grievances regarding delivery of basic services and entailments of the citizens.

We are in favour of a strong Lokpal Bill, which should help our people and country to curb the menace of corruption. We believe that if needed, hon. Prime Minister should be kept under the purview of Lokpal and the Judiciary under the Lokpal. If, required we can have a separate body for Judiciary. Further, a Central law should be made to set up Lokayuktas in all the States on the same line of Lokpal. We also believe that corruption flows from top to bottom. All the Government officials

should be brought under Lokpal. There should not be any difference between Grade A,B,C or D. If, anybody is indulged in corruption, it is corruption. What is the meaning of rank here? We also strongly support that a citizens' charter should be made in the Lokpal Bill, detailing the responsibilities of Government Departments and also to impose penalty, if those responsibilities are not fulfilled.

At last, on behalf of my Party, I request Shri Anna Hazare to call off his fast, as his health condition is deteriorating day-by-day and we need his guidance to make India strong and corruption free.

I, on behalf of my Party want powerful, strong and effective Lokpal Bill. Madam, being submission I conclude my speech.

*SHRI A. SAMPATH (Attingal): We have been hearing about Lokpal for the last more than 40 years. But, I do not understand why such a fruitful legislation has not come into being so far. It is a primary duty of Government of India to come with a comprehensive Lokpal Bill. They should have the courage to fight corruption; instead of being part and parcel of it, if not the fountain head of it.

Corruption breeds black money, and that black money leads to parallel economy. We have reached a stage where a parallel economy is swallowing a real economy of India. Black money give birth to black money alone, like a mother wiper delivers baby wipers which are also highly venomous.

I express my solidarity to the cause raised by Shri Anna Hazare and the Members of the Civil Society who are determined to fight corruption. But, at the same time, I have reservation on the modus operandi of the agitation also. Constitution is supreme and everybody is below it and it is the largest written Constitution in the world; I mean the Constitution of Sovereign, Socialist, Secular Democratic Republic. We are discussing about the urgent need for an effective and strong Lokpal even during the late hours of this day because the corruption has become rampant. There is a tendency to get it institutionalized and to loosen the loopholes of the existing laws. I do not agree with the view that corruption has grown along with the growth of the economy.

Are we passing through an era of corruption? Since Independence this the first time we are hearing about the "mother of all the scams". The UPA Government has become the most corrupt Government in the history of the nation. Has the Government forgotten about the principles of social justice which were enshrined in our Constitution? I wonder where the advocates and proponents of the new liberalism have gone? Since 1991, a small number of people have benefited from the neo-liberal policies. Some of them have become billionaires or millionaires at the expense of worsening of the standard of living of the working class as well as the poor. Those nations which have opted the neo-liberal policies have already reversed their policies of denationalization and privatization. But in India, politics is being converted into business and business is conducted through politics. The unholy nexus of large corporate houses, the ruling political class and the Consultative Committees rarely meet. Many of our Hon'ble Ministers do not give proper reply in this august House. I remember one Minister, though he is not a Minister now, told the MPs in this House to ask question under RTI if they want a proper reply! But now I fear, being an RTI activist may also cost your life.

Many of the central agencies, including the CBI, have been used with malafide intentions to hunt the political opponents. In 1996, I raised the matter of CBI investigations on Sister Abhaya's suspicious death at the Pious 10th Convent in Kottayam of Kerala. Still now CBI is knee-jerking before its masters. The Government of Kerala has requested four times to the Government of India for a CBI probe into the largest ever communal conflagration in the history of Kerala State. That was regarding the Marad massacre in Kozhikode on 2nd May 2003 in which nine persons were hacked to death on that evening at Marad beach within 10 minutes of time. Why the Government of India is still hesitant? I hope the Treasury Benches will not forget how the appointment of the Central Vigilance Commissioner (CVC) put the Government in a soup.

We are the Central legislature of a federal nation. I repeat, a Federal Nation. But the tendency of the Union Government is always to take away the powers and the sources of revenues from the State Government. And we hear now and then about 'outsourcing'. Is it a nick name given for privatization? Then, may I ask you when are you going to outsource the function of the Parliament and the Judiciary? Of course, I am not saying that you may sell the Parliament and the Supreme Court just like you sell the precious natural resources and the public sector undertakings of this country.

The people of this country want to know the truth, nothing else but the truth, about the drain of the nation's economy. Why is the Government afraid of taking strong actions against those persons and private companies who have looted the public money and those who have stashed away illegal money abroad in tax heavens? It is time that the Prevention of Corruption Act, 1988 has to be amended. Otherwise the moles will find out alternative ways to infest the body of this nation. Whistleblowers must be protected in order to combat corruption. The RTI Act should be made applicable to Public-Private Partnership (PPP) and also to all those enterprises which enter into any type of contract with any Government, PSUs and all those under the ambit of "State" as defined by Article 12 of the Constitution of India. We are the largest multi-party democracy in the world. This House has a duty to ensure Fundamental Rights of the citizens.

Quoting Shakespeare in 'Julius Caesar' "Dear Brutus, the fault is not with our stars but with ourselves". – Likewise may I add, the fault is not with our Constitution but with ourselves.

With these words, I also humbly request Anna Hazare ji to end his fast and to carry forward the fight against corruption with more strength and vigour.

[Translation]

*SHRI JITENDRA SINGH BUNDELA (Khajuraho): The discussion on Jan Lokpal Bill is taking place in the august House mainly on three points in focus. Lokayukta should be appointed in all the states, citizen charter should be made and employees should be included in Lokpal Bill. Today, corruption has shaken the country. The old, youth and children of the country have become a part of this public agitation. The whole country has joined Anna Hazare Ji in Ramlila Maidan in the last 12 days. Corruption taking place for the last several years and the scams committed during the last two years have amounted to several lakhs-crores of rupees. Prominent among them are Commonwealth Games, 2G spectrum, Adarsh society scam which have stirred the whole country. Therefore, Anna Hazare Ji's agitation is gaining so much public support. Big people get affected with big scams but the common man has to deal with Patwari, Tehsildar SDM, Doctor, SHO. These people do not carry out any task without taking bribe. Common man suffers a lot because of corruption. He has to run from pillar to post for getting work done. The same common man has stood with Anna Hazare Ji in this agitation.

*Speech was laid on the Table

The demand for an effective Lokpal Bill is gaining momentum. Lokayuktas are functioning in several states of the country. The demand for Lokayukta in the remaining States is also logical. So far as citizen charter is concerned, public service guarantee delivery Acts have been formulated in several states of the country. Under which there is a provision of penalizing the concerned officer or employee in case of failure to carry out a task within fixed time. Therefore, citizen charter at the central level should be included in the Lokpal Bill. Employees are getting disinterested towards their work. Hence, lower level employees should also be brought within the ambit of Lokpal Bill.

In democracy, the Parliament is Supreme. Thus, an effective and strong Lokpal Bill should be formulated keeping the dignity of the august House intact so that the corruption can be checked and the common man live peacefully.

A strong Lokpal is the necessity because a weak and toothless Lokpal will be unable to work effectively. Today, the common man is suffering because of corruption. At one time, India used to be known as "sone ki chidia". But today, the same India is reeling under corruption.

Thousand of crores of rupees of the country have been stashed in foreign countries. This is ruining the economic condition of our country. The Government should bring back the black money. The Government should monitor those corrupt people who have stashed away the black money in foreign banks so that they cannot withdraw the Black money. This Parliament has also done the task of showing the doors to 11 Members of Parliament for committing certain mistakes. And the dignity of the Parliament has been upheld intact doing so.

Today will be remembered in the history of parliament because the Parliament is witnessing a unique type of discussion. The awakened people of the country who have got fed up with corruption today also want a change. Therefore, a strong Lokpal should be constituted.

*SHRI K. D. DESHMUKH (Balaghat): Honourable Anna Hazare Ji is on indefinite fast for the last twelve days. The whole country has stood up under his leadership. The whole country wants to uproot corruption and is fed up and plagued by corruption.

*Speech was laid on the Table

I associate myself with and support the statement made by the Hon. Leader of Opposition Smt. Sushma Ji. The last of Prime Minister and the Member of Parliament should be brought under the ambit of Jan Lokpal. CBI has to be brought under the Jurisdiction of Jan Lokpal. Judiciary has to be covered by setting up a judicial commission. Lower Bureaucracy should also be included in the Jan Lokpal Bill and citizen charter should be formulated.

Today, the sentiments of the crores of people are in favour of uprooting corruption. The whole country is supporting the passage of Jan Lokpal Bill in the Parliament. We are witnessing corruption very closely. Corruption has become a cancer. The people of country are in no mood now to wait long uprooting corruption and are also not in favour of giving more time to their public representatives. Without wasting further time, a strong Jan Lokpal Bill should be passed no per the demand of Shri Anna Hazare Ji. People are everything. This is not the time for dilly-dallying.

This Jan Lokpall of Bill has to be passed. This is the need of the hour. History witness to the fact that anyone who is not feeling the pulse of time gets ruined.

*SHRI DILIPKUMAR MANSUKHLAL GANDHI (Ahmednagar): Hon'ble Anna Ji is on fast in order to get the Jan Lokpal Bill passed in the Parliament to check corruption in the country. Anna Ji is from village Ralegaon Sidhi from where I am the Member of Parliament and I have seen Anna Ji as a social worker with clean image for the last twenty-five years. He has developed the area with the help from the people of the village. Several dignitaries from foreign countries also come to visit him. Anna Ji has been associated with social service since his childhood. Even during the period of his military service he did not leave social service. He dedicated his life for the social service soon after he retired from the military. From that time he has been waging a war against corruption. If we take any example from the Ramayana and the Mahabharata we see that people raise voice against corruption when there is too much corruption. At present corruption and scams taking place in 2G spectrum allocation, commonwealth games in the congress regime have become unbearable for Anna Ji and Anna Ji has become Srikrishna for the suffering people by starting an aggressive movement against corruption.

My party *i.e.* BJP has supported Anna Ji from the very beginning and Anna Ji is my voter. I, therefore, feel honored to support him. I support the motion moved by Shrimati Sushma Swaraj today as well as I appeal to all the Members of this House to pass the resolution brought in the House and inform Anna Ji in this regard at the earliest so that he breaks his fast. Anna Ji is a symbol of hope for all of us and to protect him is our bounden duty. We should not shirk from discharging our duty.

*SHRIMATI DARSHANA JARDOSH (Surat): Today the country is on the crossroad. All the countrymen are looking towards the Parliament. The common man wants that Lokpal should be made. But the manner in which this issue has been handled and personalized comments have been made, it has sullied the image of the government. Even in foreign countries the way Indians have come on roads in protest, it is clear that the government of India is not willing to check corruption. It can be seen that a common man thinks that the political parties are all the same. A common man does not differentiate between the leaders belonging to the ruling party and the opposition party and all the Members of Parliament and the Members of Legislative Assembly are the same in his eyes.

Today the manner in which the media has projected the ministers of the government before the public, this movement has spread like fire in the country. Even today the people have no faith in the government. * Speech was laid on the Table

They still have doubt whether this government will bring a strong Lokpal Bill or not. Now, it is the responsibility of the government as well as of this Parliament to regain the faith of the people. If the government wants to regain faith of the people of the country, the Ministers and the Members of Parliament will have to respect the feelings of the people of the country. The people have been hurt by the unnecessary hyperbolic statements made by the government.

There are three main points in this Bill. First, lower bureaucracy including all the government officers and employees should be covered by the Lokpal, secondly to appoint Lokayukatas in the states and thirdly is non availability of citizen charter due to which the common man is suffering the most. I think that the common man is fed up with the government machinery for the last several years and the above mentioned points are the

major reasons therefor and that is why today this movement has become a mass movement. I am of the opinion that keeping in view the dignity of the Parliament and the elected governments in the states the government should provide for a strong Lokpal. Recently ignoring the viewpoint of the elected government of Gujarat a Lokayukt was appointed at the behest of the union government and it shows the attitude of this government towards other state governments. I oppose this attitude of the union government. I feel that we should provide for a strong Lokpal by including all these points. Today the country needs such a Lokpal who can meet the expectations of the people.

*SHRI DATTA MEGHE (Wardha): First of all, I would like to congratulate the hon'ble Prime Minister on taking the initiative for fulfilling the promise which our government had made for giving strong anti corruption law to the country. At the outset, appeal to Shri Anna Ji to end his fast.

Since independence we have made progress in almost every field but we failed in checking corruption. Corruption has become a cancer for the society. This cancer will not be remedied by any bill and for this we need to awaken the society. The hon'ble Prime Minister has rightly said that the government has no magic wand which may be used for rooting out corruption. But today, corruption is a reality. Every class of the society is badly affected by corruption. Corruption is prevalent everywhere from admission in nursery class to payment of pension to senior citizens. I represent that constituency which has been the centre of activity for Mahatma Gandhi and Vinoba Ji. I still remember what Vinoba Ji had said about corruption prevalent in the country that the leaders and officers should take leave for two years. This statement of Vinoba Ji shows the character of our country. Therefore we need Lokpal. Nobody should have any objection in this regard.

Today we have two Lokpal Bills and two drafts of Lokpal Bill before us which comprises the Lokpal Bill of the civil society i.e. Anna Hazare Ji and few suggestions of Anna Roy and Jaiprakash Narayan. Today we are discussing the Jan Lokpal Bill. It will be wrong to say that everything is right and it will also be wrong to say that everything is useless in these four Bills. Today, mainly we are discussing three provisions of Anna Ji viz (1) the

appointment of Lokayukta in States by Lokpal, (2) citizen charter i.e. every government office should make some rules for citizen problems and the concerned officer should be punished for non compliance, (3) to bring all classes of central government employees within the ambit of Lokpal. So far several hon'ble Members have discussed these points. I would like to reveal the doubts which have about these Bills.

After all what is Jan Lokpal Bill of a senior social worker Anna Hazare Ji? I would like to put before you some of the points. We shall also have to see which provision of the Bill is for the interest of the country. Under this law, a Lokpal at the centre and Lokayuktas in States will be constituted. This institution will be independent of the control of the government like the Election Commission and Supreme Court. No leader or government official will be able to influence the enquiry process. Cases against corrupt person will not remain pending for several years. The enquiry in any case will be completed within a year. The trial will be completed in next one year and the corrupt leader, official or judge will be sent to jail within two years. The government will recover the loss caused by corrupt persons if the offence is proved. How will the Bill help the citizen? If the work of any citizen is not accomplished within a time limit, the Lokpal will levy penalty on the responsible official and the complainant will get the amount of that penalty as compensation. If your ration card, voter identity card, passport etc. is not issued within the time limit, or police don't take your complaint, you can lodge a complaint with the Lokpal and he will have to get this work done within a month. You can complain to the Lokpal about any kind of corruption like blackmarketing of government ration, overlooking quality in construction of road, misuse of panchayat funds. The Lokpal will have to complete enquiry about it within one year. Hearing will be completed in next one year and the guilty person will be sent to jail within two years. I would like to know whether the government would desist from making corrupt and weak persons as the members of Lokpal? It is not possible because the members of the Lokpal will be selected by judges, citizens and constitutional bodies and not by the leaders. They will be appointed transparently with the participation of public. If the officers working in Lokpal are found corrupt? The working of Lokpal/Lokayuktas will be fully transparent. If any complaint is received against any staff of Lokpal, the enquiry will be completed latest in two months and after that he will be dismissed. What will happen to the existing anti corruption institutions?

The C.V.C., Vigilance Department and Anti-Corruption Department of CBI should be merged with the Lokpal. Besides, the Lokpal should have adequate powers and authority to conduct inquiry and institute legal proceedings against any Judge, political leader or an officer.

It is normal to level charges against each other on all these issues because we believe in democracy. It is important to create a transparent and strong Lokpal in the country instead of creating a weaker Lokpal, which prove to be a failure and raise doubts on the democratic system.

Secondly, there would be a need to seriously consider the issue of government servants while passing the Lokpal of Shri Anna Hazare. The bureaucracy should be taken into confidence. We have to ensure that bureaucrats should not misuse the law. There may be legal hurdles in recovering the loss from a person, in case he is proved guilty in the matter by the court.

Thirdly, what would be the future of industry sector in the present scenario? We have to consider the implications of the Bill on the industry sector and the investment being made in other countries. We have to take measures to fight corruption while maintaining economic progress.

Apart from Shri Anna Hazare's Lokpal, there are many other Lokpal Bills and the one prepared by Smt. Aruna Roy being important among them. I would like to put forth one point of the draft prepared by Smt. Aruna Roy, which deals to address the complaints of the common man in respect of corruption. Such a corruption compliant redressal system will function in a decentralized manner. There will be a system from state to district level wherein complaints of the common people will be addressed in a time bound manner.

I was reading the newspaper in the morning where I noticed some of the points of the Bill prepared by former Election Commissioner Shri T.N. Seshan which I would like to put forth before the House—(1) There should be unanimity and not voting in the appointment of Lokpal; (2) There should be impeachment for removing Lokpal; (3) Initiatives should be taken for electoral reforms; and (4) Lokayukta should be provided constitutional status as per the High Court on the lines of the Election Commission as per article 324.

Now I would put forth my last point after all these different Bills and drafts. It is a golden opportunity for us to make India corruption free. Hence, it is necessary that

a strong Lokpal Bill should be passed but there should be no compromise on autonomy and jurisdiction of our democracy. Besides, Shri Anna Hazare has put forth three proposals before us which I have mentioned earlier—(1) Citizen's charter, (2) bringing all the sections of bureaucracy under the ambit of Lokpal, and (3) Appointment of Lokayukta by Lokpal. I would like to request the House that these three demands of Shri Anna Hazare should be accepted so that Shri Anna Hazare could end his twelve-day long fast and a strong Lokpal could be created in the country.

[English]

*SHRI S. SEMMALAI (Salem): Corruption is like cancer, eating away the vital values of our Society. Fight against corruption is a long drawn process and the nation must be prepared with a determination to fight it out. Parliament is for discussion and not for disruption. So on this vital issue let us discuss the pros and cons of the five versions of Lokpal and arrive at a consensus. Let us show to the nation, to our people and to the world that Parliament and the Hon'ble Members of this august House are very much concerned with corruption and that they are one in eradicating this evil will from the country. Let us work out an agreeable solution and bring out a legislation under whatever banner. At this juncture I would like to mention here that no interference will be allowed to the States power by the Lokpal Bill. The right and power of the states should not be infringed. The States may have their own laws to deal with their State affairs. The States power should not be eroded. Can a Lokpal change the mindset of people who bribe or bribed? It would be futile for sheep and goats to pass resolutions favouring vegetarianism when wolves have a different opinion.

Every one in our country is against corruption. But corruption is all pervasive and present every where. Let us think why it is so. It is because of mind set. We want to root out corruption. But when one wants to get things done he does not hesitate to bribe. To corrupt or to get corrupted are both dangerous. Right from 1966 light attempts have been made in the Parliament to create a mechanism against corruption. But all the measures have failed. In Democracy Parliament is supreme and its power to legislate cannot be delegated to any other organ or institution. Mobocracy is not a substitute to democracy. Parliament is the only body to make laws. But the will of the people should be taken into account by the Parliament.

Our revered leader, Chief Minister of Tamil Nadu Puratchihalivi J. Jayalalithaa has rightly pointed out that Prime Minister should not be brought under the purview of the Lokpal Bill.

If the Lokpal wishes to go into any complaint against the Prime Minister, there will clamour, rightly so for, his resignation on moral grounds even before the allegation is proved. And if the Prime Minister has to resign under pressure, then the Government falls. That is why my great leader emphasises on this. We should not go in a wrong path.

Our country is built up with federal set up. So no law, enacted by the Centre, is allowed to shake the basic structure of federalism. States have to be given more powers by the Centre. If States are strong, only then the nation will be so strong. In this sense, all political parties should try to bring an independent, credible and workable Lokpal before the Parliament.

Since the matter is under public domain, the Standing Committee is willing to receive all suggestions from the public and other stake holders with an open mind and submit the report to the Parliament. The States are also entitled to tender their views and opinions on this issue. Let us wait for the report from the Standing Committee and arrive at a decision in the Parliament after a detailed discussion. Let us not rush through and bypass the procedure.

[Translation]

SHRI KAMESHWAR BAITHA (Palamu): I extend my thanks to you for allowing me to speak on an important issue like the Jan Lokpal Bill. What in fact is the Jan Lokpal Bill?

MADAM CHAIRMAN: If the House agrees then I am extending the time of the House till 8' clock.

SEVERAL HON'BLE MEMBERS: Alright.

MADAM CHAIRMAN: Thank you. [English] Yes you can continue now.

[Translation]

SHRI KAMESHWAR BAITHA: Today the House has taken up the discussion on the Jan Lokpal Bill. Members of both ruling and opposition parties have put forth their views.

19.00 hrs.

I got a lot of experience, information and understood a lot after listening to all these things. I listened to the speeches of several Members. I heard the speech of hon'ble Prime Minister and I had also listened to the speech of Rahul Gandhi yesterday. Today I also listened to the speech of Shrimati Sushma Swarajji and several other hon'ble Members of Parliament. All of them expressed their views on Jan Lokpal Bill. People from across the country and the world are watching and waiting to see what happens to the Bill being introduced to check, root out corruption and to tighten the grip over persons involved in corruption and on which all the hon'ble Members are debating.

Madam Chairman, I, through you, would like to submit that only taking bribe and looting money is not corruption but grabbing land is also corruption because on 9.9.70 a law had been enacted defining the policy of the government regarding the area of land one can have and the maximum limit of the area of land one can possess. Even today there are big land mafia in the country who own hundreds - thousands acres of land. This law was enacted on 9.9.70. They are maintaining their possession over these land in the name of cow, ox, sugga - suggi, temple and mosque.

Madam Chairman, I through you would like to know from the Government, are the land grabbers not involved in corruption? Whether they should not be brought under the ambit of corruption? They should be brought under the ambit of corruption. Today many of our Members of Parliament draw several outlines of corruption. The corruption is rampant in the country, be it ticket counters, old age pension. Indira Awas, NAREGA and MNREGA like schemes. If you want to root out corruption you will have to include the problem of the people, their voice and also the Jan Lokpal Bill of Anna Hazare in this proposed Jan Lokpal Bill. If you go through the implications of Jan Lokpal Bill, so far as the corruption is concerned ...(Interruptions)

MADAM CHAIRMAN: Please conclude.

SHRI KAMESHWAR BAITHA: Madam Chairman please allow me to speak at least for five-ten minutes ...(Interruptions) If you go to a village you will find that people having a feudal mentality did not allow others to sit. They will labour hard throughout the day, get tired but their children remain hungry. I would like to associate

myself with what hon'ble Lalu Prasad ji, Shri Dara Singh Chauhan ji and Sharad Yadav ji told today about corruption, please listen to me.

Madam, Chairman, I am grateful to you for giving me an opportunity to speak. If I will not be allowed to speak, how I will express my views ...*(Interruptions)*

MADAM CHAIRMAN: Kameshwar Baithaji please conclude your speech quickly.

SHRI KAMESHWAR BAITHA: I just want to submit that as they expressed their views I also want to make my point. Today there is issue of reservation and freedom, the dignity of the House, the Constitution made by Dr. Babasaheb, all the members of Parliament have been elected on the basis of the Constitution. Babasaheb provided reservation in the Constitution. I have been elected from Palamu. I have been elected from a reserve seat. Had Babasaheb not provided reservation, I would have not been elected from reserve parliamentary constituency of Palamu. Today I appeal to the House that before drafting any Bill, enacting any law we must go through the Constitution of Baba Saheb. We must fix things in view of the Constitution of Baba Saheb. If the Constitution of Baba Saheb is ignored, right, Anna Hazareji has brought the Jan Lokpal Bill and the person who will take care of the people, naxal movement is going on in the country ...*(Interruptions)*

MADAM CHAIRMAN: Thank you, you have made your point.

SHRI KAMESHWAR BAITHA: Right, Madam, one minute. In the naxal movement also we have to see what type of issues they are raising ...*(Interruptions)*

MADAM CHAIRMAN: You have made your point, please sit down.

SHRI KAMESHWAR BAITHA: Today, land mafia is the biggest cause of that movement. The Land mafia, who in villages ...*(Interruptions)*

MADAM CHAIRMAN: Now nothing will go on record. *[English]* Nothing will go on record. *[Translation]* Now sit down, now your speech is not going on record ...*(Interruptions)**

[English]

*SHRI MOHAN JENA (Jajpur): Today is one of the historic day in the history of Parliament as we are discussing such an issue which is very fundamental in nature and a long cherished dream of every citizen. We are all aware that our hard-earned freedom is yet to reach the door-steps of toiling millions due to growing rampant corruption. Corruption prevents equal growth, creates inequality. Corruption disrupts the rule of law, divides humanity. And finally sabotages democracy. So after Independence, corruption has become a gigantic monster before the nation and all of us cutting across party lines are to be united to fight this evil. In this context, I would like to convey my regards to the great leader Anna Hazare for his historic endeavour to create massive awareness throughout the nation. First and foremost, I would request him to break his fast as his life is precious to every Indian.

The issue of 'Jan Lok Pal' Bill has been discussed by this august House at length. The Government's version of the Bill is also in the domain of the Standing Committee. Thus, my suggestion in precise would be to reach at a consensus as early as possible to pass the Lokpal Bill as the country has waited long enough since 1968 when the Bill was introduced for the first time.

The question of inclusion of the P.M. under the purview of the Lokpal is one of the important aspects of the issue. The entire nation wants the inclusion of P.M. within the ambit of Lokpal. I too support this stand. But on the question of national security and public order, Prime Minister should be excluded. Secondly, on the question of Judiciary we should not dilute the constitutional spirit and provision of separation of power theory. Judiciary in our system is completely autonomous and independent. At any moment it should not be subservient to any other constitutional body or executive. We have to find out other constitutional way to check the menace of corruption, highhandedness and nepotism in judiciary. For the accountability of Judiciary, a Bill is already pending before the House. There is a demand from different segments of society to formulate National Judicial Commission. I think it will be an appropriate step for transparency in appointment and promotion. Thirdly, India is a huge country with a vast bureaucratic structure. It will be a herculean task to bring the entire structure under one umbrella. On the other hand, ours is a federal polity. Thus, States should have autonomy and choice to

constitute their own Lokayuktas, according to their specific needs with norms laid down by the National Lok Pal. State Government employees should be covered under State Lokayuktas and Central Government employees including P.S.U.s should come under the jurisdiction of National Lok Pal.

There is a saying 'Justice delayed is justice denied'. So one should not run from pillar to post in search of justice when years pass by. So, every citizen should get justice in due time and every official starting from gram panchayat level to central government secretariat must be legally bound and constitutionally responsible to discharge their duties within a time-bound manner. Hence citizen's charter is a very sensible and appropriate demand. In every office whether at Tehsil level, block level or any ministry of the Central Government, a display board should be placed indicating the nature of work, the officer-in-charge and the stipulated time for the disposal of work. For this a new well drafted and effective legislation is required. Officers, however big or small they may be, will be punished if they violate the citizen's charter.

Parliament is the supreme institution of our system. Hence Lok Pal should not be a body above Parliament directly or indirectly. The conduct of members inside the Parliament should not be brought within the purview of the Lok Pal as Article 105(2) of the Constitution covers the issue. It is pertinent to mention here that National Lok Pal for its performance should be answerable to Parliament.

Another point is our society is socially fragmented into various castes, classes and groups. Though politically ours is a democratic system, social democracy is a distant dream for deprived millions.

So, this august House should listen to the inner voice of the voice-less people. There are people—the scheduled castes and the scheduled tribes, not represented as per the social composition in different states of the State—be it executive, judiciary or the private sector. Our Constitution also provides mechanism to safeguard the interests and rights of these deprived sections. So, when we are discussing to bring an epoch-making legislation in this House, we must not forget them. Their representation in the search committee, in the selection committee and at the organizational structure of Lok Pal and Lokayuktas is a pre-requisite.

Another important point is that NGO, both print and electronic media and corporate House, Industry should come under the purview of the Lok pal. With these words, I conclude.

[Translation]

*SHRI DUSHYANT SINGH (Jhalawar): Today the whole country has stood up against corruption and every political party is heading towards bringing a strong and effective Lokpal Bill for uprooting corruption. Today, I am reminded that the Bill had also been brought in 1968 and again this has been brought 9th time in the Parliament. At present, the country is standing at the crossroads where on the one hand is civil society and on the other is the Lokpal Bill under consideration before the Parliament and keeping in view all this, there is a need to bring a strong and effective Lokpal Bill.

Hon. Annaji has three demands; bringing the Hon. Prime Minister under the ambit of Lokpal Bill appointing Lokayuktas in States on the lines of Lokpal and also bringing lower bureaucracy under the jurisdiction of Lokpal Bill. Until the Parliament unanimously passes a resolution on these three issues hon. Annaji will not end his fast. We should bring the Hon. Prime Minister under the ambit of this Lokpal Bill because Prime Minister is a citizen of the country but he should be kept away from the reach of Lokpal Bill on the issue related to National Security. For example, our foreign policy or defence policy should not be kept under the jurisdiction of Lokpal bill. However, the Hon. Prime Minister is a citizen of this country and if any citizen commits a crime, then the concerned person is booked under the various sections of CrPC. Considering this point the Hon. Prime Minister should be brought under the ambit of Lokpal Bill. The states of India have Lokayuktas and it has been considered to bring Lokayukta within the Jurisdiction of Lokpal Bill. These Lokayuktas are there in every state. Its main purpose is to check corruption in the states and the demand of the Lokpal Bill is to bring Lokayukta under the control of Lokpal Bill. We are bound to follow the constitution of India and we have to bring these Lokayuktas within the ambit of Lokpal of Bill by making a proposal to this effect and by including an "enabling clause" regarding the states in the Bill. So that corruption is uprooted from the state and the common man gets a corruption free administration we all should show resolute in this regard for the same.

*Speech was laid on the Table

Regarding the lower bureaucracy a provision should be made in the Bill for redressal of grievance that if a patwari or tehsildar fails to execute the designated tasks within the stipulated time period, then some money will be deducted from his salary to provide relief to the victim, who is facing the problem. A grievance Bill is also coming to this effect and this should also be brought within the jurisdiction of Lokpal. This Bill will be able to put the lower level officers under check.

The Honourable Members of Parliament express their view points in the Lok Sabha and they should be given freedom to speak vote and ask questions in the august House. They are exempted under section 105 of the Constitution and their conduct in Lok Sabha cannot be governed by the Lokpal Bill as our constitution is supreme and every hon. Member of Parliament takes oath before contesting elections, after getting elected and coming to Lok Sabha. But if any hon. Member of Parliament does some wrong doing outside the Parliament the concerned hon. Member he is liable to be booked under the relevant sections of CrPC. Then it is justified to bring him under the jurisdiction of Lokpal.

It has also been considered to bring judiciary under the ambit of Lokpal but the Government should constitute a National Judicial Commission at the earliest for which the same which will deal with the appointments and the tenure of judges and if any judge is found indulging in corruption, the concerned judge should be brought within the ambit of National Judicial Commission.

It has also been discussed to bring CBI under the jurisdiction of Lokpal Bill, we agree with this idea that a National Investigation Agency should be constituted which will be free from the hold of the Union Government and which will make the country corruption free. Today, it is being witnessed that CBI is used against the Government or leadership of the opposition parties by the Union Government for its advantage. Thus, CBI should also be brought a under the Lokpal. NGO's should also be brought under the ambit of Lokpal Bill. The Government should have discussion in this regard and bring NGO's within the limit of Lokpal Bill. Finally, I have to say that this country has seen the extremity of corruption. Scams like 2G Spectrum, CWG bring a blot on the supreme panchayat of the country and for a new India of today we have to build a country which is clean and corruption free. I would request Anna Ji to end his fast and want to say that we are with him and ready to walk on the path shown by him.

*SHRIMATI ANNU TANDON (Unnao): First of all, I would like to request the person due to whom this discussion is being held, our respected elder Anna Hazareji not to be adamant to stop the fast (anshan) and remain healthy and have a long life so that he could continue to guide us in future as well.

I would like to express the sentiments prevalent in my Lok Sabha constituency Unnao which is my responsibility. Our only desire is to get rid of corruption and we hope for a better future. Today's discussion cannot remain limited to Lokpal or Jan Lokpal or the suggestions given by Aruna Royji, or Lok Satta but actually it should lead to framing a strong law or Act. This discussion would be carried on further too and before saying anything I have to express my thoughts on the three issues pertaining to Anna Hazareji placed before the House by our hon. Finance Minister.

I think by now Anna Hazareji must have got the news about the decision taken by the House. No one is basically against the Bill but everyone has some small suggestions so as to avoid any wrong decision. I also have the same view and I associate myself with the sense of the House on these three issues.

Now, when Lokpal is discussed, in my view, the Standing Committee and the House should pay special attention to these four issues. The first suggestion is that the Lokpal or the Jan Lokpal, as it may be called, should be given more teeth or a constitutional status. I have not studied law so I just want to say that we should work together to iron out all shortcomings so that this strong legislation acts as the ultimate weapon in the fight against corruption.

We have seen all versions of this law but the Standing Committee and the House will have to decide whether this institution should be enabled to take suo moto action, should its own Investigation Agency or Police Powers be developed upon it. This would depend on the existing institutions. Would the staff for the institution after formulation of its regulation be taken from the existing bureaucracy or would they be recruited through UPSC or a separate cadre would be formulated. There are many more such questions on lines of the three questions of Annaji replied to by us today.

Who would be the Chairman of the institution? or What will be the composition of the Committee? Talks of

incorporating chosen members have already started which means that whoever has more members affiliated would have more weight in the institution. Isn't it necessary to consider this in an unbiased manner.

We, the Members have been given the right under Article 105 and everyone is unanimous that this cannot be changed. Parliamentary supremacy should be maintained, the dignity of the House should be maintained and politics in the name of corruption should be stopped. I conclude with this prayer to God.

[English]

*SHRI P.K. BIJU (Alathur): I would like to bring to your notice about my concerns over the Lokpal Bill. I fully agree with the cause of the movements and the four different versions of the Bill proposed by different persons and groups, *i.e.* deter corruption in the public institutions and personnel, redress grievances of citizens, and protect whistle-blowers. I feel that the following recommendations should be taken care of with the final draft. First of all, the PM should come under the provisions of the Bill, as proposed by the activists. Secondly, judiciary should be monitored by a Judicial Accountability Committee. My third point is to bring the Media, NGOs and corporate under the ambit of the Bill. It is obvious that corruption is a byproduct of neo-liberalism. The uncontrolled market intervention since the introduction of new economic policies in 1990s has a direct connection with the ongoing scale of corruptions or looting of public money. The corporate put aside even 15% of their investment for bribing the bureaucrats for the smooth functioning of the business. This is just tip of the ice berg. The neo-liberal reforms are creeping into welfare sectors such as education, health etc making it inaccessible to the common man. The picture is not different in financial sectors such as banking, LIC etc. FDI is the mantra of the UPA government neglecting its gross implications on the poor sections of our country.

Hence, I urge the Government to include the above suggestions and keep away from all efforts towards the path of privatization which is a byproduct of neo-liberal policies.

*SHRI G.V. HARSHA KUMAR (Amalapuram): Shri Anna Hazare's fight against corruption has created sensation in the country. We all know, each and every Indian has suffered on account of this cancer of corruption.

The common man is thinking that corruption has spread to all levels of society. That is why, when Anna Hazare started this fight, people thought we should all support this movement. The educated youth, especially in urban areas, are supporting him whole-heartedly. But this fight of Anna Hazare is against corruption or something else, we have to think; because of his anti-democratic actions till date.

Indian democracy has been quite successful and I am sure it is the best in the world. Each and every problem is being solved within the framework of the Constitution of India. But Anna Hazare is not only misguiding the common man but also the whole public of the country. The Aaam Admi problem of corruption is quite different from what the Anna Hazare's fight against corruption is. People are facing corruption at lower levels like Police Station, Hospital, Tehsil office etc., and this problem is hitting them directly, particularly the down-trodden people. This common man's sentiments, the Anna team wants to cash on. People are thinking that Anna is fighting for them but Anna is fighting against corruption at higher levels, that too, leaving out Non-Governmental Organisations (NGOs). Why has he not included NGOs because Anna has got his own NGO. Do NGOs not commit frauds by taking funds from government meant for public welfare. Likewise this Civil Society, what is the meaning of Civil Society, we do not know. This Civil Society, with the help of media and corporate sponsorship, attacking the Indian democracy in the name of fight against corruption.

Anna says that this is the greatest non-violent fight on the earth but does he know about Dr. Ambedkar and his fights for justice; I want to quote here.

Dr. Ambedkar started the Mahab agitation in 1927, but the "untouchables" got access to the tank only in 1937 through a Court Order. The people of the high castes had managed a Court Order to ban the entry of "untouchables" into the tank on the ground that it was a private tank. Dr. Ambedkar accepted the Court Order and discontinued a second march to the tank. But he fought through the Courts and got justice in 1937, almost after 10 years. He did this using legal instruments and a peaceful mass movement, without the coercive means of fasts and hunger strikes.

Similarly, the agitation for entry into the Kalaram temple went on for 4 years, from 1930 to 1934. He discontinued the agitation in 1934 following opposition by priests, notwithstanding the support extended by

Gandhiji. But he fought a legal battle, along with a peaceful agitation, for the next four years, and in 1939 ultimately secured entry to the temple for "untouchables".

Dr. Ambedkar warned people against "hero worship". He was immensely concerned over the political culture of "laying down the liberties at the feet of great men or to trust them with powers which enable them to subvert their institutions". He believed that there is nothing wrong in being grateful to great men who have rendered life-long services to the country. But there are limits to gratefulness. No man can be grateful at the cost of his honour, and no nation can be grateful at the cost of its liberty. This caution is far more necessary in the case of the people of India than in the case of any other country, for in India, Bhakti, or what may be called the path of devotion or hero-worship, plays a part in politics, unequalled in magnitude to the part it plays in the politics of any other country in the world, argued Dr. Ambedkar. He went on to add that bhakti or hero-worship in religion may be a road to the salvation of the soul, but in politics, bhakti or hero-worship is a sure road to degradation and to eventual dictatorship.

The Parliament makes Laws/Acts and how much are we following these Laws? For example, the scheme of "Special Component Plan for SC/ST, started in 1979. From inception to till date, including the latest Commonwealth Games, funds have been diverted upto the value of Rs.4,00,000 crores. For this lapse, there is no action against the defaulted authorities. An amount of Rs.678.91 crore was diverted to infrastructure projects irrelevant to the SCs and STs. This shows how much respect we give to the Laws and Acts of Parliament. What action we have taken on this diversion of funds? This scheme was initiated by Smt. Indira Gandhi ji and Dr. Manmohan Singh ji was the Head of the Committee at that time.

My comprehensive view on the matter is that people's sentiments against corruption have been hijacked by Anna Hazare and team. This team is blackmailing the Parliament of India and attacking the Constitution of India. If that is not so, why have they not included NGOs in the ambit of their Lokpal Bill. Therefore, my recommendation is that: (i) constitute a new Drafting Committee consisting Members of the previous drafting committee from the Government and Civil Society groups (Team Anna) in addition to the representatives of the political parties and wider civil society organizations, including representatives from SC, ST, OBC, Religious Minority Communities and women; (ii) the revised draft, adopted by the new Drafting

Committee, shall be placed before the Parliament; and the Parliament can refer the revised Bill to a new Parliamentary Standing Committee for wider consultations with various groups and communities, political parties within specified time; (iii) there should be due representation of SCs, STs, BCs including BCs of religious minorities and women in the Lokpal and in its Selection Committee; and (iv) above all, we urge Shri Anna Hazare to end his fast and facilitate the wider consultative process to ensure comprehensive Lokpal Bill.

*SHRIMATI BIJOYA CHAKRAVARTY (Guwahati): India is a great country having unparalleled tradition of its own. Powerful Emperors, when fail to discharge their duty to the people or for any other cause, when "Guru" asked to resign, Emperor resigned leaving everything. This is past and a part of history now.

Ours is the greatest democracy in the world. Presently it is in peril. Corruption which was unknown in the country raised its ugly head since 1950 and 1960. All legal provisions then made were not effective. Corruption spread its tentacle everywhere.

Now crores and crores of rupees have been siphoned off by people in high places. Ministers, high officials are caught for corruption, and languishing in jail. Corruption breeds corruption. Corruption creeps in political, economic, social, education and medical spheres, as a result, people face acute hardship. They have to pay bribe for every service.

Agri-land snatched. Land of poor people forcibly taken away. When protested, they had been shot at and lathi-charged. Due to corruption, there is rise in prices of every essential. People feel depressed and want a way for redressal of the genuine grievances. When Anna Hazarji resorted to hunger strike and asks for Jan Lokpal Bill to be passed in the Parliament, people spontaneously joined Annaji's movement. It is because rampant corruption makes people helpless. Instead of responding to the people's concerns, the Government arrests Anna Hazarji. Even today Government is reluctant to thrash out a solution but play delaying tactics when Annaji is in fast for last 12 days.

In Assam, flood eroded acres and acres of land and many people lost their lives due to floods but corrupt officials never care for all these. Thus corruption in every sphere of life eat up vitality of the country. Hence a strong Bill is necessary.

I support movement against corruption by Annaji. Moreover, I support the Leader of the Opposition Shrimati Sushma Swaraji's view for a strong Jan Lok Pal to save the people from utter distress.

[Translation]

SHRI S.D. SHARIQ (Baramula): Alright, his chance is over and mine has begun. Madam Chairman, since morning the statement placed before the House by the Leader of the Opposition is being discussed. Sushmaji discussed the issue comprehensively and my colleagues from both sides also took part in the discussion. The question is not what the Bill would be like. There are numerous Bills and numerous laws in this country. If the laws are not followed then they are of no use. There could be no two opinions on the matter whether this is said by the that side or this side. The country is stuck in a web of graft, dishonesty and corruption. By the grace of God, such people have been caught earlier and will continue to be caught but the question is how have we reached this pass. Our history, our leaders, our thoughts used to be brilliant.

Now has our what has happened which is turning our honesty into dishonesty.

How moral character become so weak that we start jumping at the sight of money and forget our values.

I request you to forward all the proposals, recommendations and Bills received by you to the standing committee and I also request the Standing Committee to come up with recommendations in this House for stringent and rigorous laws. But again the basic question is whether we want to implement the law after its enactment. We have got the setup, mechanism and everything to ensure implementation of this law stringently. I had said it also on day before yesterday that laws are already in place here. There are provisions for punishment for murder, yet our two Prime Ministers were killed. So, if we don't follow the law, it means that trust in politicians has been lost. We have lost our credibility in the country. Why do the people not trust us? We are the successors of Mahatma Gandhi. Why do the people get annoyed with us? What have we done? It may be possible that two or three or four or five or some of the politicians among us may be corrupt and one can point fingers on them but it is not so that all of us are the birds of the same feather. There are many honest, dependable and trustworthy politicians. Neither the civil society nor any member of the civil society has the right

to raise a question on our character. It will be disrespect to the nation if the question of character is raised against the politicians who have spent their lives to serve the people. I request the masses that we are the representatives of India and representatives of Indian people. It is the duty of all the countrymen to respect the elected politicians, to show regard to them, to maintain their honour and to uphold the dignity of this August House and the Constitution. We should not make it a child's game. We should be thankful to Shri Anna Hazare for raising voice against corruption. All the Members of this House have appealed to him that now he should break his fast. He has shown a direction and led the country on the path on which this August House and the representatives of the country are deliberating. All of us are working to put the country on right path but the fight against corruption must go on. There is corruption everywhere, corruption in industry, corruption in media, corruption in judiciary, corruption in the executive, corruption in politics, corruption in trade and we have to think for rooting out this corruption from every walf of our loife and this can be done only by this House. Someone had said-***na manoge to mit jaoge a Hindustan walon, tumbari dastan tak bhi na hogi dastanon mein.***

[English]

SHRI AJAY KUMAR (Jamshedpur): Madam Chairman, first of all, I thank you for giving me this opportunity to speak on such a historic occasion. It is for the first time I am speaking in the House. The occasion is also pretty overwhelming because a galaxy of leaders spoke before me and I am greatly humbled by this opportunity.

I come from Jamshedpur, Jharkhand. I just want to tell you that being in Jharkhand, I have experienced pernicious practice of corruption day in and day out. The people of Jharkhand not only need an effective Lokpal Bill here but they also want an effective Lokayukta there. Actually, Shri Babulal Marandi, the leader of my Party, Jharkhand Vikas Morcha, is basically supporting the affiliation for fight against corruption.

There are a couple of issues which I want to bring it to your attention. Three day back, I had an opportunity to go to Ramlila Grounds. One of the discussions that happened was on the Citizens' Charter, the Lokayukta in States and the inclusion of lower bureaucracy to be included with the consensus of Parliament. Now, as I have heard that there will be a voice vote, I am sure, he would definitely end his fast.

I would request him from this august House to end his fast as the discussion is going on and there is a consensus between the Leader of the House and the Leader of the Opposition. They have said that these important points will be referred to the Standing Committee. Therefore, I request Shri Anna Hazare to end his fast for the good of the nation and if he does not, then we would assume that the intention is to create a situation which cannot be resolved.

We agree with most of the Members like Shri Lalu Yadav and Shrimati Sushma Swaraj. They have said that the judiciary should be out of the Lokpal Bill as there is the Judiciary Accountability Bill. But it would be inappropriate if I do not mention that I have friends in the civil society. What we witnessed in the Ramliila Grounds, when Shri Om Puri and Shrimati Kiran Bedi spoke, was definitely unfortunate. It is important for Parliamentarians to understand that however much we may be critical of the parliamentary process, the democratic process or the parliamentary process is the best process that we have. That process should be respected. The day we lose it, the nation loses and that is something fundamental and very important for everybody to understand. That should not happen.

I had been a civil servant and now a new Member of Parliament but I have been associated with political activities for the past 15 years. I want the people outside to hear from this House that a majority of the people in public service and political sphere are people who fight for the poor day in and day out. They are the people who understand and who have to listen to complaints. They are the people who have led 30 years of political struggle and agitation. So, it is not proper to paint everybody with very unfortunate picture. It is important for us to realize that a large percentage of Members have served three to four terms and have been actually working for the interests of the people.

I can tell you from my heart that it is easier to be a civil servant than to be a public representative. So, my request to the civil society members is that, please do not reduce the respect of the House; please do not make such statements outside. They are people who are responsible.

Last but not least, it is something too big for a person of my experience to say this. But, I think, we all have a historic chance to prove to the civil society members outside that we will come with a Bill which is better than this, which is more transparent, more practical, and more effective. I think we are capable of doing that.

[*Translation*]

*SHRI GORAKHNATH PANDEY (Bhadohi): Today the entire country is agitated on the issue of corruption. Shri Anna Hazare Ji is on fast for the last twelve days. His team wants debate on three issues, three proposals, in the House and that the Lokpal Bill be passed on that very basis. The first point is to bring the Prime Minister under the purview of Lokpal. Keeping in view the integrity of the nation in case of foreign policy and internal policy he should be kept out of its purview. His prestige is the prestige of the country. On other issues as he also agrees, he may be brought under the purview of Lokpal.

The conduct and action of MPs should be kept under Lokpal. They are the elected representatives of the people. To question the integrity and conduct of the Members of Parliament is like putting a question mark on the dignity of this House. Creation of a super power over the Parliament is like questioning the integrity of the Constitution. While drafting the Constitution of the country Baba Saheb Dr. Bheemrao Ambedkar provided for legal rights for one and all and the mechanism of this country has been functioning on that very basis. Today the dignity of the Parliament should not be questioned. Parliament is to legislate laws and this power of the Parliament should be kept intact.

Today the judiciary has also come under question on account of its functioning. People are questioning the functioning and decisions of the judges. There should be a monitoring committee to monitor the Judges.

The need of the hour is that public should get justice. It has become essential to check corruption.

Today the country wants to get rid of corruption. People from every rung of the society are crying due to corruption. It is affecting the dignity of the country. Debate is taking place in the Parliament and the Members belonging to every party are putting forth their views. The entire House is concerned about Anna Ji's health. The House expresses its concern for his life and is forwarding its suggestions. The House is considering on how to root out corruption in the country.

Today officers have become autocrats and they are involved in corruption. They should be brought under its purview. If higher officers are brought under its purview lower staff will automatically come under it. Keeping in

*Speech was laid on the Table

mind the sovereignty of the Constitution an effective Lokpal should be made.

Lokpal Bill has been introduced in the House eight times after the independence of the country but it could not be passed. Today it is the need of the hour that it should be passed by the Parliament as a law. A proposal will be sent to the Standing Committee and suggestions from all are invited. I wish that a strong Lokpal may be brought and the House also wants this. The corporate houses, NGOs and media should also be brought under its purview. This is also my suggestion. Corruption has penetrated each and every set-up in the country. The poor are crying in the rural areas and their hard earned money is being wasted in 2G spectrum, Commonwealth games, Adarsh society scams. The country is reeling under price-rise and the government is helpless, it is also a kind of corruption.

The Lokpal Bill, the Jan Lokpal Bill is no longer a movement of Shri Anna Hazare ji alone, today, it has turned into a movement of the country. Every class of the country is agitated, it is necessary to exercise control over it. Corruption, black money is a hindrance in the development of the country and it is necessary to control it. Allegations and counter allegations should not be resorted to, a strong Lokpal should be made under the law cutting across the party line, this is the demand of the country today.

Our leader, the hon'ble chief Minister of Uttar Pradesh has already implemented the Lokayukta and public security law in the state. Today Uttar Pradesh is working for every class of society, they are working on the policy of Sarvajana Hitaye, Sarvajana Sukhaye. I suggest that strict laws, a strong Lokpal is needed to root out corruption from the country but with this provision that the Constitution framed by Dr. Bhimrao Ambedkar should not be disrespected. Corruption while ensuring that the dignity of the constitution should not be hurt and the development of Scheduled Castes, Scheduled Tribes, other backward classes, poor and weak people should not be hindered from the country should be rooted out. Keeping the feelings of the public in view, a powerful, strong Lokpal bill acceptable to all should be passed.

*SHRI PRAVEEN SINGH ARON (Bareilly): Due to lack of time, possibly I could not put my points and views in this August House, the temple of democracy on the resolution of the Jan Lokpal Bill about which there is

consensus in support of most of the provisions. Therefore, I am putting my views in writing before this House. I support all the provisions except the provision by which the activities of the hon'ble members in the House were proposed to be brought within the ambit of Jan Lokpal. But, my opinion is that before duly enacting any law, the views and opinions of all classes of society should be heard. All the classes including minorities, farmers, workers, agricultural labourers, lawyers, doctors, teachers should be included in it. Media and NGO's should also be included in it. Extreme corruption prevalent in the corporate world should also be included in it. If there is corruption in religious institutions, it should also be included.

I thank you and all our hon'ble MPs, this government and this august Parliament that keeping the feelings of all the citizens of the country in view yesterday you all assured hon'ble Anna Hazare Ji of the firm determination of this House to pass a strong and effective Lokpal bill unanimously and appealed to him to end his fast.

I also thank hon'ble Anna Ji and congratulate him for playing important and major role in creating a great public awareness in such a short time for a strong Lokpal bill for which the government and this august Parliament are committed to control corruption. Sir, there are some very important and effective proposals in the three resolutions, which are before this House including the Jan Lokpal bill. As we all know that the Lokpal bill tabled by the government and under consideration of the Standing Committee of the Parliament is a proposed bill and only purpose behind sending it to the Standing Committee is that the views and opinions of Shri Anna Hazare Ji and his organization including all classes of the country can be sought and besides, the views of all political parties of this august Parliament and the proposed amendments may be considered by the Standing Committee and a report may be submitted before the Parliament and after detailed discussion, such an effective and strong Lokpal bill may be enacted within the parameters of the constitution which may free and give relief to crores of people living in villages, colonies, towns, cities and metropolitan cities including each and every corner of this country.

I know that several MPs from all political parties want to put their views on this important issue and we also short of time, hence, I shall put my views point wise.

The common man and important persons, including us, are victims of corruption and badly affected by it in

every department and almost of every step from village, street, locality to metropolitan cities.

I want a detailed discussion on all the provisions of the Jan Lokpal bill which will be helpful in making this bill important and I also want that the views of the Parliament after the discussion on this bill should be sent to the concerned Parliamentary Committee so that the committee may seek the opinions of all concerned and all classes of the society on these three bills and send a report to the House.

I oppose all such provisions of the Jan Lokpal bill, which are against the constitution.

In the same way, I recommend that the resolutions of the bills of Mg. Aruna Roy Ji and Jai Prakash Narayan Ji or the opinion or views of this House in this regard should also be sent to the Standing Committee on Ministry of Law and Justice.

I oppose the defamatory language used by Shri Hazare's team for all the MPs, politicians and all political parties.

I also oppose the immoral use of the political forum, which was used for political benefits.

The four pillars of democracy—Legislature, Judiciary, Executive and Public Information System (media) should also be included.

NGO's should also be brought within the ambit of the Lokpal or any other effective institution.

MPs conduct inside the Parliament should be outside its purview. While including the Prime Minister, the specific issues like defence and security of the nation should be completely excluded from the ambit of the Jan Lokpal.

*SHRIMATI J. SHANTHA (Bellary): It is necessary to check corruption that is prevalent in the country. The people are sitting on an indefinite fast against corruption that exists from the lower levels to the higher levels in the country. The people of the country, be it senior citizens, young persons, children or women, all have come out on the roads against this menace. It would be good for the country to create a strong and effective Lokpal Bill in view of people's demand in our democratic country.

A number of cases of corruption have been reported in the country during the last few years which have made the people agitated, be it 2G Spectrum scam, Commonwealth scam, Aadarsh Society case or the case in respect of black money deposited in foreign countries. The prices are rising in the country owing to these scams. The poor, farmers and middle class people are the worst affected by corruption as they are unable to provide quality education, health facilities and even two square meals to their children. Farmers are committing suicide and the unemployment rate among young people is high in the country. There is total chaos in the country. Therefore, a strong and effective Lokpal Bill should be brought to check corruption in the country so that at least 75 percent corruption could be reduced and economy of the country could run smoothly, democracy is protected and dignity and esteem of the Parliament is maintained.

A strong Lokpal should contain provisions for completion of work within the prescribed time limit in all the offices and to make laws for Lokayukta in the states along with the Lokpal and to bring all employees under its ambit. Besides, Prime Minister and CBI should also be brought within its ambit. In addition to this NGO's, Doordarshan, media as well as lawyers should be brought under its ambit. It is the wish of all the BJP Members that Shri Anna Hazare should end his fast. I support the Jan Lokpal Bill and it should be passed in the Parliament.

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA M. SCINDIA): Madam Chairperson, today, the House has taken up discussion on the issue of corruption. Each and everyone is affected by the issue of corruption be it the youth, women or senior citizens. The strength of the country is being reflected world wide. But in my opinion be it Anna ji or members of team Anna or their ideology ...*(Interruptions)* I am ready to accept the fact that we all make mistakes. I don't think that it will lower the status of a person if he accepts his mistakes.

The issue of corruption is affecting each and everyone. The House is witnessing the protests that are taking place throughout the country in this regard. The voice of each individual is being reflected at the Ramlila Maidan. As Shri Sharad ji and Shri Lalu ji has said that even the people residing in rural areas are affected by the issue of corruption. Each and everyone is affected by the issue of corruption be it backward class or Dalit class and women. Today, the whole country is looking at the Parliament with hope and trust. The Parliament has to give them trust—a kind of trust, which shows consensus

not differences. We have to maintain the sovereignty and unity of the country as the country has given the message of unity to the whole world. Shri Varun ji has submitted in respect of Swami Vivekanand ji that the concepts of unity in diversity and 'Vasudhaiva Kutumb' is given by him. Today, such an ideology should be reflected in the Parliament. /

I was surprised to hear the speech of the Leader of the Opposition. I respect Sushma ji a lot. She is not only senior to me but she hails from my state too. She is a Member of Parliament from Vidisha constituency. We have discussed various issues on several occasions. I would like to put forth two-three points before her. Today, she said that we should not gain cheap publicity. But what did we hear in the Parliament after her speech? It should be the responsibility of our senior Members to teach us that there should be no difference in our words and deeds. We should learn that there should be no difference in precept and practice. It is the responsibility of senior Members to impart these values to the new generation. This is what we expect from the senior Members. Being a young person, I would like to ask two-three questions on behalf of the youth of the country. It has been said in this House that the Prime Minister was ready to come under the purview of Lokpal but we did not allow it.

When Shri Atal Bihari Vajpayee was the Prime Minister from the NDA, he comes from Gwalior, Madhya Pradesh, I also respect him very much, when he was ready to come within the ambit, then the youths of the country would like to ask Shrimati Sushma ji today why that Lokpal Bill was not passed during the NDA rule? There should not be any difference between what ones say and what one does. This Bill remained pending for six years ...*(Interruptions)* I have heard your complete speech. I would like to request you humbly to hear my point of view ...*(Interruptions)*

Cheap popularity was talked about. Today the youth of the country want to ask Anant Kumar Ji, Shri Gopinath Munde Ji what they were doing at Ramlila ground yesterday, the day before yesterday, if they were not achieving cheap popularity, what were they doing at Ramlila Ground? When they were forced to leave as Shri Lalu Ji said in his speech, they came back here. If cheap popularity is being discussed, I would like to ask this question that the NDA Government had put forward this idea in the year 2001 which was a very good idea that we should pass an Act like the Right to Information law. That Bill was laid on the Table of the House and

till date nobody knows where that Bill disappeared in some court and some file after that. If the Right to Information Act was passed, it was passed for the first time during the UPA rule when the NAC of Sonia Gandhi Ji in consultation with the hon'ble Prime-Minister had laid it on the Table of the House. That Right to Information Act was passed ...*(Interruptions)* when you were speaking, we were listening to you, so I request you with folded hands that my point should also be heard.

Further, I would like to say that when that Right to Information Act was laid on the Table of this House of the Parliament about which Shri Lalu Ji said that it is a temple for youth and every citizen of the country. Madam Chairperson, we bow down where you are sitting. But when that Right to Information Act was tabled in this Parliament, the entire NDA boycott and art left this Parliament. I still remember that date because at that time I was sitting on a back seat. That day *i.e.* on May 10, 2005 I was sitting on a back seat when my friend and colleague Shri Milind Deora Ji had started that speech, all the benches from the NDA side were lying vacant in this House, not a single home Member was ready to hear that speech. Today what team Anna says, social organizations say that they should get their rights, if anybody has given that right in this country, it is the UPA Government which has given that right to those social organizations. Benches were lying vacant here. Even a single hon. Member from your side did not come forward for discussion. Not a single hon. Member from your side came forward to express his or her views. There is no problem in whether one agrees or disagrees. But even a single hon. Member was not present ...*(Interruptions)* I am young, I may make a mistake, so I am sorry. But please listen to me. There are 70 crore youth in this country. When social organizations were discussed, today civil society is being discussed highly in the country. The BJP, Opposition, everybody is talking about civil society. But I can say proudly here that if any engagement was made with the civil society for the first time in the history of this country, it happened under the leadership of Shrimati Sonia Gandhi Ji on the basis of the National Advisory Committee when the UPA first came in power ...*(Interruptions)* Shrimati Sushma Ji, please listen to me ...*(Interruptions)*

My third question is ...*(Interruptions)*

SHRIMATI SUSHMA SWARAJ (Vidisha): Somebody from outside had sent a slip to me, so I am going out. Shri Pranab Da, you tell me whether I should go or not ...*(Interruptions)* If your people say, then I won't go. I

shall sit ...*(Interruptions)* Please tell me. Will I have to take your permission to leave the August House? ...*(Interruptions)* Give me permission ...*(Interruptions)* If the young give permission, then I will take leave ...*(Interruptions)*

SHRI JYOTIRADITYA M. SCINDIA: No, I did not say ...*(Interruptions)*

SHRIMATI SUSHMA SWARAJ: Should I go or not ...*(Interruptions)*

SHRI JYOTIRADITYA M. SCINDIA: I cannot tell you anything ...*(Interruptions)*

SHRIMATI SUSHMA SWARAJ: Many many thanks.

SHRI JYOTIRADITYA M. SCINDIA: I am surprised that when the Madam Speaker was sitting on this chair in the August House, it is not a matter of long time before, it is a matter of yesterday only. She gave an opportunity to a young MP to express his views and it is her right ...*(Interruptions)* Yes, I have risen because you raised the issue ...*(Interruptions)* You raised the issue, then I have every right to reply and I shall definitely reply ...*(Interruptions)* When he spoke as per her direction a great uproar arose in the BJP ...*(Interruptions)* There was no uproar in other allies of the NDA but there was much uproar in the BJP. I was very surprised that as I was watching, some BJP leaders were looking to the media instead of looking to you. Is this entire drama being played in the Parliament today to influence the media only? ...*(Interruptions)* The youth of the country want to ask the BJP this question and what did they say? ...*(Interruptions)* Today, I am surprised ...*(Interruptions)* I am surprised that when he laid his thought and ideas on the Table of the House and such thought and ideology which matches and takes forward with the thought and ideology of Anna Hazare Ji, if Lokpal has to be empowered, Lokpal has to be strengthened, it will have to be done within the constitutional framework, this is the thought and ideology of Rahul Gandhi Ji ...*(Interruptions)* Yes, perhaps it may take time ...*(Interruptions)* But his thought and ideology is visionary ...*(Interruptions)* His thought and ideology is a far reaching thought and ideology ...*(Interruptions)* This is a thought and ideology by which Rahul Ji has shown his full determination to root out corruption, it is that thought and ideology. After that ...*(Interruptions)* Shri Anurag Ji, please sit down ...*(Interruptions)* We do not want to achieve cheap popularity. But even after doing all this, the BJP did not stop there ...*(Interruptions)*

Their second issue was that in place of the habit of creating friction among the public, they should create friction in Congress party now. I also want to tell them that Congress and UPA Government have always strived to unite the country and they will always strive to unite the country in future too...*(Interruptions)* It should be the duty of every person to preserve the culture, history and principle and ethos of this country fully ...*(Interruptions)* I am very happy ...*(Interruptions)*

Madam Chairman, this is the time when we shall have to show the proof of unity. We do not need antibiotics ...*(Interruptions)* We need surgery and if we need surgery, we shall definitely have to tackle land mafias as Rahul Ji stated. We shall have to take tax reforms, electoral funding rules into account as Rahul Ji has mentioned ...*(Interruptions)* if we do not do all this, you will get a temporary antibiotic and the surgery of corruption will not be undertaken in this country ...*(Interruptions)*

Anna Ji has said that corruption has become a habit in the country today. Today I am speaking as a youth, as a citizen of the country and not in the capacity of an hon. MP or hon. Minister. Mahatma Gandhi Ji had given a principle to the country that if we had to achieve our target ...*(Interruptions)* Please say what you have to say, I have no problem ...*(Interruptions)* Mahatma Gandhi Ji had said that if a target was to be achieved, the means should be equally pure. So if we have to bring purity in the means, we shall have to show the proof of unity in this August House, then only that target will be achieved. When Anna Ji is associated with us, there is a harmony between the Parliament, Constitution and the demand of the public, under this association only a powerful Lokpal Bill should be enacted.

19.31 hrs.

[MADAM SPEAKER *in the Chair*]

In the end I would like to say only one sentence. I am also a Maratha like Annaji* [*English*] My only request is please withdraw your fast.

...*(Interruptions)*

*English translation of the Speech originally delivered in Marathi.

[Translation]

MADAM SPEAKER: You may lay your speeches.

...(Interruptions)

MADAM SPEAKER: You may lay your speeches.

...(Interruptions)

[English]

MADAM SPEAKER: Shri Pranab Mukherjee.

...(Interruptions)

MADAM SPEAKER: Let there be order.

...(Interruptions)

MADAM SPEAKER: Not now. Let us have order in the House.

...(Interruptions)

[Translation]

*SHRI BADRI RAM JAKHAR (Pali): Regarding the issue of bringing all the officers from higher level to lower level under the purview of Lokpal, my opinion is that today all the employees from rural level to higher level, who are involved in corruption, should be brought under its purview.

I would like to support the statement given by my Leader Shri Rahul Gandhi Ji in the August House and say that the Parliament is supreme and Jan Lokpal Bill alone cannot root out corruption. For this cooperation of all is required.

I salute Shri Anna Hazare Ji but the manner of Anna Ji's fast is not good. Any Bill has to be introduced in the Parliament for getting it passed and only this procedure is good for dignity and prestige of the Parliament.

[English]

*SHRI LALIT MOHAN SUKLABAIYA (Karimganj): Chairman, Sir, I thank hon. Speaker for giving me the opportunity to associate myself with this historical event in our Parliament.

Corruption exists in large scale in our system. We all know very well that out of the huge expenses on Govt. welfare projects, very little—negligible portion actually reaches the beneficiaries. To eliminate corruption many Acts have been enacted, institution of CBI has been created and a number of action taken. Yet, the corruption existed unhindered.

Parliament of India is unanimously supporting the issues which have been expressed by public under the leadership of Anna Hazare to make India corruption free.

Lokpal Bill was initiated several times but ultimately this is going to be passed aiming to make our system corruption free. So, in order to make our society corruption free, we welcome the enactment of Lokpal Bill that the House is ready to pass a STRONGEST Lokpal Bill.

Today's issues are (1) whether lower bureaucracy is to come under the ambit of Lokpal (2) Appointing of Lokayukta at the State level, and (3) Citizen Charter.

Lower bureaucracy is in touch with nearly 80% of the population, who live in villages and in small towns. So, they are also required to be taken in the ambit of Lokpal.

There should be Lokayukta in the States, otherwise who will look after the function of the Lokpal in the States.

Citizen Charter will include Govt. employees' responsibilities, failure of which is to be penalized, and also on the other side, attempt to bribe should be included as corruption and people involved should be penalized.

We have not seen how Ahinsa Andolan by Mahatma Gandhi could unite crores of Indians, but now a replica of such an Andolan can be visible in the movement of leader Gandhian Anna Hazare.

After Independence, we notice disintegration in the present generation based on their different language, different religion, different region etc. But, the present movement has united them all. This is a very good sign for the revival of nationalism.

So, a strong Lokpal Bill passed by the Parliament will make the people understand their responsibilities. The people will understand that it is everybody's business, it is NOT nobody's business—IT IS MY BUSINESS—and the Government and the people will be jointly responsible.

One of the Members pointed out that Law can punish but it cannot prevent. For prevention of corruption we have to make slight reform in our education policy.

We often find that we have forgotten many happenings in our life when we are grown up but what we learn in our childhood is never forgotten. So, our syllabus should include value education that imbibe in a child's mind the value of honesty, patriotism, integrity, loyalty—and this should be from very early stage—from pre and primary level. Hence, when these children grow up from the mainstream of population, we will get a corruption free India in our next generation.

[Translation]

*SHRI RAKESH SACHAN (Fatehpur): Today the House is deliberating upon a Bill in special circumstances for giving suggestions on the Bill and forwarding the final draft of the Bill to the Standing Committee. It is being done ignoring the Parliamentary procedure and the rules. The government's indecision and lackadaisical approach is responsible for this uncommon situation.

It is a very serious issue and so the debate on this issue should not be limited in time. There are a larger number of very efficient hon. Members in the House. All efforts should be made to include the suggestions of the hon. Members in the draft of the Bill. This August House represents the will of the country and so treating the draft Bill prepared by a small group of people as final Bill would be an injustice to the people of the nation and it would be a big mistake of this House.

In my opinion the Governments Lokpal Bill, Jan Lokpal Bill and the Lokpal Bill prepared by Shrimati Aruna Roy's organization—all the three Bills should be introduced in the House for comprehensive deliberation. Only then a draft Bill may be forwarded to the Parliamentary Standing Committee. At present, I am putting forth my opinion only on Jan Lokpal Bill.

The line related to giving speech and voting in the House is subsection E-I of Section-2 of Jan Lokpal Bill should be deleted.

The scope of section 3 of the Jan Lokpal Bill is unlimited. It should be clearly mentioned in it that no section or sections of this Bill will violate any of the articles of the Constitution.

By amending the sub-section 5 of section 4 of the Jan Lokpal Bill it should be provided that at least 6 out of 11 members of the Lokpal will be sitting/retired/Justices/Chief Justices of the Supreme Court/High Courts Sub-section 6 of section 4 of the Jan Lokpal provides for the constitution of a selection committee. After making amendment it should read like "the chairman of the Selection Committee will be the Prime Minister and their members should be the leader of the Opposition in the Lok Sabha and the Rajya Sabha, the leader of the House other than the House whose leader is the Prime Minister, two Judges of the Supreme Court, two Chief Justices of two High Courts of the country, the Chief Election Commissioner of India and the Comptroller and Auditor General of India".

Sub section 8 of section 4 of the Jan Lokpal Bill should be amended and read as—"Selection Committee shall have the right to select all 10 members of the Search Committee. All the members of the search committee should be the retired Chief Justices and Justice of the Supreme Court, retired Chief Justices of High Courts, retired Chief Election Commissioner and famous Jurists of the country.

In sub section 17 of section 4 of the Jan Lokpal Bill a sentence should be added as "provided that persons belonging to minority, dalit and backward classes should be elected in the ratio of their population as the members of Lokpal".

The word 'dismissal and removal' should be removed in sub section-C of section 6 of the Jan Lokpal Bill. The sub section 'x' of this section should be removed because scrutiny of the affidavit of selected representatives is carried out by the Election Commission and the Department of Income Tax themselves.

Sub section 5 and 8 of section 7 of the Jan Lokpal Bill should be deleted because these two sub sections may make Lokpal a dictator.

Sub section 2 of section 23 of the Jan Lokpal Bill should be deleted because it is against natural justice.

It is my view that Lokayukta should be constituted in states also in the line of Lokpal but this right should be vested in the legislative Assemblies because interference of the centre in the rights of states may prove fatal in a federal system.

I think a section should be added to bring all non-governmental organizations whether they are government

*Speech was laid on the Table

aided or not all pharmaceutical companies and medicine sellers, all corporations, fertilizer producing companies and private companies all businessmen who deal in food products, electronic and print media apart from public servants should be brought under the purview of Lokpal.

Today the common man is suffering a lot due to corruption. As many as 80 percent population of villages associated with farming are unable to get their small work done by the police, tehsil, Accountant, registry offices, department of electricity, block, irrigation department, department of fertilizer and department of rationing because all lower level employees are involved in corruption. That is why all these lower level employees of the centre and states should be brought under the purview of Lokayukta or Lokpal. No concession should be allowed to them.

*SHRIMATI SUMITRA MAHAJAN (Indore): Today, the entire country is agitated on the issue of corruption. It appears that the people are losing faith in Parliamentary procedures. The democratic system appears to be getting a setback. People are losing faith in politics and politicians. The issue is not related to Lokpal Bill or fast unto death only. This is high time to strengthen democracy by regenerating self-confidence in the people by giving proper direction to the feelings of the entire country and the responsibility of the party in power is very big in this regard. Today a serious situation is brewing up in the country, as the government did not try to solve the issues like Jan Lokpal Bill and the movement of Anna Hazare properly. It appears that the Congress, the party in power has become expert in complicating instead of resolving the problems and it has made this problem a Kashmir like problem.

There are two-three major issues before us in respect of Lokpal Bill, n Hon'ble Shrimati Sushma ji has putforth the viewpoint of Bhartiya Janata Party while expressing her concrete opinion on the issue. It is my opinion that being an Indian, our culture, tradition and 'Sanskar' indicates that it is necessary to evaluate conduct of the person holding supreme post in the country and there should be no doubt about his integrity. We have example of Lord Sri Ramachandra. Lord Ramachandra loved his wife Maja Sita a lot and could not even imagine to live without her. While in exile, he tries to fulfill all her wishes, but, when Rama was crowned as king of Ayodhya, he abandoned Sita when one of his subjects cast doubt over her chastity. Lord Sri Krishna takes responsibility of

all actions taken for the welfare of its citizens. But, when blame of being a thief of Mani' levelled against him then he proved that he was innocent. Therefore, we all agree with the suggestion of keeping Prime Minister within the ambit of Lokpal as suggested by hon'ble Shrimati Sushma ji.

As far as judiciary is concerned, judicial procedure, intention and conduct of Judge should not appear to be arbitrary and haphazard. Today, not a single person can deny nexus between Advocates and Judges. It is a common scene outside the court when client asks his advocate to manage hearing of his case in a court of a particular Judge. Sometimes, judiciary try to dominate the executive, the Constitution and the Parliament, eventhough the judiciary is not as bad as it is considered. Though, strengthening of the proposed National Judicial Commission has become necessary. As far as Lokayukta is concerned, under the constitution, we have envisaged the relations between the Centre and the States where the rights of the states are safe. The Constitution makers under the leadership of hon'ble Baba Saheb Ambedkar ji have made constitution for the country. Certain laws have been enacted in the Constitution in respect of the rights of the states, relation between the Centre and Sates, supremacy and dignity of Parliament and immunity and dignity of the hon. Members of Parliament. It is necessary to consider all these issues seriously.

In the situation prevailing in the country due to the huge scams, price rise and corruption that exists in all walks of life innocent people are the most affected. It is not appropriate to consider all the hon'ble Members of Parliament as corrupt. I can say on the basis of my experience that there are politicians who are working for the welfare of people despite all hardships but all the politicians are being disgraced due to some corrupt people. However, it is a fact that some of us have become victim of paid news. We all have various kinds of experiences in life. The media be it print or electronic blackmail and threaten us and malign our image or create environment against us during the election period or any other time. Why the media should not be brought within the ambit of Lokpal. There is Press Council for media but that is ineffective. Therefore, these issues needs to be considered. Election Reforms needs to be pondered over seriously. We have seen that activists of civil society or similar societies and the common people are taking active part in this movement. On the other hand, if these people cast their vote or create awareness in this regard then right person can be elected. But nobody should take it otherwise. Various hon'ble Members must be aware

of the fact that if there are consecutive holidays of one or two days around the voting day then a number of people prefer to visit any tourist destination with their families instead of exercising their franchise.

The Members whose constituency covers rural areas or small towns or cities understand this plight as it is very difficult to postpone the marriage ceremony if the ceremony to be performed around the polling station. Therefore, Election Reforms needs to be pondered upon actively and seriously.

I am glad that I belong to a state which has a sensible and sensitive Chief Minister and a Government that understand the problems of the common man. I am referring to Madhya Pradesh where the Public Service Delivery Guarantee Act has been enforced and several other legislations which are necessary for the safety of people, like the anti-terrorist legislations which have been made and sent for the Union Government's consent. It would be better if the Union Government gives its consent soon. I feel that it is our utmost duty to save the life of a learned man like Anna Hazare who can also be called a saint. Besides we should also resolve to provide a good governance in conformity with his sentiments.

[English]

*SHRI HASSAN KHAN (Ladakh): Prime Minister Office should also come under Lokpal. Judiciary must have a separate effective accountability law. All public servants if not included in Lokpal Bill then other anti corruption agencies must be made independent in matter of investigation and prosecution. NGOs getting government assistance must come under Lokpal. Fast track courts must be set up to deal with corruption cases in time bound period. Due representation must be given to ST/ST in Lokpal.

[Translation]

*SHRI P.L. PUNIA (Barabanki): Hon. Leader of the House Shri Pranab Mukherjee made a statement on Lokpal Bill on which Leader of Opposition Shrimati Sushma Swaraj and several other hon. Members gave their opinion. A detailed discussion was held and all good suggestions have been received. There is no doubt that a strong Lokpal Bill should be brought to check corruption but within the ambit of the Constitution. We should not play with the Constitution made by Baba Saheb. Several dalit organizations have opposed such an effort.

*Speech was laid on the Table

There are several anti-corruption laws. There is provision in IPC. There are provisions under Prevention of Corruption Act 1988, Benami transaction (Prohibition) Act 1988, Prevention of Money Laundering Act 2002 and Civil Services Conduct Rules. Yet corruption is rampant. Legislations should be strictly enforced. There is a need for social resolution. Shri Anna Hazare should ask his supporters to take a resolve that they would neither take nor give bribe. Merely bringing legislation would not help.

The definition of corruption under the provisions of Jan Lokpal Bill should be changed. The scheme formulated for dalits, backwards, minorities and women and children belonging to these sections are not implemented properly, so these should be included under these provisions. Atrocities are committed against dalits and no officer takes any action, so it should also be brought under the purview of Lokpal. I express my gratitude to Shri Sharad Yadav who has championed the cause of the neglected section. The money meant for scheduled sub plan is being misappropriated as a result our target of doing away with social inequalities remains unfulfilled. This should also be brought under the ambit of Lokpal.

Poverty is a curse on society and 30 per cent of the poor are from Dalit section. Nobody is bothered for them. Untouchability is practiced even today. The incidents of atrocities on dalits are growing today despite the existence of several laws and they are not getting jobs. The schemes formulated for this section are not being properly implemented. Poverty is increasing instead of diminishing. It should also be addressed and brought under the purview of Lokpal.

There is general consensus after the statement of the Leader of the House which enjoys the support of all parties. I extend my support to it. I hope this would end the fast of Shri Anna Hazare and put a check on corruption.

[English]

*SHRI THOL THIRUMAAVALAVAN (Chidambaram): A life swings between life and death for the past 12 days to wipe out corruption. The immediate task before us all is to save the life of Shri Anna Hazare who has resorted to non-violent agitation in the form of a hunger strike. If he is to lose his life, the blame will be not only on this Government but on every one of us here. Hence, I urge

*English translation of the Speech originally laid on the Table in Tamil.

upon all concerned to take urgent appropriate action in this regard. On behalf of the Government, suitable action may be initiated to meet him and request him to give up his fast.

Whether this legislation against corruption can eradicate the evil at all levels is a big question mark. But at the same time, it can definitely be misused to take revenge on people especially the poor. So far, we have legislated enough. It is a history that more than bringing down the crime level, they have always been used against the poor and punished. All these years, we have seen that Dalits, minorities and women have been greatly affected. In the same way, Lokpal Bill also may be used against socially backward people belonging to the depressed sections of the society like Scheduled Castes and Scheduled Tribes and minorities like Muslims and Christians and above all, women belonging to the lower strata of the society. Hence, I would like to impress upon that the representatives of Dalits, minorities and women are appointed at all levels in all the Lokpal mechanisms wherever they are established. Whenever certain complaints made against Dalits are to be taken up, enough of opportunities must be given and approval from SC/ST Commission should be obtained. If this is not done, the status quo may continue because we know that law can bend before the mighty and can harshly ill treat and kick at the meek and the weak. The envisaged Lokpal also should not follow suit.

In India, we find that in all the States and in all the Central Prisons the majority of people who are under the confines of the jail walls are Dalits and minorities. I would also like to point out that the people who have been greatly affected by TADA, POTA and Prevention of Unlawful Activities Act are the poor people from the depressed sections of the society. With the existing laws, the people who are wronged in both the Government and public sector are from the Dalit and minority communities. Planned revengeful activities continue due to caste and communal differences and also enmity arising out of competition for posts. Supposing a Dalit is due for promotion, his jealous competitors lodge false complaints to implicate their unsuspecting rival in cases and resort to vengeful mean methods.

Famous lines of yesteryears by Pattukkottai Kalyanasundaram says as follows:

“Thittam pottu thirudura koottam
Thirudik kondey Irukkudhu.

Adhai sattam pottu thadukkara koottam
Thaduththuk kondey irukkuthu.
Thirudanaai paarththu thirunthaa vittaal
Thiruttai olikka mudiyadhu”.

Those lines tell us that without bringing about change of heart no looting can be stalled and the law makers would keep on making laws while the pilfers would continue to profligate their booming loot.

Hence, I urge upon the Government to legislate taking care to see that there is no scope for misuse of this law by unscrupulous, vengeful, jealous minds. With these words, I conclude.

*SHRI M.B. RAJESH (Palakkad): It is the unprecedented public concerns about growing corruption that has compelled the Government to address the issue of Lokpal. The Lokpal as we all know, is not at all a new concept. The demands for Lokpal has a long history of more than 40 years. The fact that in this long four decades, the Lokpal Bill could not be passed in the Parliament shows the utter lack of political will in fighting corruption. In recent years, a situation has come where the Government can no more ignore the demand for a Lokpal. Exposures of huge corruption cases one after another, attempts to cover up these scams and Government's monumental failure in checking corruption has ignited wide-spread public anger. People all over the country have become disillusioned with the pervasive corruption. This disillusionment and discontent is being manifested in the streets now. Tens of thousands of people are coming out against the Government's inaction and insensitiveness in fighting corruption. It is in this context that the issues related to the Lokpal is being debated in this House today.

While coming to the topic of Lokpal, at the outset I would like to stress the need for enlarging the definition of corruption. The “Corruption” as defined in the prevention of Corruption Act—PCA—should be widened so as to include not only acts of Commission but also those of omissions. Often there may be no traceable kickbacks but still there may be a huge loss to the public exchequer due to willful misuse of power.

With regard to the composition, functions and jurisdiction of Lokpal, there should not be any ambiguity. The Lokpal should essentially be a fact-finding body that

*Speech was laid on the Table

receives complaints, enquiries, investigates and forwards cases to special courts where prima facie case is bound to recommend an enquiry and investigation suo motu. It is of utmost importance that the Constitution of Lokpal should conform to the principle of separation of powers. The functions of grievance redressal must be separate. This should be set up by a separate legislation. The grievances of citizens about citizens' charter should be brought under this mechanism. In the Lokpal there should not be any member drawn from commerce or industry just as there can be no politician.

The office of the Prime Minister along with all public servants was brought under the purview of Lokpal by the V.P.Singh Government in 1989. In all subsequent legislations, the Prime Minister has been placed under Lokpal. The fact is that the present Government which is involved in a large number of scams is unwilling to ensure the accountability of the highest executive office. The office of the Prime Minister must fall within the purview of the Lokpal.

There is no doubt that judiciary too needs to be made more accountable in the current context of increasing prevalence of corruption within judiciary. However bringing judiciary under Lokpal will violate the constitutionally guaranteed independence of the institution. So a National Judicial Commission should be set up to take care of the appointments in the higher judiciary and enquire into the complaints of corruption. The Judicial Standards and Accountability Bill, 2010 is grossly inadequate to meet this objective and hence a new legislation has to be brought in. The protection and freedom guaranteed to MPs under Article 105 of the Constitution should not be made applicable to acts of corruption. In order to achieve this, Article 105 can be amended.

The alarming growth of corruption in the post-liberalization era is directly related to the nexus between big business, politicians and bureaucrats. Lokpal should have powers to investigate cases which involve business entities to recommend cancellation of licences, contracts etc., if it was obtained by corrupt means. The Lokpal should also have the power to recommend blacklisting companies from getting Government contracts and licenses.

Likewise the Lokpal should be given powers to recommend steps to recover the loss caused to public exchequer in cases which business entities have made benefits out of corrupt practices.

In order to cover public servants at the State level and to curb corruption at lower levels, Lok Ayuktas must be set up in States. This can be set up on the model of Central Lokpal.

Effective steps to prevent tax evasions are also very much needed because this has become an important route of corruption. The Government should do away with Double Taxation Avoidance Agreements with countries like Mauritius. The Government should also show firm political will to unearth black money and confiscate the funds illegally stashed away in tax havens.

Another important area of fighting corruption is bringing far-reaching electoral reforms. The electoral process has been vitiated and at times even sabotaged through the money power. Money power has become the deciding factor in elections. Votes are purchased and people's will is manipulated through the use of formidable money power. Without addressing this issue seriously, any attempt to curb corruption will go in vain. The basis of the nexus between big business and politicians is the corporate fundings of political parties. This should be banned and state funding of elections is needed.

Isolated or piece-meal measures cannot effectively serve the purpose of fighting corruption. What is needed today is a set of comprehensive reforms. All institutions of our democracy must be reformed and made more accountable to the people. These institutions should in fact be strengthened and not weakened to fight corruption. Any attempt to undermine or weaken democratic institutions will not help us in fighting corruption. Corruption is fundamentally a political issue and it cannot be fought on an apolitical platform and agenda. The larger policy issues involved in the alarming growth of corruption cannot be overlooked or bypassed any more. The politics of fighting corruption is related to the larger struggle against the policies of liberalization which has become the major source of corruption in recent period. The fight against policies of liberalization, corruption and the fight to strengthen our democratic institutions must form part of a common struggle. The setting up of a strong and effective Lokpal will indeed be a significant step in our larger struggle against corruption.

[Translation]

SHRI HARSH VARDHAN (Maharajganj, U.P.): Today, the entire country is agitated on the issue of corruption. Shri Anna Hazare sitting on fast in Ramlila Maidan has not done any miracle, the reality is that the mindset of

public distressed by corruption has given grist to the mill. A ray of light dispels darkness in a mine giving hope similarly the fast of Anna has highlighted that the common man is in the clutches of corruption. Today, we will have to find out a solution to redeem the society from this demon of corruption rising above party lines.

Lokpal or Jan Lokpal is not a solution to the problem. The solution would be when the poorest of the poor would get the entire benefits of public welfare schemes without any commission. When the F.I.R. of the harassed party would be registered without bribe and the helplessness of the common man would not remain his helplessness in absence of funds. Today, the people who are trying to impose themselves challenging the supremacy of the Parliament may know that the Parliament is not influenced by any thought or policy, such people are experts in exploiting the public sentiment. Be it the movement of Shri Jai Prakash Narayan of 1974-75 or the agitation of 1988, I have been a crusader of both the movements. If I am in Parliament today, it is solely because of my commitment to the democratic system, we shall not tolerate injustice, however, I have participated in civil disobedience movements by shunning violence raising the slogan of non-tolerance.

Annaji's fast has definitely made one contribution that it has brought the agony of the entire country to the fore, however, it appears to me that certain persons are drawing mileage from the fast of Anna ji. The seriousness with which and the dignified manner in which the sentiment of the House was passed by the hon. Prime Minister, the hon. Leader of Opposition and the hon. Speaker, the colossal negation of that negative appeal shows the recalcitrant approach of the associates of Anna ji. We are concerned without the life of Anna ji because he has voiced the people's plight through his anti corruption campaign. So, the three issues on which he seeks the assurance of the Parliament, he should end his fast in view of a meaningful discussion on it. Lokpal Bill has been presented in the Parliament ninth time, however, the Lokpal Bill presented earlier were never accompanied by any public campaigns or movements.

The effort of Shri Anna Hazare will be helpful in passing a strong Lokpal Bill in this 15 Lok Sabha by all the political parties but only the future will reveal the answer to the question as to what extent a Lokpal will be able to keep a check on the corruption.

My considered opinion is that only the politics and the politicians can effectively check corruption because

in a democracy the ultimate responsibility rests with the elected representatives and the bureaucracy is only means.

[English]

*SHRI BHAKTA CHARAN DAS (Kalahandi): Panchayat, Zila Parishad, Nagar Palika and Nagar Nigam must be included in the Lok Pal. We must acknowledge that the village Panchayats is the foundation and back bone of our democracy.

There should be a provision for quota. The quota must be fixed for Dalit, Tribal, OBC, Women and minority section in the formation of the Lok Pal.

Detection or recovery by the Lok Pal should directly go to Government exchequer; not to Lok Pal. Budget of Lok Pal should be separately managed by the Government.

Whistleblowers should be protected. In case, the whistleblower is found wrong or in an act of blackmailing, there should be a provision of punishment and fine for such acts.

In the process of selection of members for Lok Pal, the Government has suggested four members from the Government and five members from Non-government. It can be further reviewed.

But suggestions of Jan Lok Pal to select national and International awardees as members in the Lok Pal must be reviewed. Instead, people engaged in social movement of dalits, tribals, backward communities, regions etc. should be considered.

Public feedback should be taken from the Panchayat and not only from the electronic media. It is necessary to include the feedback of common people on Lok Pal besides the elite through Panchayat.

There should be provision to challenge the decision of the Lok Pal in the court of law. It should be done on fast track in the High Court and this is the core of natural justice.

[Translation]

*SHRI JITENDRA SINGH MALIK (Sonapat): I would like to make the following suggestions to the Government.

*Speech was laid on the Table

Employees of all the levels should be brought under the ambit of Lokpal Bill, Citizens Charter should be made and Lokayuktas should be appointed in all the states.

Today, the common man is pointing fingers at the Parliament and Members of Parliament due to corruption rampant in the Government offices at Central, State and district level throughout the country. Today, the common man has to run from block, tehsil, police stations to other Government offices for their day to day work. The accountability of the officers is not fixed. Therefore, by making a provision in the Lokpal Bill to this effect, the tasks of common man will be carried out within a fixed time period and with ease and the corrupt officers will remain under check.

Citizens' Charter should be implemented in all the offices of the Union Government and the State Governments and it should be uploaded on net for the convenience of common man.

Lokayuktas should be appointed in all the states on the lines of Lokpal at centre which will curb corruption in the states. My several colleagues have pointed out and I am also of the opinion that Lokpal should be set up as an independent entity so that Lokpal can save itself from falling corrupt. With this, I conclude my speech.

[English]

*DR. TARUN MANDAL (Jaynagar): At the outset, I would like to express my deepest concern regarding the deteriorating health condition of Shri Anna Hazare, who is on the 12th day of his continuous fast. I met him and his team at Ramlila Maidan along with veteran Trade Union and SUCI (Communist) Party leader Com. Krishna Chakraborty, last evening and have witnessed the ocean of unflinching support the nation is pouring on him, on his battle against corruption, oppression and deprivation of Aam Admi. Being a medical doctor also, I can understand what sort of stress and strain this 74 years old but young man of indomitable spirit has been enduring for a great cause of the oppressed people.

I do consider, Madam, the onus of prolonging this agitation led by Shri Anna Hazare and his team lies primarily on the Union Government led by INC. It could not realise the pain and sufferings of people of larger Bharat, not India, which have turned into the moral and physical strength of this great people's movement. The

Government thought Anna is one but 'of late' Government and many other political outfits could realise Anna is Hazare, which means in thousands, in millions, in crores in this battle for the people against corruption.

It appears from the statement by the Leader of the House that the movement's leadership could realise the paraphernalia's and nitty-gritty of Parliamentary procedures and has come out with more practical approach for consideration of the Government and of Parliament. But the Government and the Ruling Party seem slow and reluctant to react realistically to end the impasse. Parliamentary democracy does honour legitimate demands of democratic movements and meet it with all sincere efforts. Legitimacy of a matter cannot be suppressed by the inadequacy of legality or legal void of a system.

Nothing can be superior to conscious and organised people's power and will, which history has proved time and again. Even, Parliament and Constitution are not sacrosanct and unchangeable. People's power does alter the composition of Parliament, complexion of Governments and amend or add to the Constitution.

I failed to understand what actually emboldened the Government to change its stance after the all-Party meeting of 24th August, 2011. Whether there were elements in the intention and submissions of the political party leaders, mainly from the Opposition, which did help the Government to belittle the strength of the people's movement in the false apprehension of losing superiority of Parliament. We must ponder over. The entire nation is watching the role played by each and every political party and individual Members of Parliament.

I am in favour of a strong and effective Lokpal Bill to fight corruption and that ought to be instituted at the earliest possible time under exercise of essential procedures with the strong will and active initiative of the Government.

At the same time, I believe, in this decadent capitalist system, which itself is breeding corruption every moment from its inherent profit motive of production for individual gain, the Lokpal may be infested with corruption. Conscious, organised, vigilant people's committees at grassroots' levels can be sole guarantee to check and contain corruption.

I advocate also, inclusion of corporate, private companies, NGOs and Media Mughals to bring into the ambit of Lokpal with necessary addition of tooth and nail

into the Bill. The Prime Minister, as many more said, with MPs be included within Lokpal, which will only enhance our dignity and credibility. The 'formula', which Anna Team' spearheading the people's struggle has put forward to end fasting of Sri Anna Hazare – I support fully and appeal to all hon. Members to endorse it in entirety.

To include all Government employee, to frame citizens' charter for redressal of Public grievances and formation of Lokayukta in states with Lokpal at the Centre will be genuine and practical measures and effective lively organs of Lokpal. Let the House support them unequivocally. 27.08.2011 393

I appeal to the Leader of the House to immediately convey this consensus to Anna Hazareji and help to end his 12 day long fast. His health and wellbeing is also our supreme priority and we wish him long healthy life to continue his fight against the evils of price rise, unemployment and many others as well.

*SHRI PRASANTA KUMAR MAJUMDAR (Balurghat): The development in the capital for the last couple of weeks is very remarkable after the independence. The havoc wave of Anna Hazare issue is getting its strength. It is gaining more and more solid ground day by day. It seems to me that the present UPA Government has surpassed all previous records of corruption. The image of Dr. Manmohan Singh as the Prime Minister is under scanner. Being the Head of the Government he cannot avoid responsibility.

The arrest of Anna Hazare and subsequent handling of the issue is blame worthy. It brings all sections of people specially middle class and young generation closer to Anna. He was able to capitalize on public sentiment to strengthen his fast movement.

Our party R.S.P. does not support this way of handling the whole matter. We reiterate our stand of Parliamentary supremacy from all corners specially enacting a law but our view is that the issue is very pathetic. This is due to rampant corruption in every sphere of life. For this we strongly like to remind all about the factor of liberalization and privatization of early 1990s leads to corruption.

As a result of this attitude even the profitable public sector enterprises like mine, petroleum production, raw materials and many natural resources are sold to private and multinational firms.

The so called liberalization and privatization paved for rampant corruption. A section of bureaucratic tie up with the ruling politicians and big industrialists almost everywhere and involved in misuse of public property.

The judiciary is also under question mark. Even we see the incident of impeachment of a sitting judge in the Parliament. That 2G-spectrum scam shows how limitless corruption can be. Again the Swiss Bank money controversy is very much fresh in our memory. The young generation and civil society can not accept this. So, there is such an extreme agitation for the Lok Pal Bill.

My party's stand is that the public opinion should not be ignored. If there is logic of the civil society movement it should be considered. There should be no haste while drafting such an important bill. We strongly believe that at national level, effective, strong and genuine Lok Pal Bill is highly essential even the Prime Minister should be brought under its purview and all government officials should be brought under the purview of Lok Pal. There is also the need of a National Judiciary Commission.

A state level Lokayukt Bill should be passed. All bureaucrats and even Chief Minister need to be brought under purview.

There is also an urgent need to reform the election procedure to check the infiltration of money power. The Government should constitute an independent prosecution commission to take action against persons indulging in corruption.

Now to overcome the situation of unrest, the existing draft bill of Government should be abandoned. In its place a consensus oriented all parties draft including ruling parties, opposition parties and civil society should be taken into consideration so that we frame an effective strong and creditable Lok Pal Bill, through Parliament which will uproot the corruption in all sphere of life.

Anna is fighting against corruption in right direction so we appeal to the government to accept his demands and also appeal to Anna Hazare to end his fast.

[Translation]

*DR. ARVIND KUMAR SHARMA (Karnal): The agitation of Shri Anna Hazare on Lokpal/Jan Lokpal particularly his fast has created unprecedented, strange

and extraordinary circumstances in the country. All countrymen irrespective of caste, religion, region or category are looking at Parliament with a hope. They still see a ray of hope in their representatives. The advocates of the Parliamentary system of democracy in the world are also patching us with a hope as to how the Parliament of India comes out of this unprecedented crisis. Hon. Members of Parliament and this House have faced deep crisis in the past also. Extraordinary decisions have also been taken in the exceptional circumstances. I believe that this House is fully capable even today and will come to an effective and unanimous opinion on Lokpal.

Whereas on the one hand this fast has drawn the attention of the whole country towards the issue of corruption, it has raised fingers on the dignity and relevance of Parliament and the Members of Parliament simultaneously. Now, the House has to consider and see as to how dignity of the Constitution and the Parliament is maintained while putting a stringent check on the rampant corruption.

Lokpal is one of the measures to curb corruption in the country with various other measures whether it is within the frame of constitution or outside it. If need be, the Hon. Members of Parliament should muster up the courage and should not backtrack from amending the Constitution in the public interest. Besides, I would humbly like to submit before the House that we should remember that Judiciary, Executive and Legislative supplement each other in our Constitution and keep a harmonical balance.

I believe that each Member of Parliament and the whole House want stringent and effective steps to be taken to remove corruption from public life be it in the form of Lokpal or some other form. I have no hesitation in admitting that some mistakes may have been committed by hon. Members of Parliament in the past otherwise we would not have been witnessing these days. For us, the life of each person is precious and valuable. Shri Hazareji has awakened this country by raising the issue of Jan Lokpal. We should not be left behind in thanking him. The Government exists because of the people and if Government is there, the problems also exist. The Government should consider the issue in terms of public interest with a lot of patience.

I am glad that both the Houses of Parliament and the Members of Parliament have great concern about putting an end to the fast of Shri Anna Hazare as well his sound health.

I am grateful to the hon. Prime Minister Dr. Manmohan Singh and the UPA Government as well as all the members of this House for posing faith in open discussion on Lokpal issue. I strongly support the viewpoint expressed by Shri Rahul Gandhi on Lokpal and the issue of corruption as well as other problems related to the country's welfare.

The poor, the unemployed, women, dalits and farmers should be able to avail the full benefits and rights of the public welfare schemes, being run under the leadership of the UPA chairperson Smt. Sonia Gandhi and the Prime Minister, in a timebound manner. Crores of poor people too had to become part of the agitation and go hungry due to iheanshan by Shri Anna Hazareji which has been going on for twelve days now, because these people are not able to get even two meals a day. Smt. Sonia Gandhi has strongly advocated implementation of Food Security Act across the country so that the common people and the poor are able to get at least two meals a day. The educated unemployed should be able to get timely employment; the farmers should be able to get fair price for their produce as well as direct subsidy, their basic needs should be fulfilled and they should be able to raise their standard of living. The UPA government is committed towards this goal.

I request the government in a personal capacity that a detailed discussion should be held regarding the three main provisions proposed for the Lokpal Bill by Shri Anna Hazare, viz. formulation of a Citizen's Charter, bringing employees of all levels within the ambit of the Lokpal and consitution of Lokayuktas in all the states on lines of the Lokpal at the Centre and the decision in this regard should be taken with general consensus.

In the interest of the country, I suggest that all the political parties should rise above narrow interests and avoid stirring up issues that would hurt the public interests. We should all read the writing on the wall and all of us in this House should take effective steps to douse the flames of this agitation before it turns into a political wildfire. In the end, I would like to request the House, humbly, to take the initiative to get Shri Annaji to end his anshan at the earliest and constitute a strong and empowered Lokpal.

*SHRIMATI PUTUL KUMARI (Banka): Today; we have becomes characters in a historical event. The MPs have an important role to play in the Lokpal Bill being

discussed today. The Lokpal Bill has been presented in the House eight times before but could not be passed. In this fifteenth Lok Sabha, discussion is being held for the ninth time on this Bill. Today, all of us MPs and the public, are keenly observing the turn of events. People not only within the country but also abroad are keeping an eye on the role we play in this regard.

The entire country has united against corruption. They can see only one solution to the problems of unemployment, poverty, inflation and various ills affecting the country which is elimination of corruption. People have come to the conclusion that Lokpal is the key to resolution of all problems. Corruption or *Bhrashtachar* is the combination of two words—*Bhrashta* and *Aachar* which means wrong conduct. This means that anyone whose conduct is wrong is corrupt. Who all can be included in the scope of this definition? What should be the definition is a big issue.

Today we are discussing three major points of the Lokpal. But would a discussion on these three points or passing of the Lokpal be able to end corruption? Would the 70 percent middle class or poor people who want to be rid of corruption be included in this? I believe that the lower courts, the media, NGOs, the private sector and lower rung bureaucrats should also be brought within its ambit. We have to expand its scope. Only then would a strong Lokpal be possible.

Another thing has come out of this matter which is the faith of the people. The people are losing faith on the Parliament and the public representatives, they are getting disenchanted. We will have to win back the confidence of the people by bringing transparency in our work. Also, I would like to caution these people that the insult of public representatives amount to insulting the lakhs of people of our constituencies whose votes have led to our win, of those people who have sent us here to fight on their behalf.

Out of 365 days in a year almost around 360 days we are surrounded by people who are ill or facing problems. We are with the people of our constituency whenever they need medical help, jobs or many other times of need. We don't have any time for ourselves. We remain with people in all kinds of weather. Suddenly, an agitation starts and all of us are deemed corrupt, thieves and whatnot. There is a saying, '*chane ke saath ghun bhipista hai*', meaning that the innocent suffer alongside the guilty. Everyone is deemed to be corrupt because of a few. I want to say to all those people that civility and dignity is important, they should not lower Anna ji's dignity by using crude language.

With this, I support a strong Lokpal which would live up to the aspirations of the people and also maintain the supremacy and sovereignty of the Parliament.

*SHRI DHARMENDRA YADAV (Badaun): Today the House is discussing about handing over a Bill to the Standing Committee under abnormal situations after giving suggestions and finalizing the draft of the Bill. It is certainly being done overlooking the procedure and rules of the Parliament. The condition of taking decision by the government and their ineffective and flexible attitude may be held responsible for this abnormal situation.

This is a serious issue and hence this discussion should not be confined to a time limit. There are a large number of capable hon. Members in the House, the efforts should be to have their suggestions as far as possible and to include them in the draft of the Bill. This House represents the collective will of the country and hence to consider the draft of Bill prepared by a small group of persons as final will be injustice to the remaining public of the country and it will be a major mistake on the part of this august House.

My opinion is that an extensive discussion should be held in the House on the Lokpal Bill drafted by the government, the Jan Lokpal Bill and the Lokpal Bill prepared by the organization of Shrimati Aruna Roy. Then only any draft should be sent to the Standing Committee of the Parliament. At this juncture I am going to give my opinion about the Jan Lokpal Bill only.

The line related to speeches delivered and views expressed in the Parliament under sub clause E 1 of clause 2 of the Jan Lokpal should be omitted.

The jurisdiction of clause 3 in the Jan Lokpal Bill is unlimited. It should have a clear mention that any clause or clause of this Bill cannot violate any articles of the Constitution.

Sub clause 5 of the clause 4 in the Jan Lokpal Bill should be amended and if should be mentioned that there will be at least 6 members from the sitting and retired judges/chief justices of the Supreme Court/High Courts among 11 members of the Lokpal.

There is a mention about the constitution of Selection Committee in the sub clause 6 of the clause 4 in Jan Lokpal Bill. It should be amended in the following way—

the Prime Minister will be the Chairman of the Selection Committee and the leaders of opposition in the Lok Sabha and Rajya Sabha, the leader of the House other than to which the Prime Minister belongs, two judges from the Supreme Court, the Chief Justice from two big High Courts of the country, the Chief Election Commissioner of India and the Comptroller & Auditor General of India will be the members.

The sub clause 8 of the clause 4 in the Jan Lokpal Bill should be amended in the following way- the Selection Committee will have the right to select all the 10 members of the Search Committee. All the members of the Search Committee will be from the retired Chief Justice and Judges of High Courts, retired Chief Election Commissioner and renowned legal experts with clean image.

The following sentence should also be added to the sub clause 17 of the clause 4 in the Jan Lokpal—the condition is that persons from minorities, dalits and backward classes should be selected in proportion to their population among the persons to be selected for the Lokpal.

The words 'dismissal' and 'removal' should be deleted from the sub clause 'C' of the clause '6' in the Jan Lokpal Bill. The sub-clause 'X' of the same clause should be deleted because the Election Commission itself gets the affidavits of the elected representatives verified by the Income Tax Department.

Sub clauses 5 and 7 of the clause 7 in the Jan Lokpal Bill should be deleted because these two sub clauses will make the Lokpal an autocrat.

The sub clause of the clause 23 in the Jan Lokpal Bill be deleted because it is against natural justice.

My opinion is that Lokayukts should be constituted in states on the pattern of Lokpal. But this right should rest with the legislatures of the states because any interference in the rights of state under the federal system may ultimately prove dangerous for the democracy.

My opinion is that a clause should be added clearly to bring all non-governmental organisations whether they get assistance from the government or not, all pharmaceutical companies and pharmacists all corporations, all government and private fertilizers manufacturing companies, all traders engaged in trade of food materials, electronic and print media also within the ambit of Lokpal besides public servants. My opinion is that the dignity of both the Houses should also be kept in mind.

*SHRI KAMAL KISHOR 'COMMANDO' (Bahraich): In regard to Lokpal/Jan Lokpal Bill I wish to submit that the Bill should be drafted keeping the Constitution in mind. The bill should not jeopardise the interests of the poor, women, dalits, Muslims, backwards and the tribals. I mean that there should not be any tampering with the Constitution.

*SHRI RAJARAM PAL (Akbarpur): Today, I have got an opportunity to give my suggestions on Lokpal bill. The entire country is concerned about the mass protest and movement on corruption rampant in the country, however, merely the introduction of a lokpal bill cannot be a solution as the apprehension once expressed by the makers of the Constitution is coming true after 65 years of independence. They said that howsoever good the Constitution of a country may be if the intentions of its interpreters is *malafide*, everything would be futile. Today, despite so many amendments in the Constitution, the poor are becoming poorer and the country's situation is not getting any better. Social inequality is increasing. The farmers' condition is getting worse day by day. The reason is that the land holdings of the farmers who constitute the majority of our population was controlled by passing the Land Ceiling Act, but there is no legislation for economic ceiling due to which the rich are becoming richer while the poor are becoming poorer. There is a need to bridge this inequality. This results in growing indifference towards democracy and the eventual decline in voting percentage. The people have become sceptical and they doubt if their vote would be of any use.

It is merely 25% to 30% in urban areas and nearly 40 to 50 % in rural areas. The voting percentage cannot be increased merely by passing a legislation. Only making people accountable for democracy can raise voting percentage. Today, despite so many years of independence 80 per cent of the population does not understand the meaning of democracy, while it clearly meant 'Government of the people by the people and for the people'. The people were divided on the grounds of castes, religion, parties and greed overpower them, and the system started dominating. Unfortunately, people do not accept the Government are two different things. That is why the people have neither faith in nor attachment with public property. We have been saying it for years that only 10 paise out of Re One spent by the Government percolate down to the masses. Due to this reason majority of population begs for even basic amenities from the

Government. The entire House holds thorough discussion on poverty alleviation during each session, however, it has never been translated into reality. As a result only a few people fed up with corruption have come out on street and for the first time people feel that it is public, not the system which is supreme.

I would like to give a suggestion to the Government not to treat the people as beggars. It should understand its accountability to the people. Today, the House should deliberate upon the poverty eradication schemes formulated by the Parliament the benefits of which could not accrue to the actual beneficiaries. I suggest that these schemes should be closed. Every voter of the age of 18 years or above should be made to open a bank account and his share in national prosperity must be deposited directly in his account so that he can meet his basic needs of food, clothing and housing, education and medical benefits without any middlemen, without any grace/obligation of the Government which would create a sense of belonging in him and make him accountable to democracy generating the feeling of nationalism and mitigating corruption.

110 Members of Parliament made a petition in 14th Lok Sabha pleading 50 per cent of national income to be deposited directly as voter pension to fulfill basic needs like food, cloth, shelter, education, medical benefits for each voter, passing votership legislation and opening bank account of every voter above the age of 18 years depositing 50 per cent of national prosperity directly in his account. Every person should be given an A.T.M card as his right so that an old father, a wife, a handicapped brother does not have to beg from his family member when a person would study directly from national income, the nation would be governed by the people then nationalism would flow in his blood and he would be accountable to democracy and dedicated to the nation.

If you look at the agitation of Annaji or the rising urban or the crowd of educated youth, there seems to be utter darkness in front of them, if we could not provide them their rights towards the nation well in time, this agitation of poor and unemployed will spread like a fire and engulf big mansions.

Towards, several schemes in the name of removing poverty running in the whole country like old age pension, widow pension, handicap pension, mid-day meal, marriage grant, unemployment allowance, Employment guarantee scheme, relief, disaster relief are not reaching

the masses and other 90% of their funds are being looted away in corruption. All this should be discontinued so that the massive corruption can be removed. Thus, Lokpal Bill for checking corruption should be brought in the august House otherwise mega corruption will prevail. We should discontinue all the schemes leading to corruption and make the people accountable to the system so that corruption can be checked. I support this Bill and request Annaji to end his fast.

*SHRI DHANANJAY SINGH (Jaunpur): Discussion is taking place in the House on the statement given by the leader of the House in the morning and this discussion is important in many ways. An atmosphere was building up against corruption in the whole nation for the last few months and several big scams happened due to the policies of the present Union Government which the Government utterly failed to redress and the surfacing of scam is still continuing. And this continuity of atmosphere of corruption for a long time turned into peoples agitation. It is important to say this because some social organisations the country have come under wrong impression that the people are with them and they are setting this country free of corruption. I am saying this and want to make it clear also that this atmosphere prevailing in the country has build up due to our shortcomings weaknesses and negligence and not because of any merit of anyone. Therefore, no one should be under any wrong impression but the various expressions used by the so called "civil society" persons, whose names I don't want to disclose, in the last few days are certainly condemnable. Had the political class not kept patience about the conduct and statements of such people, anarchy would have definitely prevailed in the country. Therefore, through this House I want to give advice to Anna Hazare and his colleagues to hold their tongues and do some Social Service and awaken the poor people regarding their rights and duties by travelling length and breadth of the country. They should learn something from Vinobaji. 75 percent of the people of this country are unable to understand the concept of citizens charter they are talking about. This is important because any law can become successful only when the people are able to know and understand the same.

In a democratic system electoral democracy goes simultaneously with participatory democracy whose role is being played by Anna Hazare and his colleagues. I oppose this trend of the gathering of 10-20 thousand

people somewhere and heaping their haughtiness and arrogance on the House and the Government. If this trend continued, then some day more than one crore Naxalites will also gather in Delhi and get the Government to toe their line. I believe that if we allow the existing institution functioning in this country to work in an effective, transparent and independent manner, we will certainly be able to succeed in curbing corruption.

I felt glad to listen to the speech of Smt. Sushmaji in the morning in which she called the situation arising out of the anger of the people a public movement. I would be very happy if this public agitation takes the form of a movement because till now it is merely the anger of the people. I would feel very sad if this agitation vanishes after being celebrated in the form of a festival and feast because the anger of the people has taken a national dimension on some issue after a very long time.

Today, the tangible thing which should have come out of the whole discussion in the end failed to do so. This should have been emphatically discussed in the House as to what type to bring forth and this message should have been conveyed to the nation that we want to give a better law compared to the civil society which can get the people of this country rid of corruption. I have some valuable suggestions.

Whenever the Lokpal Bill is introduced in the House, the bill should have a provision about the personnel working under the Lokpal and a clear financial provision for the amount to be spent. Besides, it should also be decided as to who will be working with the Lokpal.

To root out corruption from lower bureaucracy the committees of the Lokpal bill should be constituted at district level in the entire country after consultation with the Lokayuktas of states. There should be at least 10 members at district level.

Public participation should be ensured through the Lokpal. Public monitoring committees should be constituted in all government departments.

The Prime Minister, defence, internal security and foreign policy should be kept outside its purview because the affairs of a powerful nation are run not by ideas but by diplomacy while the society is run by ideas.

Some mechanism will have to be prepared to create awareness among the poor, labourers, helpless, illiterate people to understand the Citizen Charter.

The formation of any institution is set up on the basis of very high moral standards, but in course of time institutions, start getting misused. It should be kept in view.

If private sector is not included under the purview of Lokpal in the era of liberalized economy, corruption cannot be rooted out, because 80 percent economy of this country is controlled by this sector only and moreover this sector manipulates the decisions of the government in its favour whether it is the matter of introducing decontrol system in petroleum products or the matter of allotment of 2-G Spectrum.

Media, religions trusts, NGOs numbering around 20 lakhs in the country should also be brought under the purview of Lokpal.

I do not negate the Jan Lokpal bill but I do not agree to the entire bill also and in the end I would like to say one thing as Gandhi Ji had said. *[English]* "We get the Government we deserve, when we improve, government is bound to improve." *[Translation]* This sentence of Gandhi Ji has full implications, hence we shall have to create awareness in the society.

[English]

*SHRI THANGSO BAITE (Outer Manipur): Lokpal Bill has been moved by the successive Governments nine times irrespective of parties or Governments, whether it is Congress, BJP or other, but failed to get through. Now recently a section of the people vigorously attempting to get the said Bill passed, by applying pressure from outside and inside Parliament and has given a time to pass the said Bill. They want the Prime Minister, MPs and judiciary to come under the purview of Lokpal Bill India inherited Parliamentary form of Government with balance of power between Legislature, Executive and Judiciary. so that nobody have Govt.'s power exclusively.

India is a Parliamentary form of Government and the largest democratic country in the world. Parliamentary system of Government implies people's Government, and any attempt for subordination and degradation of Parliament will not be compromised as stated by Hon'ble leader of the House Shri Pranab Mukherjee.

The supremacy of Parliament is the spirit of parliamentary form of Government To bring Prime Minister, MPs and judiciary under the purview of Lokpal, pertains

to change of the forms of Government as the basic structure of the Indian Constitution is being changed. In such a case what form of government we are going to have?

Lokpal in case is accepted and is passed by the Government that will be the end of democracy because the elected people of body would be accountable to an appointed or nominated body i.e. Lokpal.

Corruption is no doubt a chronic ill of the society, but it is an entity of our social phenomena can be dealt with by other Government agencies by giving more powers..

The present form of Government is the outcome by struggle of Indian National Congress, no any alteration and change will be compromised. Our leaders have chosen and implanted the best form of Government. 27.08.2011 416

*DR. THOKCHOM MEINYA (Inner Manipur): I would like to express my views on the statement made by hon. Leader of the House, Shri Pranab Mukherjee, today in the House. Today is really a historic day. Almost all of us cutting across party lines join together for enacting a strong and effective Lokpal Bill in the country. I do join all of you to appeal to Shri Anna Hazare to end his fast.

It is my personal view that Shri Anna Hazare had the best time to end his fast on the 25th last when the hon. Prime Minister, the hon. Leader of Opposition, the hon. Speaker and the whole House wholeheartedly and unanimously appealed to him to end the fast. It did not happen.

We stand for the supremacy of the Parliament for legislation. The separation of power between Legislature, Judiciary and Executive as enshrined in the Constitution of India cannot be undermined. On this issue, there has never been any difference between the Government and the Congress Party in terms of policy and governance.

The three issues as raised in the statement of the hon. Leader of the House are whether the jurisdiction of the Lokpal should cover all employees of the Central Government; Whether it will be applicable through the institution of the Lok Ayukta in all States; and whether the Lokpal should have the power to punish all those who violate the "grievance redressal mechanism" to be put in place?

These are important and require serious consideration keeping in view the supremacy of the Parliament and the Constitution of India. Hence, the first issue is quite OK. The second issue should be taken into consideration the federal form of the Union where the federating States should be given the power to legislate as per the provisions of the Constitution. The third issue is very delicate, where the rule of law and jurisprudence shall have to be followed. Let us hope for the best.

I do appeal to Shri Anna Hazare once again to end his fast keeping in view the openness of the UPA Government on the issue of fighting against corruption and also to legislate a strong, powerful and effective Lokpal Bill. I suggest that today's proceedings in the House may please be sent to the Standing Committee for the consideration of the Committee.

[Translation]

*SHRI PAKAURI LAL (Robertsganj): I support that a strong Jan Lokpal bill should be enacted. The staff and officers at the lower rungs of the departments should be brought under the purview of Lokpal who have made the schemes of the government corrupt by spreading it in their functioning. The poor public and the general public have lost faith in the government and the schemes of the government. People are becoming victims of corruption and are resorting to naxalism and any other illegal activities and moreover the gap between man and man is increasing.

Land record officer including Lekhpal, tehsildar, SDM should be under the purview of Lokpal. Village Department Officer, C.D.O, B.D.O. should be under its purview. Land mafias and owners of private factories should be under its purview. Teaching, doctors and police, etc. who are involved in financial development should also be under its purview.

*SHRI JAGDAMBIKA PAL (Domariyaganj): Today it is a historic moment for the House when the special session is not only going to become the witness of this historic movement but also to create a history. The Lokpal bill has remained pending before this House for the last 42 years. This is a historic moment is not such when we should resort to allegations and counter allegations but the House should not hesitate to accept it with an open mind. Earlier the House somehow could not pass the Lokpal bill as per the public sentiments due to which the

people are agitated today. This is a reality that people in the country are badly affected by corruption, they are badly affected in some way or the other due to corruption at every level in their day today life. Today the people have to face corruption while getting their ration cards, birth certificates, old age pension and license and going to a patwari or police station, therefore, a public movement is going on under the leadership of Shri Anna Hazare to get the Lokpal bill passed by this House. As per the need of the house, the hon'ble Prime Minister Dr. Manmohan Singh Ji said from the rampart of the Lai Quila that his government would bring an effective and strong Lokpal bill. Where the hon'ble Prime Minister said that he would bring a strong Lokpal bill, Shri Rahul Gandhi said about constituting a constitutional Lokpal. He said that Lokpal should be constituted as an independent constitutional institution on the pattern of Election Commission to give a concrete form to the sentiments of the people in a real way.

From this it is clear that not only the Congress and the UPA but the Indian National Congress party, as representatives of the people of the country, is also committed to eliminating corruption and establishing Lokpal as a completely independent constitutional institution. The Jan Lokpal Bill has incorporated many points from the United Nations Convention against Corruption., The then Secretary General, Kofi Annan, wrote in the Foreword to UNCAC that corruption is becoming an obstacle to development the world over. The poor are the most affected. Corruption is proving to be a hindrance in providing basic facilities to the people and elimination of poverty. The Congress and the UPA government took the initiative to sign the international treaty on United Nations Convention against Corruption which shows its commitment to proactive involvement in the campaign against corruptions. Hence, NGOs and the private sector have also been included under the Lokpal Bill whereas corporate houses, media and NGOs were not included within the ambit of the Jan Lokpal. On the one hand, BJP is saying that the government should withdraw the Lokpal Bill and present the Jan Lokpal Bill and, on the other hand, the BJP government in Gujarat has challenged the appointment of Justice R.A. Mehta as Lokayukta, by the Governor of the State, in the High Court. Lokayukta has not yet been appointed in Uttarakhand, Bihar and Jharkhand. All these states are governed by the BJP, so, do not create dispute in this regard. Today this House should send out the signal that rising above petty politics, the entire House is committed to bring this Bill to fight corruption.

The House is witness to the fact that it has always paved the way for finding solutions to the basic problems faced by the country. Today, this House has formulated a legislation for providing employment to the poor. This House has allocated 40 thousand crore during the current financial year for those who are above 18 years of age. Similarly it has formulated laws for Right to Information and Right to Education. This House took cognisance of the health of Shri Anna Hazareji recently and unanimously appealed to him to end his *anshan*. The Prime Minister, leader of the Opposition and the hon. Madam Speaker appealed to him on behalf of the House but Anna Hazareji still continued the *anshan*. Today, respecting the sentiments of Annaji and the people of the country, the House is again discussing the main three points being emphasised by him. The sense of the House is that it is favorably inclined towards a strong Lokpal Bill. The main three demands of Shri Anna Hazareji are the appointment of Lokayuktas in the States, Citizen's Charter and bringing the lower level officers and staff within the ambit of the Lokpal Bill. Today the Congress government is strongly inclined to bring a strong Lokpal. Consequently, after continuous meetings of the GoM with five members of the civil society, 34 of the 40 important points have been agreed upon. Perhaps it is for the first time that the Bill has been amended to include 34 points by the Congress government. Shri Anna and his team have agreed that the Union Government has acceded to the majority of their demands regarding the Jan Lokpal Bill. The fact is that there was a dispute only about three points and the House is giving consideration to these points also and the government will include the sense of the House and refer these to the Standing Committee for consideration.

The public is supreme in a democracy and this hon. House formulates laws in accordance with the public sentiments. Today, this House is once more creating history. The faith of the people on the House will be established and democracy will be strengthened.

In the end, I appeal to Shri Anna Hazare to end his *anshan*, and repeat the commitment of the House and the government towards elimination of corruption. The government agrees in principle to the demands of Shri Anna Hazare.

[English]

*DR. PRASANNA KUMAR PATASANI (Bhubaneswar):
We support a strong Lokpal Bill, which will remain within the frame-work of Constitution and will not be superior to

the Parliament. We support Anna's demand to bring lower bureaucracy under the purview of Lokpal. We also support to have uniform Lokayukta laws at state level. There should be a tool to remove Lokpal, if found guilty and corrupt. Parliament should be empowered to impeach the Lok Pal. A special desk be created in the office of CJI to look into the complaints against the Lokpal, lodged by common people. The CJI must take immediate cognizance of the complaint. We support Anna's method in selection of Lokpal. But there should be a provision by which a common man can seek redressal against the verdict of Lokpal/Lokayukta. A time frame should be decided for the investigation and enquiry of complaint filed by a citizen. Legal assistance should be made available to a poor complainant. Behaviour and voting of MPs/MLAs should be kept out of the ambit of Lokpal. CBI and judiciary should remain out of Lokpal and should come under separate bodies on the lines of Election Commission. No hurry should be made in passing the Bill. A special session should be called in October for consideration of the Bill.

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): Madam Speaker, first of all, I would like to express my deep appreciation for all the hon. Members and as I understand, up to now, 27 hon. Members of this House have spoken since 11 o' clock. Most respectfully, I would like to request the hon. Members to take their seats because 27 Members have already spoken. I do appreciate that many more Members wanted to express their views. Unfortunately, we could not do so because there is constraint of the time. Mr. Bwiswmuthiary, please take your seat. This is the constraint of the time. There is an occasion where we shall have to deliberate and hold a discussion because the issues which we are discussing today is not merely an academic exercise, theorization because I am told that the views of this House, as they are being expressed by various speakers, may lead to a situation where somebody will take an important decision. Therefore, in that context, this debate has assumed a larger dimension. That is why, in the morning I stated that it is not my intention to score any debating point; it is not my intention to pass on blame to anybody. I just stated the factual position from day one, in which we tried to handle the situation. ...*(Interruptions)* It may be; you may call it bungling; you may call it mismanagement. I will not quarrel with you. And I have no intention of joining issues with you. The short point which I am trying to drive at, I am repeating it; recalling it, on 5th of April, Shri Anna Hazare decided to go on fast indefinitely.

The issue on which he was agitating, none of us sitting in this Chamber can say the issue is not important, none of us can say the issue is not to be addressed, none of us can condemn or criticise the person who has raised this issue even at an old age, taking the risk of endangering his life – you may call it, we have bungled, I will accept it. But in that context, immediately the Prime Minister decided, through his interlocutors, to discuss with the representatives of Shri Anna Hazare that what can address his concern, what mechanism we could evolve and the mechanism was suggested, which I indicated in the morning and it was the Joint Drafting Committee. We have been criticised, there is no doubt about it.

But at the same time, please remember that in the largest functional democracy of the world, encompassing 120 crore plus people, it is not necessary that always we shall have to move in the conventional strait-jacket way, mechanical way because it is the largest functional democracy ...*(Interruptions)* Please, most respectfully I would like to submit that we can have some control on our tongue, Heaven is not going to fall, you are going to be here tomorrow, you can use as much abusive languages as you prefer to us; only for today's sake, I am requesting you with folded hands not to do so.

Therefore, it was decided like that. Yes, it is a non-conventional way. I am not a new Minister. I know how Government functions. Normally, legislation is drafted by the Ministry through the help of the civil servants. After that, with inter-ministerial consultations it gets the approval of the Cabinet. Then it is brought to the House and after that, it is sent to the Standing Committee. The Standing Committee has come into existence from 1991, but in the history of Indian Parliament, from 1947 to 1950, it was the Central Assembly, from 1950 onwards, it was the Provisional Parliament and from 1952 onwards, it is the Lok Sabha. In 1991, the Standing Committee came. Before that, there was a process of Select Committee. Even when the Bill is being introduced, any Member could get up and move a Motion asking for the Bill to be circulated for eliciting public opinion. That was the conventional way in which we were making legislation.

But recognizing the fact, admitting our own lapse, if we could not bring Lokpal, it is our lapse. I was a Minister in the 1970s, in the 1980s, in the 1990s and yes, during our time we could not do it. As Sushmaji has admitted, during their time also, the Bill was introduced twice. Even in 1996, when the United Front Government was there, of which Mr. Gurudas Dasgupta's Party was

a participant, they also could not pass it and it happens sometimes. We recognize that for 40 years, legislation could not be passed. Therefore, if somebody is making an agitation, sitting on fast and demands a particular mechanism, through the process of consultation we agreed. We tried; we tried our best. It is unfortunate that we could not agree on all points. But there were substantial agreements. As I mentioned, out of 40 basic principles on as many as 34 there were agreements; on six, there were differences.

I sought the opinion of the others. In democratic process we shall have to always create a situation where there will be give and take. I thought in that process we would be able to resolve it, but we could not. We have to go through the process and it is not new, I made clear from day one that this is prior consultation before the normal legislation making process begins. Thereafter we will follow the entire legislation making process in the usual course and we did so.

Yes, it may not be up to your expectation, you are free to say so. Whatever was incorporated in the Bill would be subjected to the scrutiny of the Standing Committee, it would be subjected to the scrutiny of this House and thereafter with your approval, with the approval of the House, it would be passed. If you want to include Prime Minister, you will be free to do so; if you want to delete any provision, you will be free to do so; and if you want to strengthen it by making any amendment, you are free to do so.

So, what is so grave that a particular Bill is to be withdrawn or a particular Bill, which has been introduced, to be burnt publicly? That is, of course, not the democratic way. There should be a distinction between mobocracy and democracy.

In democracy, individuals should have the right to express their views and also their dissent. You may not like it, still that is true. I am not going to recount again what because in the morning I did so—I will like to share some information with the hon. Members. I am not making any comment on the Bill because in this Bill—as I mentioned, which we have placed for the consideration—a substantial number of principles, basic ideas, basic values of the Jan Lokpal Bill have been incorporated in the our language.

The six issues where we have differences, there also we hoped that it would be possible to have some agreement and we were working on it. But unfortunately,

thereafter the line of communication was snapped. We were threatened with the agitation that this Bill was to be passed by 15th August, which I found that with the Session starting from 1st of August, and by 15th August it might be difficult.

Therefore, when the actual fasting started, again the line of communication was started and we tried our best. We shared in the morning what happened chronologically. Corruption is an important issue, but does anyone of us believe seriously—not to score a debating point—one piece of legislation, however, powerful and effective it may be, however, independent and empowered it may be that piece of legislation will completely eradicate corruption? There is a need for the change in the system and we are doing so.

I can give you one example. In my own Department, there was a constant complaint—Shri Yashwant Sinhaji will agree with me—in regard to the refund claim of the taxpayer. And, as a result—in technical term our people are talking of; I did not hear the English term 'electronisation' in my school days—through electronisation, through the use of IT platforms and net banking, we have been able to ensure the IT refunds to the extent of more than 37 per cent. There the tax collectors and the recipients of the refunds do not come face to face; everything is transacted through electronic mechanism. These are the systemic changes we are wishing on.

We are hoping that by next year, by March 2012, 20 crore people of this country will have Unique Identity Number and Mr. Nilekani is assuring us that he would be in a position in the next two to three years to provide the Unique Identity Number to all the residents of India, not merely the citizens but to all the residents of India. That itself would create a new system of identities and individual discretion will be eliminated substantially.

We have introduced the PAN card in the area of taxation. The same PAN card can be used for all sorts of taxes from commercial tax, Sales Tax, to Goods and Services Tax if introduced, in GSTN. So, these are the systemic changes which we are trying to bring about. It is taking time. Sometimes we are slow.

Therefore strong legislation is needed. Strong, powerful institution to supervise the effective implementation of the legislation is needed. At the same time, a systematic change is needed. This is the area where we shall have to work collectively now.

I have not listened to all the speakers sitting here but they should not have the feeling that I did not listen to them. Yes, I had to sometimes consult the various leaders because this is an important debate. I must appreciate substantially the hon. Members who have participated. They have shown sensitivity to the occasion, risen to the occasion, and have raised the level of the debate. Acrimony which we see normally has been reduced substantially because, as I mentioned, it is not merely an academic, a theoretical discussion. We are trying, through this debate, to resolve an important issue, an agitation carried on by a very respectable leader having very broad support. And, at the same time, being the Members of the Parliament, we take oath by the Constitution to abide by the Constitutional norms and principles, to protect the Constitution, we shall have to abide by the Constitution which we have received from Baba Saheb Ambedkar. One young man, little impatiently was saying, but for Baba Saheb Ambedkar, perhaps he would not have entered into this House. But, without Baba Saheb Ambedkar, Pandit Jawaharlal Nehru and other founding fathers of the Constitutions, I can assure that hon. Member that not only he, perhaps as a village boy I could have never entered into this Chamber. It is because it is possible today, even when we are seeing major changes which are coming in the horizon of Indian politics, the people coming from those sections of the society which could never imagine 50 or 60 years ago to assume the high offices which they are holding. It is the contribution of democracy. It is the contribution of the constitutional mechanism. It is the Constitution which has been just described by Sir Anthony Eden as the biggest *Magna Carta* for socio-economic transformation which is the Indian Constitution.

Therefore, it is our responsibility to abide by the Constitution to ensure that there is no conflict with the

desire of the people who are our masters, there is no question of conflict. Our democracy is powerful enough, strong enough and flexible enough to accommodate various view points. It can allow various thoughts, various pools of thoughts to develop, to flourish and it has done so over the years.

Madam Speaker, what I understand from the observations of the various hon. Members who have participated in the debate, and if I can convert it into the sense of the House, then perhaps I can convey the sense of the House in the following words:

The House discussed various issues relating to setting up of a strong and effective Lokpal.

This House agrees in principle on the following issues: Citizens Charter, Lower Bureaucracy also to be under the Lokpal through appropriate mechanism, and Establishment of Lok Ayuktas in the States.

Madam Speaker, I will request you to transmit these proceedings to the Department-related Standing Committee for its perusal while formulating its recommendations for the Lokpal Bill.

Thank you, Madam Speaker. Once again I thank all the distinguished participants.

MADAM SPEAKER: The House stands adjourned to meet on Monday the 29th August, 2011 at 11.00 a.m.

19.48 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Monday, August 29, 2011/
Bhadra 7,1933 (Saka).*

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