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COMMITTEE ON ETHICS
FOURTEENTH LOK SABHA

SECOND REPORT

(Presented to the Speaker, Lok Sabha on 24 August, 2006)

(Laid on the Table on 25 August, 2006)



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LOK SABHA SECRETARIAT
NEW DELHI

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PERSONNEL OF THE COMMITTEE ON ETHICS
(2005-2006)

- Shri Chandrashekhar — *Chairman*
2. Shri L.K. Advani
 3. Shri Manoranjan Bhakta
 4. Shri Anant Gangaram Geete
 5. Shri Gurudas Kamat
 6. Shri C. Kuppusami
 7. Shri Rasheed Masood
 8. Shri Madhusudan Mistry
 9. Shri Mukeem Mohammad
 10. Shri Rupchand Pal
 11. Shri Bachi Singh 'Bachda' Rawat*
 12. Shri Vijayendra Pal Singh
 13. Shri G.V. Venkatswamy
 14. Shri C.H. Vijayashankar
 15. Shri Devendra Prasad Yadav

SECRETARIAT

1. Shri V.K. Sharma — *Joint Secretary*
2. Shri Ravindra Garimella — *Under Secretary*
3. Shri Ashok Sajwan — *Under Secretary*

*Nominated *w.e.f* 21.07.2006 *vice* Shri Shivraj Singh Chouhan resigned his seat in Lok Sabha.

PERSONNEL OF SUB-COMMITTEE OF
COMMITTEE ON ETHICS
(2005-2006)
(14th Lok Sabha)

Shri Manoranjan Bhakta—*Chairman*

MEMBERS

2. Shri Anant Gangaram Geete
3. Shri Rasheed Masood
4. Shri Rupchand Pal
5. Shri Vijayendra Pal Singh

SECRETARIAT

- | | | |
|----------------------------|---|------------------------|
| 1. Shri V.K. Sharma | — | <i>Joint Secretary</i> |
| 2. Shri Ravindra Garimella | — | <i>Under Secretary</i> |
| 3. Shri Ashok Sajwan | — | <i>Under Secretary</i> |

SECOND REPORT OF COMMITTEE ON ETHICS
(FOURTEENTH LOK SABHA)

I. Introduction

I, the Chairman of the Committee on Ethics, having been authorised by the Committee to submit the Report on their behalf, present this Second Report to the Speaker, Lok Sabha on the issue of alleged misuse of car park label by Shri Vijayendra Pal Singh, MP.

2. On 22 November, 2005 the matter was referred to the Committee on Ethics by the Speaker for consideration and report. The Committee on Ethics at their first sitting held on 12 December, 2005 took note of the matter and decided to appoint a sub-Committee of the Committee to deliberate on the matter and report to the Committee.

A sub-Committee of the Committee on Ethics was accordingly constituted on 22 December, 2005 with Shri Manoranjan Bhakta as its Chairman and Sarvashri Anant Gangaram Geete, Rasheed Masood, Rupchand Pal and Vijayendra Pal Singh as members.

3. On 28 December, 2005 the issue of alleged misuse of car park label by Shri Vijayendra Pal Singh, MP was referred to the sub-Committee for consideration and report to the Committee.

4. The Committee held two sittings and the sub-Committee held six sittings. The relevant minutes of its sittings form part of the Report and are appended hereto.

5. At its first sitting held on 2 January, 2006, the sub-Committee, *inter-alia* considered the matter regarding the complaint of alleged misuse of car park label by Shri Vijayendra Pal Singh, MP. The sub-Committee further directed the secretariat to prepare a Memorandum on the matter and circulate the same to all the members of the sub-Committee. The sub-Committee further directed that Shri Vijayendra Pal Singh, MP might be requested to appear before it for oral evidence at its next sitting.

6. At its second sitting held on 30 January, 2006, the sub-Committee took evidence of Shri Vijayendra Pal Singh, MP in the matter.

The sub-Committee also decided that the concerned security officials/officers of Watch & Ward Office of Lok Sabha Secretariat be asked to appear before it for giving oral evidence in the matter at its next sitting to be held on 22 February, 2006.

7. At its third sitting held on 22 February, 2006 the sub-Committee examined on oath the following officers/officials of Watch & Ward Office of Lok Sabha Secretariat:—

- (i) Ms. Kanwaljeet Deol, Joint Secretary (Security)
- (ii) Shri Ravideep Singh Sahi, Joint Director (S)
- (iii) Shri R.C. Dhabla, Assistant Director (Security)

(iv) Shri P.K. Rai, Security Officer

(v) Shri Kiran Kumar, Senior Security Guard

8. At its fourth sitting held on 17 March, 2006, the sub-Committee considered the draft report and adopted it.

9. On 18 March, 2006 the Chairman, sub-Committee of the Committee on Ethics presented the report to the Chairman, Committee on Ethics.

10. On 24 March, 2006, the Chairman, Committee on Ethics re-referred the matter to the sub-Committee for reconsideration.

11. At its fifth sitting held on 15 May, 2006 the sub-Committee reconsidered the matter and decided to hear Shri Vijayendra Pal Singh, MP again in the matter on 22 May, 2006.

12. At its sixth sitting held on 22 May, 2006 the sub-Committee took evidence of Shri Vijayendra Pal Singh, MP.

The sub-Committee deliberated upon the matter, arrived at its conclusions and authorized the Chairman to modify the report accordingly and present the same to the Chairman, Committee on Ethics.

13. At their second sitting held on 23 August, 2006, the Committee considered and adopted the Report of the sub-Committee.

II. Facts of the case

14. On 18 August, 2005, Deputy Director (Security), Parliament House Annexe made the following report to the Joint Director (Security), Parliament House Annexe:—

“On 16th August, 2005 a fake label was intercepted by Shri Kiran Kumar, Senior Security Guard who was on duty at MP's self-driven parking area. This label was pasted on a Mercedes vehicle No. DL-6C-3124, which was brought by Shri Vijayendra Pal Singh, MP Lok Sabha.”

“Shri R.C. Dabhla, Assistant Director (Security) and Shri P.K. Rai Security Officer (Who) were asked to clarify about the aforesaid incident.....have submitted..... that:

- (a) Hon'ble MP was apprised about the use of a fake label on the vehicle being used by him.
- (b) Hon'ble MP explained that his original car (No. DDY-97) is under repair. He is using his second car, *i.e.* DL-6C-3124. He also added that since only one 'P' label is being issued to MPs, hence he has got the original 'P' label copied to get entry of his vehicle.
- (c)Hon'ble MP was informed that he had violated the security rules.
- (d) The MP assured that he will immediately remove the label and also destroy the same.

He further assured that in future he will not let the rules be violated and thus he left."

15. The Joint Director (Security), in his report dated 22 August, 2005, to the Joint Secretary (Security) submitted as follows:—

“The number on the label was also changed. In addition, to give genuine look to the colour photocopy of original label a hologram like sticker which is normally attached with under-vests (Baniyans) etc. was affixed on the space meant for hologram.”

16. When the matter was brought to the notice of the Speaker, Lok Sabha on 28 September, 2005, he directed that an enquiry be conducted as to how the car in question entered the Parliament House complex without a proper label or RF (Radio Frequency) tag.

17. The Joint Secretary (Security), in her report dated 4 October, 2005 reported as follows:—

“RF Tags in the first instance have been issued to the vehicles of Hon'ble Members and official vehicles of the Lok Sabha Secretariat, Rajya Sabha Secretariat and Ministry of Parliamentary Affairs. Entry into Parliament House from Iron Gate-1, Iron Gate-2, Parliament House as well as Talkatora Road near Ambedkar Statue is on the basis of these RF Tags. Only vehicles issued with authorized RF Tags are allowed entry from the boom barriers. In case a vehicle does not have a valid RF Tag, the parking label is checked and the identity of the occupants is verified before allowing them access.

The entry to the PHA and PLB is through gates at both the ends of Talkatora Road and MEG-III on Parliament Street. Electronic gadgets have been installed on both sides of Talkatora Road. However most of the vehicles entering PHA and PLB have not been issued with RF Tags and entry is being regulated on the basis of parking labels.

Coloured parking labels are being issued to the staff members. As a security measure the vehicle number is written in black ink in the space earmarked on the parking label and a hologram is also pasted. In the instant case, it appears that a colour photograph of the parking label was made by placing a slip of white paper over the registration number. After the photocopy was made, the registration number of the new vehicle was written in the blank space. Similarly at the place where the original hologram has been fixed there was a black spot. The new hologram of a popular brand of vest was fixed exactly on the same spot. As hundreds of vehicles enter into PH at peak hour, it is very difficult to verify the genuineness of each label as it will take 15-30 seconds leading to traffic congestion. However an additional security precaution is taken that once that label is identified the vehicle is permitted only after identifying the occupants. In the instant case, the vehicle was being personally driven by Hon'ble member who was identified by the staff and as the label looked genuine, entry was allowed. Incidentally the Hon'ble member

had not obtained RF Tag for his vehicle till that date. The Hon'ble member has since collected the RF Tag on 3rd October, 2005.”

18. Shri Vijayendra Pal Singh, MP in his letter dated 3 October, 2005¹ addressed to the Speaker, Lok Sabha stated as follows:—

“I am writing to you regarding the security lapse incident that has been reported in the media in the last few days.

At the outset let me clarify that as a senior member of the House I am as much concerned about the security as anyone else and my intention was only to strengthen the security and make it facilitative and non prohibitive or obstructive for the members.

I do not wish to say more but want you, Sir, to inquire into this sordid incident. I am sure this will reveal everything and ensure a secure Parliament for the future.”

19. On 17 November, 2005, the Speaker, directed that a report on the above communication of the member might be submitted. Thereupon, Joint Secretary (Security) in her report dated 23 November, 2005 stated that the instant matter was not a case of lapse in security but that of deliberate security breach by the member.

20. In pursuance of the directions of the Speaker to the member to submit his statement clarifying the incident, Shri Vijayendra Pal Singh vide his further letter² (undated), stated as follows:—

“In continuation of my earlier letter dated the 3rd of October, 2005 and the subsequent directive from your side, wherein, I was asked to submit a statement clarifying the incident of the security breach which occurred in the Parliament of India during the Monsoon Session, I have the following to submit.

The Parliament of India, in my view, is more than the brick and mortar of the building in which it is housed, it is the temple of Indian democracy, an institution of national pride, and the embodiment of the life and security of the nearly 750 Members who are elected thereto. As such, I, as an elected member, have a right to feel concerned about the security apparatus of the system, on which, it is learnt, hundreds of crores of rupees have been spent in the aftermath of the gruesome terrorist attack of December, 2002.

Some of us, have, however, felt, that, over the years, complacency has set in among the people manning the Parliament security. Most respectfully, Sir, this fact of which we have been aware, could have been put to test also only, by one of us. This initiative is an outcome of our concern. This exercise to my utter dismay, brought out the lacunae in Parliament security and the urgency of initiating corrective measures therein. I may also add, sir, that almost one and a half months have elapsed since the 'breach' in Parliament security took place and no attempt, so far, to the best of my knowledge, has been made to unearth the detailed reasons as to why this happened. To my thinking, there

¹ See Appendix I.

² See Appendix II.

appears to be a conscious attempt to cover up the entire incident and to sweep it under the carpet.

At the end of the day, I share with you, sir, the urgent need to make the system of Parliament security, completely foolproof, state of the art, and beyond any possibilities of tamper or subversion by forces inimical to the well being of the country. At the same time, we also feel strongly, and therefore, urge you, Sir, that the system should not become obstructive; on the other hand, it should be open, transparent and reasonably flexible to cater to the genuine requirements of different sets of Members of Parliament. At the moment, there is also a grievance that some members, hailing from particular States are more privileged than the others in terms of the number of passes that are issued to them, along with other security related facilities, which only they enjoy and the rest of us do not. Thus, it is crucial, that a wide-ranging discussion should also be held with the Members of Parliament, before the final shape of the security mechanism is finally decided.

This in brief, Sir, is my point of view and in all humility, I am submitting this for your kind consideration. However, if more details are required, with the objective of achieving the aims of installing a foolproof and user-friendly system of security in the Parliament of India, I am willing to submit myself to a detailed inquiry, which, I strongly urge you to put in place at the earliest."

21. On 25 November, 2005, the Speaker, referred the matter, to the Committee on Ethics for consideration and report.

22. The Chairman, Committee on Ethics referred the matter to the sub-Committee of Committee on Ethics on 28 December, 2006 for examination and report.

III. Evidence

Shri Vijayendra Pal Singh, MP

23. During his evidence before the sub-Committee on 30 January, 2006 Shri Vijayendra Pal Singh, MP *inter-alia* stated as follows:—

"Mr. Chairman, at the outset let me clarify that I have a right, after having become a Member of the esteemed Lok Sabha, the highest parliamentary body, to come into Parliament at my will and nobody can stop me from entering Parliament. So, that is there. The complaint against me by the security people is that I entered with a car park label which is fake. Now, I do not know what fake is. Xeroxing of everything is allowed today. If I have a licence and I carry a licence which is xeroxed, it is accepted in a lot of ways. My point is that I have intentionally xeroxed the car pass because I felt that there is a complacency which has set into the security system. People have been going in and going out. Only a few days before this incident which has happened and which should have really got all the security people on their toes, they allowed a car—I was a witness to it—which belonged to an IG. His family was coming into Parliament and everybody got to know about it. They allowed him to enter Parliament because it was his family. They could not stop him, but he did not

have the car pass and they said: 'how can we stop an IG?' That is what the security has come to. Speaking in the Parliament, I said: 'Who allowed the media to do the sting operation?' Nobody allowed them and when I did a sting operation, this very media asked me as to who gave me the authority to do this sting operation on the security. It was my car, it was my pass, I have not borrowed anybody's pass and xeroxed it. It is my pass and it is my car."

24. On being asked whether he had two cars and when did the Watch & Ward officials detect it, the member replied, "I have few cars. This idea came to me because my car was given for repairs and I thought this is an opportunity, let me see if I can enter with the other car with a xeroxed copy of the other car's pass and I did it on purpose. I will give the dates on which I did it. They did not stop me at the gate any time. I did it eight times. They detected not at the gate. They came to me inside because the only way they did it was to write down the number of the car and I wanted to know when they will catch me. Let them come and give information as to how many times did I go through the gate. They have got a record of these days. It was the 5th or 6th or 7th time and why did they not stop me at the gate? If that is the security, if they say that this car should not have gone, why did they not stop me at the gate? After 1½ months, when there was no Parliament Session, they rang up at my house and found out that I was at Australia as part of the visit of a Parliamentary Delegation. They thought that this is the right time to put their views on to the media, to give their version in the media. They said that such and such person came with a fake car pass knowing that my version will not come. Thank God, I came the next day and I could face the media. What happened for 1½ months? What notice did they give me when they came to me? I would have gone to the Speaker and reported them and I did not do that only because some people said: 'we will lose our job, you please forget it and we forget it and that is the end of the story'. After 1½ months they tried to frame me thinking that they were all right and I was wrong. It was my goodness that I did not report it to the Speaker. So, it was a sting operation of which they are now making me a culprit. Where have I gone wrong? I was driving it personally. It was my second car which is registered in my name. If I was trying to cheat anybody, I would have borrowed somebody's car. What was my intention? What was my motive behind it?"

What was I trying to gain out of it? I can enter into Parliament any time. It was a little adventurism and a sting operation to find out whether they can catch me. We have put hundreds of crores of rupees on the security system. I wanted to find out whether I can do it. I will not name people who have been bringing their cars, who have been doing this and they have been getting away with it just because they personally did it."

25. When asked whether he had any altercation with the security officials that day, Shri Vijayendra Pal Singh stated, "They came to me in the Annexe. My car was parked in the Annexe when they found out. How did they find out? Let us get into as to how they found out. They write down the number of all the cars that enter into Parliament. After 10 days or 15 days, they realised that this car number does not figure in our list and after 10 days, they realized that this car has been entering. I was entering on purpose and I wanted to know how many times I can do it because my car was under repairs."

26. On being asked whether he changed the number of the original car label which was issued for his another car and if so, how did he expect the security officials to stop him and check his car when he himself was in it, Shri Vijayendra Pal Singh replied, "Yes, I did that. I have done it on purpose...My intention was not a breach of security in any way, it was only to help the security system. The security should not be obstructive. It should be facilitative. Tomorrow, if a car is there with RF tag and somebody puts a bomb inside it or in its dickey, we are not aware of it and drive it in, it can play a lot of havoc. So this security system has to be foolproof in some way or the other. I should be responsible for it. If I am responsible, I should check the dickey, I should check everything. I am a responsible person. I am taking another car which is also my car and you say I have done a breach. Why? That is why I did it with a purpose."

27. It was pointed out to the member that his trespassing was a violation of the security measures that have strictly been set up on the recommendation of a very powerful Committee consisting of important members and security advisors. On being enquired as to if it appeared to him that there was laxity, shortcomings and serious drawbacks in the security, why did he not report it to the Speaker, the member replied, "what you are saying is very true... Everything is not reported. You do not go for every small thing to the Speaker. This is a sting operation that I did. If you ask these people how many times did my car come in and they have not been able to detect when I was going. As I explained, it was only my goodness which came in the way and I said okay let us leave it at this stage. It is because some people would have lost their jobs. That is the only way that I backed out."

28. On being pointed out that faking a car parking label and superimposing thereon a new car number amounted to a forgery the member replied "It is very simple. If they cannot detect me with all the security system in place and after having spent hundreds of thousands of crores of rupees on it, then there is something wrong with the security system...I wanted to see how the system works. With all that they have put, they could not detect and I could enter. If it is just on my face that they allow me and not on pass, then there is no system. If it is on this that a member of Parliament is sitting in the car and they allow the car, then there is no need for the passes at all. That is my point... You have to believe me that what I did was on purpose and there was no ulterior motive...If you call it a forgery, I am cut up about that because it is not a forgery...I stand by that...It was my car and it was my pass..."

Ms. Kanwaljeet Deol, Joint Secretary (Security), Shri Ravideep Singh Sahi, Joint Director (Security), Shri R.C. Dhabla, Assistant Director (Security), Shri P.K. Rai, Security Officer and Shri Kiran Kumar, Senior Security Guard of Watch & Ward of Lok Sabha Secretariat

29. On 22 February, 2006, the sub-Committee took evidence of Ms. Kanwaljeet Deol, Joint Secretary (Security), Shri Ravideep Singh Sahi, Joint Director (Security), Shri R.C. Dhabla, Assistant Director (Security), Shri P.K. Rai, Security Officer and Shri Kiran Kumar, Senior Security Guard of Watch & Ward of Lok Sabha Secretariat in the matter.

30. Ms. Kanwaljeet Deol during her evidence before the sub-Committee *inter alia* stated as follows:—

"The incident is of August, 2005. At that time the system was working differently from today. At that time, the main entry gate No. 3 which is on Parliament Street, was access to the Parliament House Annexe. This has since been closed. But at that time the entry was there.

Secondly, at that time the radio frequency cards (RF tags) had not been issued to a large number of people and there was no radio frequency reader installed at Talkatora entry or at the main entry gate No. 3 on Parliament Street. So, at that time, there was no entry through radio frequency tags. Entry was only through the parking labels which were given to the hon. Members. Besides, checking the labels at the time of entry, the security personnel on duty also used to identify the members. If the member was familiar to them and identified, then they would allow entry. In this case, the parking label was not the original parking label but a colour photocopy of the parking label was made looking very similar to the original label. In place of the number of the vehicle a new number had been added by covering the original number by a piece of white paper at the time of making photocopy. At the time of entry, since a number of vehicles are coming and since the Member himself was driving and was recognized, perhaps that duplicate label passed. Perhaps, that is the reason why duplicate label passed at that time. But, in the parking lot, we also have a security observer whose job is to patrol the parking lot and check the vehicles. Shri Kiran Kumar was posted in that duty and he observed that there was something wrong with the label. Thereafter, the fake label was discovered."

31. Shri Kiran Kumar during his evidence before the sub-Committee *inter alia* stated as follows:—

"Sir, on 16 August, 2005, my duty was to check the parked vehicles at Parliament House Annexe. There I detected this fake label. The hologram of Parliament, on the label, was changed and morphed. I enquired from the CPIC Cell whether any such new label has been issued. From there I learnt that they have not issued any such label and it was a duplicate one. Then I informed my Security Officer about it the same day."

32. When asked whether such checking, as was done on 16 August, 2005, is conducted on daily basis, Shri Dhabla replied, "Such checking is done everyday."

33. On being asked whether in the past also such cases were detected and if so, whether any action was taken, Shri Ravideep Singh Sahi stated, "Sir,... In the past there had been four or five incidents where similar cases were noticed and the matter was put up to higher authorities through proper channel. This is not the first incident...As far as I am concerned, at the level of the Joint Director (Security), I am not aware what action was taken against them but we had reported these incidents to our senior officer."

34. On being further enquired whether some MPs were involved in all those cases, Shri Sahi replied, "Sir almost in all the cases, the hon. MPs were involved."

35. When asked whether all these cases took place in the Parliament House Annexe, Shri Sahi replied, "All these incidents took place in the Parliament House Annexe and all of them took place before the installation of these equipments."

36. On being asked whether they have details of all these cases and the action taken on them and if so, the same may be given to the Committee, Ms. Deol stated, "I have taken over only in October, 2005. In my knowledge I don't have earlier incidents. But I have been verbally informed that there were similar incidents. The Secretary-General has also noted in his comments that there was one incident in the Thirteenth Lok Sabha. So I am not aware when these incidents took place. Whatever record we have, we will put it before the Committee."

37. When enquired whether with the present security arrangements there was any possibility of occurrence of such lapses and whether she was satisfied with the existing security arrangements Ms. Deol stated, "Now we have started entry by RF tags and RF readers have also been installed. There are some members who have still not collected their RF tags. About 120 RF tags are still pending. Entry is also regulated on the basis of parking label. But after identifying the members, their entry is allowed. Hence, such incidents have come down...As far as car labels are concerned, we are very keen that all entries should be done by RF tags. We are still moving in that direction because all people who have authorized have not yet collected their tags. At the same time, to certain people, like those belonging to media and others, we are not issuing RF tags. We are giving them only sessional passes which allow them entry during a particular session....For media, we have created a parking lot at plot No. 118. It is behind the statue of Mahatma Gandhi....Besides that, the third category is of officers who have to come only once. For example, the allied security agencies are required to come when we need them. For that, authorization is given by the senior officers through the Control Room. That system is quite strong. At present, there is a need for extending the RF tag, which I am trying my best to do. We want that we should do it and finish off. Otherwise, I think, the system is quite strong, a foolproof one."

38. When asked as to how the matter got publicity in the media when it was under consideration and who reported it to the media Shri Sahi replied, "This incident was reported in the media around 27th of September....We did not go to media. Nobody has gone to the media."

39. When asked whether it is true that after the incident of 16 August, in December, 2005 there was another case of gross violation of the security arrangements and the car in this case belonged to one Inspector General of Police, Ms. Deol replied, "Sir, in the incident of December....a car belonging to the Director (Security) of the Rajya Sabha in which his family members were seated was allowed entry in the Parliament House even though it was not a labeled car. It had not been issued any label. It was not a regular visitor car. So there was no label issued. But as the Director (Security) had personally cleared the car, it was allowed in."

40. When asked whether it was permissible to issue such an order by an individual and who was the competent authority to issue such orders, Ms. Deol replied, "Yes Sir, daily a lot of officials from the Government of India are visiting Parliament as the ministers are having offices etc. In all these cases, authorization of these vehicles is done by the officer of the level of Joint Director and above, that is, Joint Director, Director or Joint Secretary. It is a vehicle which is identified and authorized and number is given. These vehicles are not given regular passes because they may come only on one occasion but they have to be cleared by the senior officers of the security. In this case, the Director himself issued the authorization and cleared the said vehicle."

41. When asked whether the incident in question constituted a fraud/forgery Ms. Deol replied, "The case of making a photocopy of a label by changing the number would be technically considered as a forgery. That is on the basis of the law of the land.... nobody has the authority to check our security arrangement in this manner. Therefore, the offence of having misused and created a new label by forgery, etc. will still exist no matter what his explanation is on this issue.... Nobody has the authority to fake a label because faking a label is an offence."

42. When enquired under what sections of the law the offender or the person who violates the provisions of security arrangement can be punished and whether there was any legal framework that could stand the scrutiny of law, Ms. Deol stated, "I would make a distinction here. Any act such as forgery is a criminal act under the law of the land. As my Joint Director has pointed out, in case of impersonation of hon. Member of Parliament, Shri Shatrughan Sinha, a case was registered against the Aaj Tak Channel which had done that. If there is an overt criminal act or impersonation or forgery, it is a criminal act under the law of the land. Otherwise, legally, our Security Wing does not have any law for prosecution of an offender in a criminal court or in a court of law. If a person violates our security norms or tries to get into Parliament Complex, we catch him and turn him over to the local police for questioning by security agencies, intelligence agencies to understand what are his motives."

Further evidence of Shri Vijayendra Pal Singh, MP given on 22 May, 2006

43. During his evidence before the sub-Committee on 22 May, 2006 Shri Vijayendra Pal Singh, MP *inter-alia* stated as follows:—

".....I have explained my position in detail about this incident. I would like to explain in a very few words. From my part, I had no ulterior motive—there could not be any ulterior motive—nor had I any *mala fide* interest...Having said all this, I feel that my only mistake was that I did not report about this to the Speaker in time....I should have taken the permission of the Speaker before doing this sting operation. I would have done it but for the fact that I thought that the security staff would get into trouble and I did not want them to get into trouble....I accept my fault that I did not report the matter."

IV. Findings and Conclusions

44. The Committee are not convinced with the plea taken by Shri Vijayendra Pal Singh that his intention behind making a copy of the car-park label and using it on

another car for entering Parliament House Annexe was to expose the chinks in the armour of Parliament security and that it was a private sting operation of sorts conducted by him.

45. Had the intention of the member been *bona-fide*, the Committee feel, he would have taken the Speaker, Lok Sabha into confidence before entering upon such adventurism. The member admits of having entered Parliament House Annexe eight times with the help of the same fake car-park label. Assuming for a moment that it really was a sting operation as claimed by the member, he ought to have reported the matter to the Speaker, Lok Sabha immediately after breaching the Parliament security for the first time instead of repeating it seven times without reporting the matter even once.

46. As per the member's admission before the sub-Committee, his car, for which a car park label had been issued to him, had gone for repairs. As per the Committee's understanding, he made a laser print of his valid car park label masking the number of his vehicle thereon, wrote the number of his other vehicle on the print copy, affixed a hologram on it to give it an authentic look and used this fake car park label on his other vehicle to enter Parliament House Annexe. It appears to the Committee that this elaborate exercise was less of a sting operation and more of an endeavour on the part of the member to secure entry into Parliament House Annexe on a fake car park label as his car with valid car park label had gone for repairs. This view of the Committee is fortified by the fact that the member has a grouse that while some members of the House enjoy the privilege of having two car park labels, others are provided with only one car park label. The Committee would have appreciated had the member been forthright in admitting before the sub-committee the possible reasons for doing what he did.

47. The Committee note that the matter on being re-referred by the Chairman, Committee on Ethics, to the sub-Committee, Shri Vijayendra Pal Singh during his further evidence reiterated that he had no *mala fide* intention to enter the Parliament House Annexe Complex without a valid park label. He also admitted that it was a mistake on his part to conduct the so called sting operation without the prior permission of the Speaker, Lok Sabha. He also admitted his fault for not having taken the Speaker, Lok Sabha into confidence in the matter.

48. The Committee are of the view that as a Member of Parliament, it was incumbent upon Shri Vijayendra Pal Singh to conduct himself with utmost responsibility and discretion. The Committee express their displeasure over the conduct of Shri Vijayendra Pal Singh.

49. The Committee would like to bring it on record that as per information furnished to the sub-Committee, there have been seven cases in the past of misuse of car park labels involving six MPs and one MLA. The Committee also note that in none of these cases any action was taken against those MPs and MLA.

50. The Committee, after having taken note of the past cases and also of the fact that Shri Vijayendra Pal Singh has categorically stated that he had no ulterior motive to breach the Parliament security and has also admitted that it was a lapse on his part not to have taken the Speaker, Lok Sabha into confidence in the matter, are of the view that no action is called for against the member.

51. The Committee, nevertheless, are of the view that members should scrupulously adhere to norms governing Parliament Security and refrain from doing anything that may jeopardize Parliament security.

52. The Committee, however, feel that the contention of Shri Vijayendra Pal Singh that members of Parliament need to be issued an additional car park label in order to obviate difficulties being experienced by some members in case their labelled vehicle is not available or gone for repairs for having unimpeded and hassle free access to Parliament House, Parliament House Annexe and Parliament Library Building precincts, has some merit and the same needs to be considered at appropriate level.

V. Recommendation

53. The Committee, while expressing its displeasure over the indiscretion of Shri Vijayendra Pal Singh in the matter, recommend that the matter may be treated as closed.

NEW DELHI;
23 August, 2006

CHANDRASHEKHAR,
Chairman,
Committee on Ethics.

MINUTES

MINUTES

I

FIRST SITTING OF THE COMMITTEE ON ETHICS NEW DELHI, MONDAY, 12 DECEMBER, 2005

The Committee sat from 17.00 hrs. to 17.25 hrs.

PRESENT

Shri Chandrashekhar — *Chairman*

MEMBERS

2. Shri L.K. Advani
3. Shri Manoranjan Bhakta
4. Shri Anant Gangaram Geete
5. Shri Madhusudan Mistry
6. Shri Mukeem Mohammad
7. Shri Vijayendra Pal Singh

SECRETARIAT

1. Shri V.K. Sharma — *Joint Secretary*
2. Shri Ravindra Garimella — *Under Secretary*
3. Shri Ashok Sajwan — *Under Secretary*

The Committee briefly dwelt upon their future programme and noted that immediate task before them was (i) * * * * *
* * * * * (ii) to deliberate on the issue of alleged misuse of car-park label by Shri Vijayendra Pal Singh. Chairman proposed that a five member sub-Committee might be constituted for the purpose. Members concurred. The Committee authorized the Chairman to constitute the said sub-Committee.

(The Committee then adjourned)

* Omitted as paras relate to another case.

II

FIRST SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON ETHICS

NEW DELHI, MONDAY, 2 JANUARY, 2006

The Committee sat from 15.00 hrs. to 15.45 hrs.

PRESENT

Shri Manoranjan Bhakta — *Chairman*

MEMBERS

2. Shri Rasheed Masood
3. Shri Rupchand Pal

SECRETARIAT

1. Shri V.K. Sharma — *Joint Secretary*
2. Shri Ravindra Garimella — *Under Secretary*
3. Shri Ashok Sajwan — *Under Secretary*

At the outset, the Chairman of the sub-Committee welcomed the members to the meeting of the sub-Committee. The Chairman apprised the sub-Committee of the work before the sub-Committee, viz, (i) * * * * and (ii) the complaint regarding alleged misuse of Car-park label by Shri Vijayendra Pal Singh, MP.

2. The sub-Committee directed the Secretariat to prepare Memorandum on the matters and circulate the same to all the members of the sub-Committee well before their next sitting. The Committee further directed that Shri Vijayendra Pal Singh, MP might be requested to appear before them for oral evidence at their next sitting to be held on 30 January, 2006.

(The sub-Committee then adjourned)

* Omitted as paras relate to another case.

III

SECOND SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON ETHICS

NEW DELHI, MONDAY, 30 JANUARY, 2006

The Committee sat from 15.00 hrs. to 16.15 hrs.

PRESENT

Shri Manoranjan Bhakta — *Chairman*

MEMBERS

2. Shri Rasheed Masood
3. Shri Rupchand Pal
4. Shri Vijayendra Pal Singh

SECRETARIAT

1. Shri V.K. Sharma — *Joint Secretary*
2. Shri Ravindra Garimella — *Under Secretary*
3. Shri Ashok Sajwan — *Under Secretary*

WITNESS

Shri Vijayendra Pal Singh — MP

2. * * * *

3. The sub-Committee, thereafter, took up for consideration the matter relating to complaint regarding alleged misuse of car parking label by Shri Vijayendra Pal Singh, MP. The Sub-Committee took the evidence of Shri Vijayendra Pal Singh in the matter. The sub-Committee further decided to hear the concerned security officers/officials of Watch and Ward of Lok Sabha Secretariat in the matter at their next sitting.

4. The sub-Committee decided to again meet on 22 February, 2006 at 16.00 hrs.

(The Committee then adjourned)

* Omitted as paras relate to another case.

IV

THIRD SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON ETHICS

NEW DELHI, WEDNESDAY, 22 FEBRUARY, 2006

The Committee sat from 16.09 hrs. to 16.48 hrs.

PRESENT

Shri Manoranjan Bhakta — *Chairman*

MEMBERS

2. Shri Anant Gangaram Geete

3. Shri Rupchand Pal

SECRETARIAT

1. Shri Ravindra Garimella — *Under Secretary*

2. Shri Ashok Sajwan — *Under Secretary*

WITNESSES

1. Ms. Kanwaljeet Deol — Joint Secretary, (Security)

2. Shri Ravideep Singh Sahi — Joint Director (S)

3. Shri R.C. Dhabla — Assistant Director (Security)

4. Shri P.K. Rai — Security Officer

5. Shri Kiran Kumar — Senior Security Guard

2. The sub-Committee first took up the matter of alleged misuse of car Parking label by Shri Vijayendra Pal Singh, MP.

3. The sub-Committee examined on oath, Ms. Kanwaljeet Deol, Joint Secretary (Security), Shri Ravideep Singh Sahi, Joint Director (S), Shri R.C. Dhabla, Assistant Director (Security), Shri P.K. Rai, Security Officer & Shri Kiran Kumar, Senior Security Guard, officials of Watch & Ward Office of Lok Sabha Secretariat.

(Verbatim record of the evidence was kept)

(The witnesses then withdrew)

4. The Sub-Committee directed the Security Officers to furnish details of previous similar cases and action taken thereon, for consideration of the sub-Committee.

5. The sub-Committee further directed the Secretariat to prepare draft Report in the matter and decided to meet again on 16 March, 2006 to consider the draft report.

6. * * * *

(The sub-Committee then adjourned.)

* Omitted as paras relate to another case.

V

FOURTH SITTING OF THE SUB-COMMITTEE OF THE
COMMITTEE ON ETHICS

NEW DELHI, FRIDAY, 17 MARCH, 2006

The Committee sat from 15.00 hrs. to 15.30 hrs.

PRESENT

Shri Manoranjan Bhakta — *Chairman*

MEMBERS

Shri Rupchand Pal

SECRETARIAT

1. Shri V.K. Sharma — *Joint Secretary*
2. Shri Ravindra Garimella — *Under Secretary*
3. Shri Ashok Sajwan — *Under Secretary*

2. The sub-Committee took up for consideration the draft Report pertaining to alleged misuse of car park label by Shri Vijayendra Pal Singh, MP and adopted the same after some changes. The sub-Committee authorized the Chairman to present the Report to the Chairman, Committee on Ethics.

(The sub-Committee then adjourned.)

VI

FIFTH SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON ETHICS

NEW DELHI, MONDAY, 15 MAY, 2006

The sub-Committee sat from 16.00 hrs. to 16.30 hrs.

PRESENT

Shri Manoranjan Bhakta — *Chairman*

MEMBERS

2. Shri Anant Gangaram Geete
3. Shri Rupchand Pal

SECRETARIAT

1. Shri Ravindra Garimella — *Under Secretary*
2. Shri Ashok Sajwan — *Under Secretary*

2. The sub-Committee took up for further consideration of its second Report regarding alleged misuse of car park lable by Shri Vijayendra Pal Singh, MP which was referred to the sub-Committee by the Chairman, Committee on Ethics for consideration. The sub-Committee after some deliberation decided to hear Shri Vijayendra Pal Singh, MP again at their next sitting to be held on 22 May, 2006.

(The sub-Committee then adjourned)

VII

SIXTH SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON ETHICS

NEW DELHI, MONDAY, 22 MAY, 2006

The sub-Committee sat from 16.15 hrs. to 16.45 hrs.

PRESENT

Shri Manoranjan Bhakta — *Chairman*

MEMBERS

2. Shri Anant Gangaram Geete
3. Shri Rupchand Pal

SECRETARIAT

1. Shri V.K. Sharma — *Joint Secretary*
2. Shri Ravindra Garimella — *Under Secretary*
3. Shri Ashok Sajwan — *Under Secretary*

WITNESS

Shri Vijayendra Pal Singh — MP

2. The sub-Committee took up for reconsideration its Second Report regarding alleged misuse of car park lebel by Shri Vijayendra Pal Singh, MP, which was referred back to the sub-Committee by the Chairman, Committee on Ethics.

3. The sub-Committee took evidence of Shri Vijayendra Pal Singh, MP in the matter.

(Verbatim record of the evidence was kept)

(The witnesses then withdrew)

4. The sub-Committee deliberated on the matter in the light of the evidence given by Shri Vijayendra Pal Singh, MP, and arrived at their conclusions.

5. The sub-Committee authorized the Chairman to modify the Report accordingly and present the same to the Chairman, Committee on Ethics.

(The sub-Committee then adjourned)

VIII

MINUTES OF THE SECOND SITTING OF THE COMMITTEE ON ETHICS

NEW DELHI, WEDNESDAY, 23 AUGUST, 2006

The Committee sat from 16.30 hrs. to 17.00 hrs.

PRESENT

Shri Chandrashekhar — *Chairman*

MEMBERS

2. Shri L.K. Advani
3. Shri Manoranjan Bhakta
4. Shri Anant Gangaram Geete
5. Shri C. Kuppusami
6. Shri Rupchand Pal
7. Shri Bachi Singh 'Bachda' Rawat
8. Shri Vijayendra Pal Singh
9. Shri Devendra Prasad Yadav

SECRETARIAT

1. Shri Ravindra Garimella — *Under Secretary*
2. Shri Ashok Sajwan — *Under Secretary*

* * * *

2. The Committee, thereafter, considered the Second Report of the sub-Committee regarding Shri Vijayendra Pal Singh's case and adopted the same. The Committee then authorised the Chairman to present the Second Report to the Speaker, Lok Sabha.

(The Committee then adjourned)

* Omitted as paras relate to another case.

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MINUTES OF EVIDENCE TAKEN BEFORE THE SUB-COMMITTEE OF THE
COMMITTEE ON ETHICS

MONDAY, 30 JANUARY, 2006

PRESENT

Shri Manoranjan Bhakta — *Chairman*

MEMBERS

2. Shri Rasheed Masood
3. Shri Rupchand Pal
4. Shri Vijayendra Pal Singh

SECRETARIAT

1. Shri V.K. Sharma — *Joint Secretary*
2. Shri Ravindra Garimella — *Under Secretary*
3. Shri Ashok Sajwan — *Under Secretary*

WITNESS

Shri Vijayendra Pal Singh, MP

The Sub-Committee met at 1500 hrs.

MR. CHAIRMAN: Mr. Vijayendra Pal Singh, you may give your statement and put-forth your view on this incident of alleged misuse of car parking label by you.

SHRI VIJAYENDRA PAL SINGH: Mr. Chairman, Sir, let me be a witness here in front of the Sub-Committee of the Committee on Ethics and with all humility I must put-forth my case to you, not as a member of this Committee, but as a witness.

At the outset, let me clarify that I have a right, after having become a Member of the esteemed Lok Sabha, the highest parliamentary body, to come into Parliament at my will and nobody can stop me from entering Parliament. So, that is there.

The complaint against me by the security people is that I entered with a label which is fake. Now, I do not know what fake is. Xeroxing of everything is allowed today. If I have a licence and I carry a licence which is xeroxed, it is accepted in a lot of ways.

My point is that I have intentionally xeroxed the car pass because I felt that there is a complacency which has set into the security system. People have been going in and going out. Only a few days before this incident which has happened and which should have really got all the security people on their toes, they allowed a car—I was

a witness to it—which belonged to an IG. His family was coming into Parliament and everybody got to know about it. They allowed him to enter Parliament because it was his family. They could not stop him, but he did not have the car pass and they said: 'How can we stop an IG?' That is what the security has come to.

Speaking in the Parliament, I said: 'Who allowed the media to do the sting operation?' Nobody allowed them and when I did a sting operation, this very media asked me as to who gave me the authority to do this sting operation on the security. It was my car, it was my pass, I have not borrowed anybody's pass and xeroxed it. It is my pass and it is my car.

MR. CHAIRMAN: Do you have two cars or one car?

SHRI VIJAYENDRA PAL SINGH: I have a few cars.

Mr. Chairman, Sir, this idea came to me because my car was given for repairs and I thought this is an opportunity, let me see if I can enter with the other car with a xeroxed copy of the other car's car pass and I did it on purpose. I will give you the dates on which I did it. They did not stop me at the gate any time. I did it 8 times.

MR. CHAIRMAN: When did they detect it?

SHRI VIJAYENDRA PAL SINGH: They detected not at the gate. They came to me inside because the only way they did it was to write down the number of the car and I wanted to know when they will catch me. Let them come and give information as to how many times did I go through the gate. They have got a record of these days. It was the 5th or 6th or 7th time and why did they not stop me at the gate? If that is the security, if they say that this car should not have gone, why did they not stop me at the gate? After 1½ months, when there was no Parliament Session, they rang up at my house and found out that I am in Australia as part of the visit of a Parliamentary Delegation. They thought that this is the right time to put their views on to the media, to give their version in the media. They said that such and such person came with a fake car pass knowing that my version will not come. Thank God, I came the next day and I could face the media.

What happened for 1½ months? What notice did they give me when they came to me? I would have gone to the Speaker and reported them and I did not do that only because some people said: 'we will lose our job, you please forget it and we forget it and that is the end of the story'. After 1½ months they tried to frame me thinking that they were all right and I was wrong. It was my goodness that I did not report it to the Speaker. So, it was a sting operation of which they are now making me a culprit. Where have I gone wrong?

I was driving it personally. It was my second car which is registered in my name. If I was trying to cheat anybody, I would have borrowed somebody's car. What was my intention? What was my motive behind it? What was I trying to gain out of it? I can enter into Parliament any time. It was a little adventurism and a sting operation to find out whether they can catch me. We have put hundreds of crores of rupees on the security system. I wanted to find out whether I can do it. I will not name people who have been bringing their cars, who have been doing this and they have been getting away with it just because they personally did it.

MR. CHAIRMAN: Did you have any altercation or anything with the security people?

SHRI VIJAYENDRA PAL SINGH: No.

They came to me in the Annexe. My car was lying in the Annexe when they found out. How did they find out? Let us get into as to how they found out. They write down the number of all the cars that enter into Parliament. After 10 days or 15 days, they realised that this car number does not figure in our list and after 10 days, they realised that this car has been entering. I was entering on purpose and I wanted to know how many times I can do it because my car was under repairs.

SHRI RASHEED MASOOD: But you changed the number on the label. The original label was issued for another car.

SHRI VIJAYENDRA PAL SINGH: Yes, I did that. I have done it on purpose.

SHRI RASHEED MASOOD: In fact it is very difficult for the security people to stop the car when it is bearing the same number which the car has got. Had you put a xerox copy of your original label, then there was no harm at all. Most probably it might have been stopped at the gate. But, when you have changed the number, how do you expect that the security personnel will stop you when a Member of Parliament is there, and he will not face a privilege motion in the House? Surely, difficulty was faced by you. I have also faced that difficulty a number of times. Sometimes my car is not in order, and I have to face the difficulty. I have written to the Speaker requesting him to issue two car parking labels for the Members of Parliament so that in case one car is not working, then a Member may come to Parliament by another one. Your difficulty is genuine. I have also felt it. I think, I have faced it a number of times. Even I faced it today. Two days back I sold my car and today I have come in a car which was not having any number at all. I requested the security people that I am going inside and I will get the number there. That difficulty is there. I think we should recommend to the Speaker that two car parking labels should be issued to an MP and it may be that that car without an MP should not be allowed except when he is in the House and the car is there in the parking. That difficulty is there.

SHRI VIJAYENDRA PAL SINGH: I would also like to subscribe to his views. There are some States for which they are allowing two passes. You must be knowing this also. For example, for MPs from Punjab and North-East, they are allowing two passes. Why is it so?

SHRI RASHEED MASOOD: Sir, ten years back, the Parliament issued a number of passes. I had three passes at a time. In 1989, I was having three passes.

सभापति महोदय: यह कुछ समय पहले ही हुआ है।

श्री रशीद मसूद: जब से आतंकवाद आया है, तब से यह प्रब्लम हो गई है। इससे सांसदों को बहुत दिक्कत आती है। वहां कार नहीं थी। During Session, they provide vehicle and you can come by that. Today, even that vehicle was not there.

SHRI VIJAYENDRA PAL SINGH: There are some Members of Parliament from Punjab and North-East who get two passes. I went to them and asked for a second pass. They said: "We cannot give it." I told them that if they can give it to the MPs from Punjab and North-East, why cannot it be given to me? The only argument they gave me was this. They said those are the States which have faced terrorism and terrorist attacks, so they are allowed two passes. I said: "If those are the States which are having terrorist problems, who should they be allowed two passes? This would aggravate the problem. My State does not have terrorist problem so you can give me three passes. It should be the other way round and not what you are saying." He did not listen. So, I said, okay, I will show it to you. I did it. There are one or two more points. You must have also seen my letter. My intention was not a breach in any way, it was only to help the security system. The security should not be obstructive. It should be facilitative. What is all the security for? It is for us only. We faced the biggest threat in Parliament. Tomorrow, if a car is there with the RF tag and everything and somebody puts a bomb inside the car or in its dicky, we are not aware of it and we drive it in, it can play a lot of havoc. So, this security system has to be foolproof in some way or the other. I should be responsible for it. If I am responsible, I should check the dicky, I should check everything to see that it is in order. And I am driving it myself. If I have a driver, and he was doing it, then it would have been understandable that I was doing some sort of breach. I am a responsible person. I am taking another car which is also my car, and you say I have done a breach. Why? That is why I did it with a purpose. That is what I wanted to submit. You can ask me some questions.

SHRI RUPCHAND PAL: I have three or four questions to ask. Suppose, you had a feeling that the security for which a lot of expenses and lot of arrangements have been made was laxed and it needed to be strengthened and improved further, do you not think that as an MP it is your first duty to write to the hon. Speaker, to approach to the hon. Speaker, who is the custodian of the House, to draw his attention to the shortcomings? Why did you not do it? It is the minimum thing. Whenever you feel something is to be improved, there is some lacunas, there are some shortcomings within the precincts or within the system, which is presided over by the hon. Speaker, is it not that you are trespassing the jurisdiction which is not yours?

SHRI VIJAYENDRA PAL SINGH: I agree to it.

SHRI RUPCHAND PAL: This trespassing is a violation of the security measures that have strictly been set up not only by the hon. Speaker but on the recommendation of a very powerful Committee consisting of important Members and security Advisors. Several agencies are involved in building up security system. Even very important people do not know how the security is operating. There is first level, there is second level, there is third level, there is fourth level and there is fifth level and there is also high technology level etc. In such a situation, my simple question is this. If it appeared to you that there is some laxity, some shortcoming, some serious drawback in the security, instead of going *suo motu* on individual initiative for sting operation, why did you not just report it to the hon. Speaker drawing his attention to take adequate and appropriate measures to plug those loopholes?

SHRI VIJAYENDRA PAL SINGH: What you are saying is very true. As the hon. Member just now mentioned he faced a problem. It is because he sold his car, he had a problem. It has to be tackled. Everything is not reported. You do not go for every small thing to the Speaker. This is a sting operation that I did. If you ask these people how many times did my car come in, and they have not been able to detect when I was going. As I explained, it was only my goodness which came in the way and I said okay let us leave it at this stage. It is because some people would have lost their jobs. That is the only way that I backed out.

SHRI RUPCHAND PAL: Considering even after what has happened with regard to the Parliament of India—the terrorist attack, the killing of people within the precincts of the Parliament—when the whole nation is concerned about the security particularly the security of Parliament, in such a situation you have been experiencing laxity and not reporting it to Parliament.

SHRI VIJAYENDRA PAL SINGH: You are as much concerned as I am. You are a Member. I am also a Member.

Whatever your concern is my concern also. That is why, I did it. It is not because you are more concerned and I am not concerned.

SHRI RUPCHAND PAL: It is not like that. I am not telling you that.

SHRI VIJAYENDRA PAL SINGH: If you think that way, you are wrong. I did it on purpose. If I can breach, anybody else can breach it. That was my motive. There was no other motive. Do not ask me such questions. If you feel that you are more honourable than me, then please do not do it.

SHRI RUPCHAND PAL: I am asking you several times.

SHRI VIJAYENDRA PAL SINGH: Do not ask me a question like that because whatever your concern is, my concern also.

SHRI RUPCHAND PAL: I fully agree.

SHRI VIJAYENDRA PAL SINGH: I have mentioned it in my letter.

SHRI RUPCHAND PAL: But please do not try to derail me. I am asking a different question that when you experienced that there is a shortcoming, why did you not write to the Speaker?

SHRI VIJAYENDRA PAL SINGH: I did not report because of my goodness. This is what I said. Some people would have lost their jobs.

SHRI RUPCHAND PAL: This is another serious charge against you.

SHRI RASHEED MASOOD: You are more honourable than Mr. Rupchand Pal.

SHRI VIJAYENDRA PAL SINGH: No, Sir. We have been together in a number of committees. We understand each other.

SHRI RASHEED MASOOD: We are not only the Members of Parliament but also the Members of the Ethics Committee which has been appointed by the Speaker. We are hearing your case. You had certain difficulties. I agree with that. Had you put

the photocopy of your sticker of your old car on your new car and come to Parliament and had the security failed to detect it, in that case you are most probably genuine to complain.

But when you have changed the number, whether you visualised that you are committing an offence of forgery or not? Did you think of it or not? I do not think that even your testing of the security arrangements is proper. When you are defending it so vehemently, I do not think it is a good thing. About the difficulties, I agree with you. I have also faced difficulties a number of times. But I have written letter to the Speaker about this though I have not received any reply. But I have written because I felt certain difficulties. When my car is out of order, sometimes I bring other car. Sometimes, I have to leave it outside. Sometimes I have to come on foot. That is another thing. When you are coming with the new car with the new changed number, how did you expect a security man to stop you there when the numbers were the same?

SHRI VIJAYENDRA PAL SINGH: It is very simple. If they cannot detect me with all the security system in place and after having spent hundreds of thousands of crores of rupees on it, as you yourself were saying that they could not detect it, then there is something wrong with the security system. This is exactly my point. They should have stopped me at the gate. If they could not, then there is something wrong with the security system. Naturally somebody, who wants to do a sting operation, would put the same number. He cannot have a different number and come. Naturally, in that number, they will be detected. I wanted to see how the system works. With all that they have put, they could not detect and I could enter. If it is just on my face that they allow me and not on pass, then there is no system. If it is on this that a Member of Parliament is sitting in the car and they allow the car, then there is no need for the passes at all. That is my point.

सभापति महोदय: आप एक बात सुनिए। बात यह है, उसके लिए प्रबलम नहीं हुयी। The problem is if you would have just taken the Speaker into confidence that I am going to explain something, nothing would have happened.

श्री विजयेन्द्र पाल सिंह: वही मैं कह रहा था। पार्लियामेंट में भी मैं यही कह रहा था। पार्लियामेंट में जब स्टिंग आपरेशन किया। They should have taken the permission of the Speaker and then said कि हम स्टिंग आपरेशन कर रहे हैं।

Then he should have been informed and he would have kept quiet. Then he will say I was informed. Why does the media do on Members of Parliament without that? That is exactly my point.

SHRI RUPCHAND PAL: If someone enters the bank and takes away the money and when he is caught, he says that I am going for a sting operation to check whether the security is all right or not, it cannot be done.

SHRI VIJAYENDRA PAL SINGH: They could not catch me. They did not catch me.

SHRI RUPCHAND PAL: Your procedure is not their procedure. They detected it.

SHRI VIJAYENDRA PAL SINGH: No, they did not detect me.

SHRI RUPCHAND PAL: Otherwise, how you are here in the witness box?

SHRI VIJAYENDRA PAL SINGH: That is why, I am saying this. I was not detected.

SHRI RUPCHAND PAL: You deny it.

SHRI VIJAYENDRA PAL SINGH: I did not deny it because, Mr. Rupchand Pal, if I had denied, then they did not have any proof. They have no record of it.

SHRI RUPCHAND PAL: You are speaking in two voices.

श्री विजयेन्द्र पाल सिंह: आप मेरी बात सुनिए। They should have taken hold of that fake pass. How do you know there is a fake pass? If I say it was not a fake pass, वह फेक पास कहाँ है? Where is the fake pass?

SHRI RASHEED MASOOD: Suppose some Pressman enters into a prohibited area with a fake entry pass and he is caught there, I want to know whether he should be punished or not. Can he say that I was doing a sting operation? It is because you are entering into an area which is prohibited and that too with a fake pass. That is a fake pass. I am sorry to say that. With the fake car label, you are entering there and then you are saying that it is a sting operation. I do not think it is proper for a Member of Parliament. At least it would have been better had you taken the permission of the Speaker as Mr. Rupchand Pal has said.

श्री विजयेन्द्र पाल सिंह: तब तो ऐसी कोई बात ही नहीं थी। मैं कह रहा हूँ कि I did it on purpose to see how the security system works.

SHRI RUPCHAND PAL: Who authorised to do it?

SHRI VIJAYENDRA PAL SINGH: That is exactly what I said. Why did the media do? Who authorised them to do on the MPs?

SHRI RASHEED MASOOD: Media is not entering into the prohibited area without pass. वह जो कह रहे हैं, क्वेश्चन वाला है, आप मेरी बात सुनिए।

SHRI VIJAYENDRA PAL SINGH: I am saying I did it on purpose. It was my car. It was not a stolen car. It was not the car of somebody else. It has a registration. I will show it to you. It is my registration. What was the motive? मेरा मोटिव क्या था? क्या मैं कोई चोरी करने जा रहा था? Why did I do that?

SHRI RASHEED MASOOD: The question here is not of motive. But in fact, you did not want to face certain difficulties by coming down off the car there at the gate, by walking to Parliament or by another Government vehicle to come over here. In order to avoid this inconvenience, you have done it. You accept it. Do not do it again.

SHRI RUPCHAND PAL: With the old identity card, someone was even travelling on the train. He was caught.

MR. CHAIRMAN: You have asked your question. He has given his version.

SHRI RUPCHAND PAL: Without the permission of the hon. Speaker, it is not expected from a Member of Parliament to do this.

SHRI VIJAYENDRA PAL SINGH: All right, without the permission of the hon. Speaker, it is not expected from a Member of Parliament to do the sting operation. All right, if that is your version, I agree with it. I was going to the Speaker with the proof.

SHRI RASHEED MASOOD: A Member of Parliament should not do a sting operation within Parliament. I am of this firm view.

SHRI VIJAYENDRA PAL SINGH: That is a different issue.

SHRI RUPCHAND PAL: Rather you can put it otherwise. You committed some offence. But just to justify it as a sting operation is not correct.

SHRI VIJAYENDRA PAL SINGH: If that is your look out, I am really surprised.

MR. CHAIRMAN: There is no need for argument. He has given his version.

SHRI RASHEED MASOOD: The argument is between us. Let him leave and we will discuss it out.

SHRI VIJAYENDRA PAL SINGH: I agree a media person could not have done it because he could be punished in a different way. If anybody could do it, only a Member of Parliament could do it and see what is the lapse of the security. What happened for 1½ months?

SHRI RUPCHAND PAL: You cannot check how strong the pillars are by trying to demolish it.

SHRI RASHEED MASOOD: Let him say what he wants to say. Then we will discuss it out.

श्री विजयेन्द्र पाल सिंह: डेढ़ महीने तक इन लोगों ने क्यों रिपोर्ट नहीं की? Why did they wake up after 1½ months?

SHRI RASHEED MASOOD: They have already been punished for that.

श्री विजयेन्द्र पाल सिंह: डेढ़ महीने तक क्यों नहीं किया? Why did they do all of a sudden? They should have reported me immediately. They should have caught hold of my fake label, if you call it fake. Why did they not take it out immediately? If my version was wrong, they should not have allowed my car to go in. They should have reported me immediately. Why after 1½ months did they rise to this fact that this happened? Then they went to the media and only after that they are trying to be in that other mode.

SHRI RASHEED MASOOD: The question may be asked the other way round. Why did you not report to the Speaker for 1½ months that this is happening in Parliament?

SHRI VIJAYENDRA PAL SINGH: That is exactly what I said. I did not do so only because of my goodness and because those people said: "we are going to lose our job".

SHRI RASHEED MASOOD: Goodness for what? You were doing a sting operation. For 1½ months you came with a fake label.

SHRI VIJAYENDRA PAL SINGH: We are more social. We are not like the media people. That is the difference between us. We are more social. We are not the media people although it does not make a difference.

SHRI RASHEED MASOOD: Then, what was the need of a sting operation if you are so social?

SHRI VIJAYENDRA PAL SINGH: If they can hang a Member of Parliament, they can do it.

SHRI RASHEED MASOOD: We do not want to hang the Member of Parliament. We want to save the Parliament.

SHRI VIJAYENDRA PAL SINGH: We are more welfare minded people. We have considerations which those people do not have. It was that consideration and the goodness that prevented me from informing the Speaker.

SHRI RASHEED MASOOD: When you have intentionally done this with a view to expose the security lapse and when you have come over here for 8 times to Parliament with that label, then why did you not report it to the Speaker? Why did you wait for the police to catch you?

SHRI VIJAYENDRA PAL SINGH: That is the big lapse. I wanted to see whether they can catch me.

MR. CHAIRMAN: You wanted for somebody to catch you and then you said that it is a sting operation.

SHRI RASHEED MASOOD: Had you informed the Speaker after the 6th visit, it would have been a very different thing.

श्री विजयेन्द्र पाल सिंह: लैप्स की बात कर रहे हैं। There are two issues. If you want to hang me, you can hang me.

SHRI RASHEED MASOOD: No, there is no question of hanging anyone.

SHRI VIJAYENDRA PAL SINGH: We are talking about the lapse of security. What happened was a security lapse because that was exactly my motive. My motive is the same as yours that we want to make this security a fool-proof system. What is being done on that? The security should not be obstructive. At the same time it should be facilitative as well.

SHRI RASHEED MASOOD: That is why, I, in the very beginning, supported you on the point that Members of Parliament are experiencing extreme difficulties in coming over to Parliament when their vehicle is out of order.

SHRI VIJAYENDRA PAL SINGH: That is the issue.

SHRI RASHEED MASOOD: And that is why all this thing has been done by you, but you are not accepting it. The only reason for putting a fake label on your car was because you did not want to come from the gate to the House on foot or in a Government vehicle. To avoid that difficulty, you have done this and keeping in view this difficulty, we recommend to the Speaker to issue two car passes.

SHRI VIJAYENDRA PAL SINGH: Either you have to believe me that what I did was on purpose and there was no ulterior motive.

SHRI RASHEED MASOOD: What ulterior motive can be there?

SHRI VIJAYENDRA PAL SINGH: That is exactly the issue here.

SHRI RASHEED MASOOD: Singh Saheb, I am sorry and I hope you will not mind my saying this. You please accept that you did it because you felt a number of difficulties in coming over to Parliament when your car was under repair.

SHRI VIJAYENDRA PAL SINGH: That is also there.

SHRI RASHEED MASOOD: That was the only reason and I also feel it.

SHRI VIJAYENDRA PAL SINGH: That is the prime thing, I agree.

SHRI RASHEED MASOOD: Even today I have faced it. I sold my car day-before-yesterday. Today, when I came to attend this meeting. I did wait for 15 minutes there.

SHRI RUPCHAND PAL: He has committed a forgery. That is the main question.

SHRI RASHEED MASOOD: Technically that is that, but his intention was not that.

SHRI VIJAYENDRA PAL SINGH: I think, if you call it a forgery, I am cut up about that because it is not a forgery. I have done it on purpose.

SHRI RASHEED MASOOD: Mr. Singh, act and intention, both make *mens rea*. There may be only act, not intention here. That is why you are not an accused, but forgery is there. Whether act and intention both are there or not, the act was there, intention was not there. That is why it was not *mens rea*.

SHRI VIJAYENDRA PAL SINGH: I feel that it is not a forgery. It is my car, it is my pass.

SHRI RASHEED MASOOD: But changing the number amounts to forgery.

SHRI VIJAYENDRA PAL SINGH: I did it on purpose and I stand by that.

SHRI RASHEED MASOOD: Thank you very much for putting forth your view and enlightening us. Let us discuss the matter thoroughly.

SHRI VIJAYENDRA PAL SINGH: Carry on.

MR. CHAIRMAN: Thank you.

(The Witness Then Withdrew)

MINUTES OF EVIDENCE TAKEN BEFORE THE SUB-COMMITTEE OF THE
COMMITTEE ON ETHICS

WEDNESDAY, 22 FEBRUARY, 2006

PRESENT

Shri Manoranjan Bhakta — *Chairman*

MEMBERS

1. Shri Anant Gangaram Geete
2. Shri Rupchand Pal

SECRETARIAT

1. Shri Ravindra Garimella — Under Secretary
2. Shri Ashok Sajwan — Under Secretary

WITNESSES

1. Ms. Kanwaljeet Deol, Joint Secretary (Security)
2. Shri Ravideep Singh Sahi, Joint Director (S)
3. Shri R. C. Dhabla, Assistant Director (Security)
4. Shri P.K. Rai, Security Officer
5. Shri Kiran Kumar, Senior Security Guard.

The Sub-Committee met at 16.09 hrs.

MR. CHAIRMAN: Ms. Kanwaljeet Deol, Shri Ravideep Singh Sahi, Shri R.C. Dhabla, Shri P.K. Rai and Shri Kiran Kumar, you have been asked to appear before the Sub-Committee of the Committee on Ethics to give evidence in connection with the alleged misuse of car parking label by Shri Vijayendra Pal Singh, MP.

I may inform you that under Rule 275 of the Rules of Procedure and Conduct of Business in Lok Sabha the evidence that you may give before the Committee is to be treated as confidential till the report of the Committee and its proceedings are presented to Lok Sabha. Any premature disclosure or publication of the proceedings of the Committee constitutes a breach of privilege and contempt of the House. The evidence that you may give before the Committee will be reported to the House. Now, you may please take oath.

MS. KANWALJEET DEOL: I, Kanwaljeet Deol, swear in the name of God that the evidence which I shall give in this case shall be true, that I will conceal nothing and that no part of my evidence shall be false.

SHRI RAVIDEEP SINGH SAHI: I, Ravideep Singh Sahi, swear in the name of God that the evidence which I shall give in this case shall be true, that I will conceal nothing and that no part of my evidence shall be false.

SHRI R.C. DHABLA: I, R.C. Dhabla, swear in the name of God that the evidence which I shall give in this case shall be true, that I will conceal nothing and that no part of my evidence shall be false.

SHRI P.K. RAI: I, P.K. Rai, swear in the name of God that the evidence which I shall give in this case shall be true, that I will conceal nothing and that no part of my evidence shall be false.

SHRI KIRAN KUMAR: I, Kiran Kumar, swear in the name of God that the evidence which I shall give in this case shall be true, that I will conceal nothing and that no part of my evidence shall be false.

MR. CHAIRMAN: Madam, the first question is this. Can you narrate how the system is working and how you detected the MP who allegedly misused the car parking label?

MS. KANWALJEET DEOL: The incident is of August, 2005. At that time the system was working differently from today. At that time, the main entry gate No. 3, which is on Parliament Street, was the access to the Parliament House Annexe. That has since been closed. But, at that time the entry was there. Secondly, at that time the radio frequency cards had not been issued to a large number of people and there was no radio frequency readers installed at Talkatora entry or at the main entry gate No. 3 on Parliament Street. So, at that time, there was no entry through radio frequency. Entry was only through the parking labels which were given to the hon. Members of Parliament. Besides checking the labels at the time of entry, the security personnel on duty also used to identify the Members. If the Member was familiar to them and identified, then they would allow entry. In this case, the parking label was not the original parking label but a colour photocopy of the parking label was made looking very similar to the original label. In place of the number of the vehicle that had been covered by a piece of white paper, and a new number had been added in the vehicle. At the time of entry, since a number of vehicles are coming and since the Member himself was driving and was recognized, perhaps that duplicate label passed. Perhaps, that is the reason why the duplicate label passed at that time. But, in the parking lot, we also have a security observer whose job is to patrol the parking lot and check the vehicles. Shri Kiran Kumar, who is present here, was posted on that duty and he observed that there was something wrong with the label.

Thereafter, the fake label was discovered.

MR. CHAIRMAN: Shri Kiran Kumar, on what date you detected this and on what date you reported it to your superiors?

श्री किरण कुमार: महोदय, 16 अगस्त को मेरी ड्यूटी वेहिकल चेक करने की थी। तब मैंने इस फेक लेबल को देखा। उसमें पार्लियामेंट का जो होलोग्राम था, उसमें कुछ और ही बीआईपी चमकीला सा लगा रखा था। उसके बाद मैंने सीपीआईसी से पता किया कि क्या ऐसा कुछ नया इश्यू किया गया है? वहां से पता लगा कि यह बिल्कुल अलग चीज है, यह डुप्लीकेट लेबल है। तब मैंने इसके बारे में अपने सिक्योरिटी आफीसर को बता दिया।

सभापति महोदय: आपने किस डेट को डिटेक्ट किया और किस डेट को रिपोर्ट की?

श्री किरण कुमार: मैंने 16 अगस्त को डिटेक्ट किया और उसी टाइम इसकी रिपोर्ट दी।

श्री अनन्त गंगाराम गीते: मैं एक बात जानना चाहूंगा कि क्या इस प्रकार की जांच प्रतिदिन होती है, जैसी 16 तारीख को आपने की?

श्री आर०सी० धाबला: इस प्रकार की जांच प्रतिदिन होती है।

सभापति महोदय: केवल एक ही केस आपने डिटेक्ट किया है। In the past, was there any similar case detected?

श्री आर०सी० धाबला: इस प्रकार का एक ही केस आया है।

SHRI RAVIDEEP SINGH SAHI: Sir, I am the Joint Director (Security) looking after the security of the Parliament House Annexe.

In the past there had been four or five incidents where similar cases were noticed and the matter was put up to the hon. Speaker through proper channel. This is not the first incident.

MR. CHAIRMAN: Ultimately what action was taken? Has any action been taken?

SHRI RAVIDEEP SINGH SAHI: As far as I am concerned, at the level of the Joint Director (Security) is concerned, I am not aware what action was taken against them but we had reported these incidents to our superior officers.

SHRI RUPCHAND PAL: I would like to seek one clarification. You have said that this is not the first incident and prior to that also there had been four or five occasions when such violation had taken place. I want to know whether some MPs were involved in all these cases.

SHRI RAVIDEEP SINGH SAHI: Sir, almost in all the cases, the hon. MPs were involved.

SHRI RUPCHAND PAL: Secondly, what is the span? The new security arrangements came into operation on the recommendation of the Security Committee under the leadership of the hon. Deputy Speaker. Whether these incidents took place earlier or after the new security arrangements came into operation?

SHRI RAVIDEEP SINGH SAHI: All these incidents took place in the Parliament House Annexe and all of them took place before the installation of these equipment.

SHRI RUPCHAND PAL: Were these incidents all happened in the Annexe?

SHRI RAVIDEEP SINGH SAHI: These incidents were reported in the Annexe only.

SHRI RUPCHAND PAL: If I am not mistaken, prior to the new security arrangements, there was a difference in term of degree and otherwise also between the security arrangements in the House and in the Annexe.

It has been so, particularly, when, for example, the Prime Minister is coming and the arrangements in the Parliament House Annexe are well-equipped at par with other arrangements. Otherwise, there is more laxity in respect of the visitors and all others. Or, you can say it is more liberal. What I want to know is this. Four or five incidents had taken place in the Parliament House Annexe. But this particular incident had taken place in the Parliament House itself.

SHRI RAVIDEEP SINGH SAHI: No, this particular incident has taken place in Parliament House Annexe.

SHRI RUPCHAND PAL: Has no incident taken place till now in the Parliament House itself?

SHRI RAVIDEEP SINGH SAHI: I am in-charge of security of Parliament House Annexe. I can vouch for that. I can inform about the incidents which have taken place in the Annexe. I am not aware of the incidents if they may have taken place in Parliament House.

श्री अनन्त गंगाराम गीते: अभी बताया कि चार-पांच घटनाएं हुई हैं और आपने लोक सभा अध्यक्ष को इसकी जानकारी दी है।

श्री रवीदीप सिंह शाही: हमने अपनी तरफ से ज्वाइंट सैक्रेटरी, सिक्योरिटी जो हमारे इंचार्ज हैं, उनको दी है। अध्यक्ष महोदय को नहीं दी है।

श्री अनन्त गंगाराम गीते: आपने कहा कि लगभग वे सभी एमपीज ही थे। उनके बारे में आपके पास जानकारी होगी।

श्री रवीदीप सिंह शाही: हमारे पास उसकी जानकारी है।

श्री अनन्त गंगाराम गीते: क्या वह आपके रिकार्ड में है?

श्री रवीदीप सिंह शाही: जी हां, रिकार्ड में है।

श्री अनन्त गंगाराम गीते: जब हमने पहले पूछा तो आपने कहा था कि हम इस प्रकार के लेबल की जांच रोज करते हैं। इसका मतलब यह है कि श्री विजयेन्द्र पाल फेक लेबल के साथ आए तो पहले दिन वह कार डिफैक्ट हो गई।

सभापति महोदय: आपके पास रिकार्ड होगा कि कोई एक्शन हुआ या नहीं?

श्री अनन्त गंगाराम गीते: 4-5 जो घटनाएं हुई हैं, उनकी जानकारी दे दीजिए। कौन मैम्बर्स थे जिन्होंने इसका उल्लंघन किया या गलती की? आप उसकी सूचना समिति को बाद में दे दीजिए।

MS. KANWALJEET DEOL: I have taken over only in October. मेरी नॉलेज में पहले के इनसिडेंट नहीं हैं। But I have been verbally informed कि पहले कुछ इनसिडेंट्स हुए थे। The Secretary-General has also noted in his comments that there was one incident in the Thirteenth Lok Sabha. So, I am not aware. कि ये पुराने इनसिडेंट्स कब के हैं? जो भी हमारा रिकार्ड होगा we will put it before the Committee.

श्री अनन्त गंगाराम गीते: वे किस प्रकार के थे और किस ने किए, यह जानकारी दें।

सभापति महोदय: अभी जो सिक्योरिटी अरेंजमेंट्स हैं, क्या इसमें गुंजाइश है और क्या ऐसे लैप्सिस हो सकते हैं?

श्रीमती कंवलजीत दयोल: अब हमने आरएफ टैग से एंट्री करनी शुरू कर दी है और आरएफ रीडर्स लगा दिए हैं। कुछ मैम्बर्स हैं जिन्होंने अभी तक आरएफ टैग कॉलैक्ट नहीं किए हैं। About 120 RFs are still pending. लेबल के ऊपर भी एंट्री हो रही है लेकिन हर समय मैम्बर को आईडेंटिफाई करने के बाद एंट्री हो रही है। अभी आरएफ का सिस्टम काफी बढ़ गया है इसलिए इस तरह के इनसिडेंट्स होने बहुत कम हुए हैं।

SHRI RUPCHAND PAL: Is it correct that the incident of 16th August was reported only at the end of next month, that is, September end? It took about more than one-and-a-half months to report it to the appropriate authorities.

MS. KANWALJEET DEOL: The incident of the 16th was reported to the Joint Director, that is, Mr. Sahi. On 18th the report was submitted to him after going through the officers at various levels in between Mr. Kiran Kumar. Then, on the 19th he had submitted the file to the Joint Secretary, my predecessor, Mr. Ajay Chadha. Then Mr. Ajay Chadha had returned the file to him after two or three days with some additional queries on the file. Then, finally the file had been submitted by Mr. Ajay Chadha to the Secretary-General on 26th September.

The one month which is being referred to, has passed during this period.

SHRI RUPCHAND PAL: What may be the reason? You sent it first on 18th August. Then it went to the Joint Secretary level. Then on 19th it was sent for some queries. It was sent back. Ultimately, even after that, it was sent to the next higher level. The report was submitted to the Secretary-General on 26th September. That means after a period of one month and ten days after the incident. What may be the reason? How can you explain?

MS. KANWALJEET DEOL: Sir, I have tried to check out the reasons. I have not been successful. I can only hazard that either the officers were busy or they were preoccupied or somebody was on tour. But I cannot give it right now.

SHRI RUPCHAND PAL: Do not absorb anything which may not be helpful for the enquiry. If you say they are otherwise busy, that means they have not taken it seriously. Do not say like that. There was an inordinate delay. Secondly, is it true that the incident has been reported to the media in the meantime while it was under consideration of the Secretary-General? Have you any idea?

MS. KANWALJEET DEOL: Sir, I have learnt that it has appeared in the media towards the end of September. I am not aware of the exact dates.

SHRI RAVIDEEP SINGH SAHI: Sir, as Madam has already said, this incident was reported in the media around 27th of September, the last week of September.

SHRI RUPCHAND PAL: I am not asking that. There is a contention that while the person concerned was abroad and during the inter-session period, alongwith there was an inordinate delay, but still without hearing anything from the person concerned

the media reports came out which have not been helpful either in the case. Are you sure that the media report came only after it reached the level of Secretary-General or before that? Are you sure?

SHRI RAVIDEEP SINGH SAHI: Sir, we will have to find out the exact date on which this incident was reported to the media. Then, on the basis of files we can come to know.

श्री अनन्त गंगाराम गीते: मीडिया के सामने कौन गया था।

श्री रवीदीप सिंह साही: हम मीडिया के सामने नहीं गए थे। Nobody has gone to the media.

श्री अनन्त गंगाराम गीते: इसका मतलब है कि सिक्योरिटी से कोई मीडिया के सामने नहीं गया था।

SHRI RUPCHAND PAL: Is it true that even after this 16th August incident, in the meantime, in December there was another case of gross violation of the security arrangements and the car in this case belonged to one Inspector General of Police?

MS. KANWALJEET DEOL: Sir, in the incident of December which probably is being referred to by you, it was the car belonging to the Director (Security) of the Rajya Sabha in which his family members, who had been issued passes for the Rajya Sabha gallery, were coming to be in the Public Gallery. It was the car of the Director (Security). It was not a labelled car. It had not been issued any label. It was not a regular visitor car. So, there was no label issued. But as the Director (Security) has personally cleared the car, it was allowed in.

SHRI RUPCHAND PAL: I am just asking that can it happen like that in the new security arrangement that some individual can issue such an order as a matter of exemption from the regular level? Is it permissible?

MS. KANWALJEET DEOL: Yes, Sir. Daily a lot of officials from the Government of India are visiting Parliament as the Ministers are having offices etc. In all these cases, authorization of these vehicles is done by the officer of the level of Joint-Director or above, that is, Joint-Director, Director or Joint-Secretary. It is a vehicle which is identified and authorized and number is given. These vehicles are not given regular passes because they may come only on one occasion, but they have to be cleared by the senior officers of the Security. In this case, the Director himself cleared the vehicle.

SHRI RUPCHAND PAL: It did have some authorization because it had no label. I am just asking this. As it is in the case of Government officials, Government cars entering Parliament for a temporary period to assist the Minister or to render help in any other matter that a temporary authorization is given, was there any proper authorization, or even without that the vehicle entered in the case of IG, that is, Director(S), Rajya Sabha?

MS. KANWALJEET DEOL: The Director, Rajya Sabha himself issued the authorization for the vehicle which was carrying his family members.

SHRI RUPCHAND PAL: Are you sure that it had authorization?

MS. KANWALJEET DEOL: Yes, Sir because authorization is issued by the officers of the level of Joint-Director and above. Since Director is above Joint-Director, he himself issued authorization for this vehicle, as he was issuing for Rajya Sabha for other vehicles.

श्री अनन्त गंगाराम गीते (रत्नागिरि): आप जो स्पेशल अथोराइजेशन देते हैं, उसमें विदाउट लैबल व्हीकल्स प्रिमाइस में एन्टर करते हैं। उन पर किसी प्रकार का लैबल नहीं होता, उनके पास टैम्पोरेरी पास भी नहीं होता है।

श्रीमती कंवलजीत दयोल: जी हां।

SHRI RUPCHAND PAL: Are you satisfied with the current state of affairs of the security arrangements, particularly with regard to cars' entry and exit? Or, do you have any suggestion for any improvement?

MS. KANWALJEET DEOL: As far as car labels are concerned, we are very keen that all entries should be done by RF tags. We are still moving in the direction because all people who have been authorised have not yet collected their RF tags. At the same time, to certain people, like those belonging to media and others, we are not issuing RF tags. We are giving them only sessional passes which allow them entry during a particular session.

Besides that, as I told, the third category is of officers who have to come only once. For example, the allied security agencies are required to come when we need them. For that, authorisation is given by the senior officers through the Control Room. That system is quite strong.

At the present moment, there is a need for extending the RF tag, which I am trying my best to do. We want that we should do it and finish off. Otherwise, I think, the system is quite strong.

SHRI RUPCHAND PAL: What are you doing for the media people?

MS. KANWALJEET DEOL: We are issuing them sessional passes.

Basically, no vehicle is allowed to be parked inside the main Parliament House premises. For Media, we have created a parking lot at Plot No. 118. It is behind the statue of Mahatma Gandhi, at a distance from the main Parliament House. We issue them sessional passes and they park their vehicles there. The only vehicles which are parked in the main Parliament House, behind the statue of Mahatma Gandhi, are self-driven vehicles of MPs.

SHRI RUPCHAND PAL: Do you consider it foolproof?

MS. KANWALJEET DEOL: Yes.

MR. CHAIRMAN: Do you think that the incident we are talking about constitute a fraud?

MS. KANWALJEET DEOL: The case of making a photocopy of a lable by changing the number would be technically considered as a forgery. That is on the basis if the law of the land.

SHRI RUPCHAND PAL: So, legally speaking, there are several offences. First, there has been a security violation.

Secondly, there was a case of forgery that was committed. It added to the complexity of the first offence.

Thirdly, of course, it does not concern you, but we need your help and clarification in this matter. Suppose, some media person enters the Parliament House or Parliament House Annexe complex deliberately violating the security arrangements, and when caught, the media person says that he was doing it as part of a sting operation. He says that he was trying to find out how foolproof the security arrangement is in the Parliament House complex. Are you prepared to accept such logic? Do you have anything to say if some media person says in this manner?

MS. KANWALJEET DEOL: In the case of a hypothetical situation that you are mentioning, I would think that if the media person was trying to test our arrangements, then he would say that he has entered the complex the moment he entered it. I am saying this because he would have to make it public. On the other hand, if he says such a thing after we have caught him, then perhaps his intentions were not just to test our security arrangements.

Secondly, nobody has the authority to check our security arrangements in this manner. Therefore, the offence of having misused and created a new label by forgery, etc. will still exist no matter what his explanation is on this issue.

SHRI RUPCHAND PAL: Can you repeat the second point please? It was mentioned by you that nobody has the right and authority to test your security arrangements. Is there any specific mention in your security act, rule or guideline that if anyone violates the rules—be it in the name of sting operation or be it in the name of any other purpose—without the permission of any appropriate authority, then action will be considered against him as an offence that has been committed by him?

MS. KANWALJEET DEOL: Sir, perhaps I have failed to make myself clear. I was mentioning that nobody has the authority to fake a label because faking a label is an offence.

SHRI RUPCHAND PAL: Madam, I am not asking about that issue. I am just asking whether there is any such security rule, security guidelines, etc. for such a situation. Obviously, you are also guided by certain basic security acts. Suppose, someone violates a provision of the security arrangements—be it the security rule, be it the security guidelines, be it the basic framework, that is, the basic security act—and when caught takes the plea that it was all part of a sting operation. What provision of your existing security law can counter such a claim or nullify such a claim? Is there a legal provision that says that there is no scope for such a sting operation to test the security capability?

MS. KANWALJEET DEOL: There is a security hierarchy, and the hon. Speaker is in-charge of the whole responsibility for security of the Parliament House, but through the Secretary-General an officer of the level of Joint Secretary is appointed professionally as in-charge of the security. I would also like to mention there that any kind of testing,

inspection, etc. is permitted within our own hierarchy. But it would not be proper for anybody else outside this security hierarchy to check the security arrangements.

SHRI RUPCHAND PAL: I am not talking about the propriety issue. It is an altogether different matter. In the case of a violation of a particular law there are sections under which the offender can be punished. As regards forgery, unauthorised entry, etc. there is a legal provision that without the permission of the hon. Speaker or the Secretary-General it took place. I am asking whether in your existing legal arrangement there is any legal framework that would stand the scrutiny of judiciary when brought to the court of law?

MS. KANWALJEET DEOL: I would make a distinction here. Any act such as forgery is a criminal act under the law of the land. As my Joint Director has pointed out, in case of impersonation of hon. Member of Parliament, Shri Shatrughan Sinha, a case was registered against the Aaj Tak Channel which has done that. If there is an overt criminal act or impersonation or forgery, it is a criminal act under the law of the land. Otherwise, legally, our Security Wing does not have any law for prosecution of an offender in a criminal court or in a court of law. If a person violates our security norms or tries to get into Parliament Complex, we catch him and turn him over to the local police for questioning by security agencies, intelligence agencies to understand what are his motives.

SHRI RUPCHAND PAL: What you are saying is that such a person would be prosecuted according to the provisions of the existing criminal law.

श्री अनन्त गंगाराम गीते: अभी आपने कहा कि रोज़ाना कार लेबल की जांच करते हैं। जब श्री वी. पी. सिंह 16 अगस्त तो फेकड लेबल लगाकर आये, उसी दिन ही डिटेक्ट हो गये। उसकी जानकारी आपने हायर अथोरिटीज़ को दी। मैं जानना चाहता हूँ कि उसके बाद पता चला कि फेकड लेबल है तो उसकी जांच की गई कि उस व्हीकल में आपने औब्ज़ेक्शनल चीज़ें पाईं। एक संसद सदस्य, जिनकी कार थी, उनकी इंटैशन गलत महसूस हुई।

श्री आर.सी. धाबला: पहली बात तो यह है कि वह एम.पी. हैं। उन्हें जो कार लेबल सैल्फ पार्किंग के लिये दिया जाता है, उसमें उनकी गाड़ी खड़ी हुई थी, जिस पर लेबल एम.पी. का लगा हुआ था। इस बात को फाईंड आउट करना जरूरी था कि यह गाड़ी किनकी है। मैंने सीपीआईसी से पता किया तो मालूम हुआ कि यह गाड़ी श्री वी.पी. सिंह जी की है। मैंने उनसे कांटेक्ट किया तो उस समय वे मीटिंग में थे लेकिन फिर भी कार की जांच आवश्यक नहीं समझी। इसलिए जांच नहीं कराई गई क्योंकि वह कहने लगे कि यह गाड़ी उनकी है।

श्री रविदीप सिंह साही: श्री किरन कुमार ने श्री पी.के. राय को इस प्रकार की इनफॉर्मेशन दी और वही इनफॉर्मेशन पी.के. राय ने धाबला जी को दी। यह वहां पहुंच गये और जब वैरीफाई किया तो मालूम हुआ कि कार लेबल की फोटो कापी थी। the hon. Member of Parliament was in a meeting. जब एम.पी. साहब मीटिंग से बाहर आये तो बताया कि एम.पी. को एक लेबल ईश्यू होता है और गाड़ी कई दफा रिपेयरिंग के लिये गैराज में चली जाती है, उसके लिये फोटो कॉपी कार लेबल का लगाया जाता है और कहने लगे कि आगे से वह इसे नहीं लगायेंगे।

श्री अनन्त गंगाराम गीते: उन्होंने जब यह कहा कि दुबारा ऐसी गलती नहीं होगी और रैगरेट किया और बोले कि एक ही लेबल मिलता है।

श्री आर.सी. धाबला: उन्होंने यह भी कहा कि हमें लोक सभा से दो लेबल मिलना चाहिये और फिर रैगरेट किया।

श्री अनन्त गंगाराम गीते: हम इनटैशन जानना चाहते हैं कि बिना रुकावट के आना एम.पी. की इंटैशन होती है, उसके लिये रैगरेट किया?

श्री आर.सी. धाबला: जी।

MR. CHAIRMAN: Okay, thank you, Madam.

(The witnesses then withdrew)

श्री रूपचन्द पाल: सभापति महोदय, समिति की अगली बैठक 16 मार्च, 20056 को सायं 3.00 बजे रख सकते हैं।

सभापति महोदय: ठीक है।

(तत्पश्चात् समिति की बैठक स्थगित हुई)

MINUTES OF EVIDENCE TAKEN BEFORE THE SUB-COMMITTEE OF THE
COMMITTEE ON ETHICS

MONDAY, 22 MAY, 2006

PRESENT

Shri Manoranjan Bhakta — *Chairman*

MEMBERS

2. Shri Anant Gangaram Geete
3. Shri Rupchand Pal

SECRETARIAT

1. Shri V.K. Sharma — *Joint Secretary*
2. Shri Ravindra Garimella — *Under Secretary*
3. Shri Ashok Sajwan — *Under Secretary*

WITNESS

Shri Vijayendra Pal Singh, MP

The Sub-Committee met at 16.15 hrs.

सभापति महोदय: पिछली बार में यह तय किया गया था कि श्री वी० पी० सिंह को एविडेंस के लिये एक बार बुलाया जाये। आज हमने उन्हें बुलाया है। इनकी बात सुनने के बाद ही हम अपनी रिपोर्ट फाइनल करेंगे।

श्री अनंत गंगाराम गीते: सभापति जी, हमने पिछली रिपोर्ट देखी है। हमें तो यही लगता है कि इनका उस समय कोई बुरा इरादा नहीं था, न मैलाफाइड इंटेंशन थी। इनकी इंटेंशन तो यह थी कि बिना बाधा के संसद में अपनी व्हीकल लेकर आयें। इसलिये मेरा मानना है कि इस बात को ज्यादा न लेते हुये लेबल वाला मामला खत्म कर देना चाहिये। अब इनको जो कहना है, कह सकते हैं।

SHRI VIJAYENDRA PAL SINGH: Mr. Chairman, Sir, I am grateful for another occasion that has been granted to me to come and explain my position to this august Committee of which I am also a Member.

I have explained my position in detail about this incident that has been talked about much. I would like to explain again in a very few words. From my part, I had no ulterior motive —there could not be any ulterior motive—nor had I any *mala fide* interest and this was only to see that the security, of which we are all very much concerned, you as the Chairman and we as Members, is spruced up and more attention needs to be given.

Having said all this, I feel that my only mistake was that I did not report about this to the Speaker in time. As I had explained earlier, I had not reported it to the Speaker

or to the Ethics Committee earlier that this has been happening, my car had entered the premises so many times and nothing has been done. Then, there is another issue. As Mr. Rasheed Masood had also agreed earlier, there is inconvenience to Members of Parliament to come to Parliament if their vehicle breaks down. When their vehicle breaks down, they cannot enter the premises of Parliament with a different vehicle and that is what I wanted to show. In the light of this, as I have already said, my mistake was that I should have taken the permission of the Speaker before doing this sting operation. I would have done it but for the fact that I thought that the security staff would get into trouble and I did not want them to get into trouble. Anyway, it had happened and the security, which was lax earlier, has been spruced up now in many ways. I feel that the work is done. I would like to leave it at that and I feel whatever I have said is sufficient. Thank you very much.

MR. CHAIRMAN: And you feel sorry.

श्री विजयेन्द्र पाल सिंह: मैं मानता हूँ कि मैंने गलती की कि मैंने रिपोर्ट नहीं किया, इतना कह दिया है।

श्री अनंत गंगाराम गीते: सभापति जी, आप इनकी बात मान लीजिये क्योंकि इन्होंने अपनी गलती मान ली है।

सभापति महोदय: इन्होंने अपनी बात कह दी है और जब आपने भी कह दिया तो हम इस बात को मान लेते हैं।

(तत्पश्चात् समिति की कार्यवाही स्थगित हुई)

APPENDICES

APPENDIX-I
(See Para 18 Report)

Vijayendra Pal Singh
Member of Parliament
(Lok Sabha)

B-402, M. S. Flats
B K S Marg, New Delhi-110 001
Tel-011-23752787
Jal Mahal, Badnore-311302
Distt. Bhilwara, Rajasthan
Tel : 01480-225521

Shri Somnath Chatterjee
Hon'ble Speaker
Lok Sabha
New Delhi

Dear Sir,

I am writing to you regarding the security lapse incident that has been reported in the media in the last few days.

At the outset let me clarify that as a senior member of the House I am as much concerned about the security as anyone else and my intention was only to strengthen the security and make it facilitative and non-prohibitive or obstructive for the members.

I do not wish to say more but want you, Sir, to inquire into this sordid incident. I am sure this will reveal everything and ensure a secure Parliament for the future.

Let me also take this opportunity to mention the inadequate security arrangements in the M.S. Flats, B.K.S. Marg, where I reside along with nearly a hundred Members of Parliament. I have been writing about this for a long time.

Thanking you,

Yours sincerely,

03 Oct., 2005

V. P. SINGH.

APPENDIX-II

(See Para 20 Report)

Vijayendra Pal Singh
Member of Parliament
(Lok Sabha)

B-402, M. S. Flats
B K S Marg, New Delhi-110 001
Tel-011-23752787
Jal Mahal, Badnore-311302
Distt. Bhilwara, Rajasthan
Tel : 01480-225521

Dated:

Hon'ble Sir,

In continuation of my earlier letter dated the 3rd of October, 2005 and the subsequent directive from your side, wherein, I was asked to submit a statement clarifying the incident of the security breach which occurred in the Parliament of India during the Monsoon Session, I have the following to submit.

The Parliament of India, in my view, is more than the brick and mortar of the building in which it is housed; it is the temple of Indian democracy, an institution of national pride, and, the embodiment of the life and security of the nearly 750 Members who are elected thereto. As such, I, as an elected Member, have a right to feel concerned about the security apparatus of the system, on which, it is learnt, hundreds of crores of rupees have been spent in the aftermath of the gruesome terrorist attack of December, 2002.

Some of us, have, however, felt, that, over the years, complacency has set in among the people manning the Parliament security. Most respectfully, Sir, this fact, of which we have been aware, could have been put to test, also, only, by one of us. This initiative is an outcome of our concern. This exercise, to my utter dismay, brought out the lacunae in Parliament security and the urgency of initiating corrective measures therein. I may also add, Sir, that, almost one and a half months have elapsed since the "breach" in Parliament security took place and no attempt, so far, to the best of my knowledge, has been made to unearth the detailed reasons as to why this happened. To my thinking, there appears to be a conscious attempt to cover up the entire incident and to sweep it under the carpet.

At the end of the day, I share with you, Sir, the urgent need to make the system of Parliament security, completely foolproof, state of the art, and, beyond any possibilities of tamper or subversion by forces inimical to the well being of the country. At the same time, we also feel strongly, and, therefore, urge you, Sir, that the system should not become obstructive; on the other hand, it should be open, transparent and reasonably flexible to cater to the genuine requirements of different sets of Members of Parliament. At the moment, there is also a grievance that some Members, hailing

from particular States are more privileged than the others in terms of the number of passes that are issued to them, along with other security related facilities, which only they enjoy and the rest of us do not. Thus, it is crucial, that a wide-ranging discussion should also be held with the Members of Parliament, before the final shape of the security mechanism is finally decided.

This in brief, Sir, is my point of view and in all humility, I am submitting this for your kind consideration. However, if more details are required, with the objective of achieving the aims of installing a foolproof and user-friendly system of Security in the Parliament of India, I am willing to submit myself to a detailed inquiry, which, I strongly urge you to put in place at the earliest.

Yours Sincerely,

Sd/-

(V. P. SINGH), MP

Hon'ble Shri Somnath Chatterjee,
Speaker,
Lok Sabha,
Parliament of India,
NEW DELHI.