

Title: Regarding alleged misuse of POTA.

MR. SPEAKER: Now, we will take up 'Zero Hour'. Yes, you can make your submission.

DR. C. KRISHNAN (POLLACHI): Thank you very much for giving me this opportunity to talk about a sad thing that a hon. Member of this House has been booked under POTA and he is now behind the bars.

Sir, I would like to bring to the notice of the hon. Members of this House as to how POTA has been misused by the Government of Tamil Nadu.

Sir, Shri Vaiko, my leader, General Secretary, MDMK was arrested on 11th July, 2002 under the POTA and he is in Vellore jail. While Shri Vaiko was participating in the debate on Gujarat incidents in the House, some Members of Opposition parties interfered and referred him as a supporter of LTTE. To clarify the view taken by the Members of the Opposition, Shri Vaiko, my leader, explained his stand with regard to LTTE. He only mentioned the same in the public meeting held at Thirumangalam in Madurai district on 29th June this year.

Sir, the arrest of Shri Vaiko under POTA is an anti-democratic action taken by the Government of Tamil Nadu. During the debate on POTA in the House, Government assured that it will not be allowed to be misused for political reasons and against political parties...*(Interruptions)*

SHRI P.H. PANDIAN (TIRUNELVELI): Sir, it is a State subject...*(Interruptions)*

DR. C. KRISHNAN : Sir, now POTA has been misused by the Government of Tamil Nadu. I, on behalf of my party and on behalf of everyone here, wish to know from the Government as to what action the Central Government proposes to take for the protection of the Members against the use of POTA and for the release of Shri Vaiko, leader of MDMK party.

DR. NITISH SENGUPTA (CONTAI): Sir, we also associate ourselves with the sentiments expressed by the hon. Member...*(Interruptions)*

DR. C. KRISHNAN : Sir, there are a lot of problems that are yet to be solved in the State of Tamil Nadu. In order to divert the attention of the people of Tamil Nadu from those issues, the Government of Tamil Nadu has resorted to such actions. The Cauvery water dispute has not yet been settled. There has been an increase in the bus fares and there has also been a hike in the charges of electricity. Likewise, there are many other problems. The MDMK party had created a public opinion against the Government of Tamil Nadu and the Government in an effort to divert the attention of the people from these issues has taken such an action. Instead of solving the problems of people, the Government of Tamil Nadu has started suppressing the voice of the Opposition. The arrest of Shri Vaiko is a case of political vengeance and this has to be taken care of at this stage itself. It is because today it has happened with Shri Vaiko and tomorrow anybody can be arrested like this. So, the Central Government should initiate action immediately to protect ...*(Interruptions)*

SHRI P.H. PANDIAN : Sir, I would like to reply to this...*(Interruptions)*

MR. SPEAKER: Let him complete first.

DR. C. KRISHNAN : Sir, today Shri Vaiko has been arrested under this, tomorrow anybody can be put behind the bars under this POTA. I would like the Central Government to give its opinion on safeguarding the Members in this respect.

MR. SPEAKER: This issue being an important issue, I am going to allow some Members to speak on this.

...*(Interruptions)*

*Not Recorded.

SHRI K. YERRANNAIDU (SRIKAKULAM): Sir, I want to say something not on this issue. ...*(Interruptions)*

MR. SPEAKER: On any other issue you are not allowed to speak unless I dispose of this particular issue.

SHRI K. YERRANNAIDU : Sir, I have already given notice on this issue. I want to add to what Shri Ramji Lal Suman has said. ...*(Interruptions)*

MR. SPEAKER: I have not taken that up. You are aware that on that there is going to be a discussion.

...*(Interruptions)*

MR. SPEAKER: Nothing will go on record except what Shri Prabhunath Singh says now.

*(Interruptions)**

SHRI P.H. PANDIAN : Sir, I seek your permission.

MR. SPEAKER: I am going to permit you. You will be positively permitted to speak on this issue. This is a very serious issue. I want everybody to cooperate. Your colleague has been arrested under POTA. Would you not like to discuss it in the House? I want this to be discussed seriously.

श्री प्रभुनाथ सिंह (महाराजगंज, बिहार) : अध्यक्ष महोदय, इस सदन के सदस्य, माननीय श्री वैको को तमिलनाडु की सरकार ने पोटा कानून के तहत गिरफ्तार किया है। जिस दिन पोटा कानून सदन में आया था, *(व्यवधान)*

MR. SPEAKER: Shri Prabhunath Singh, you have to be very brief.

श्री प्रभुनाथ सिंह : महोदय, हम एकदम शार्ट में बोलेंगे। जिस दिन सदन में पक्ष और विपक्ष की तरफ से चर्चा चल रही थी, उसी दिन कुछ माननीय सदस्यों ने यह आशंका जाहिर की थी कि इस कानून का दुरुपयोग होगा। माननीय श्री वैको ने जिस ढंग से एक पत्र सभी माननीय सदस्यों को भेजा है और मुझे भी मिला है, मुझे लगता है कि सभी को मिला होगा। उस पत्र में उन्होंने पूर्ण रूप से जिक्र किया है कि वह

*Not Recorded.

कहीं से इस दो के लायक नहीं हैं, जिसके कारण उन पर पोटा लगाया जाए। तमिलनाडु की सरकार ने बदले की भावना से श्री वैको को गिरफ्तार किया है। हम चाहेंगे कि केन्द्र सरकार इस पर अपनी स्थिति स्पष्ट करे और इस कानून में संशोधन करे। *(व्यवधान)* पोटा कानून में जो भी त्रुटियां एवं गलतियां हैं, उनमें सरकार संशोधन करे। इसमें केन्द्र सरकार शीघ्र हस्तक्षेप करके श्री वैको को जेल से निकालने के लिए प्रयास करे, यह हम आपके माध्यम से सरकार से अनुरोध करते हैं।

महोदय, हमें लगता है कि इस सवाल पर सदन भी पूर्ण रूप से सहमत हैं। श्री वैको को जो गिरफ्तार किया गया है, यह इनके साथ अन्याय हुआ है। तमिलनाडु की सरकार ने बदले की भावना से कार्यवाही की है। यह एक बहुत ही गलत परम्परा कायम हो रही है कि किसी भी राजनैतिक नेता को बदले की भावना से गिरफ्तार किया जाए। इन्हीं शब्दों के साथ हम पुनः आपके माध्यम से सरकार से मांग करते हैं कि इस कानून में संशोधन करें।

SHRI S.S. PALANIMANICKAM (THANJAVUR): Hon. Speaker, Sir, POTO was enacted as a law in order to prevent terrorism and terrorist activities. It should not be used as a weapon against political opponents. When the Bill was introduced in Parliament, we from DMK Party expressed the fear that this might be used against political opponents. We want a solemn assurance from the Home Minister that this would not be used against political adversaries.

Now, several people have been arrested under POTA by various State Governments. So also the States are contemplating to arrest several people under POTA in the near future.

Since Shri Vaiko, an hon. MP, has been arrested, we are making an issue in this Parliament today. I want to know how many innocent people have been arrested on personal vendetta and on political reasons.

Sir, it is the misuse of POTA by the Tamil Nadu Government. The arrest of Shri Vaiko by the Tamil Nadu Government is a clear case of political vendetta and to prevent his political activities.

In this case the Special Court has not been constituted to remand a person arrested under POTA. A magistrate is

not competent under the Act to remand an accused....(*Interruptions*)

SHRI P.H. PANDIAN : Sir, what is this? He is reading during the *Zero Hour*....(*Interruptions*)

SHRI S.S. PALANIMANICKAM : You are not the Speaker. The hon. Speaker has allowed me to speak....(*Interruptions*)

SHRI P.H. PANDIAN : Sir, there is no rule to read during *Zero Hour*.

MR. SPEAKER: Shri P.H. Pandian, please take your seat. I will allow you also to speak.

....(*Interruptions*)

SHRI P.H. PANDIAN : But Sir, there is no rule for reading during *Zero Hour*....(*Interruptions*)

SHRI S.S. PALANIMANICKAM : Who says I am reading?...(*Interruptions*)

MR. SPEAKER: Shri P.H. Pandian, please.

....(*Interruptions*)

SHRI S.S. PALANIMANICKAM : Sir, so far, no rule has been framed about the functioning of the Special Court. Hence, a remand by the magistrate is illegal. Taking this fact into consideration, the magistrate, who originally remanded five accused in this case, applied for leave and went away. It seems that he refused further remand to the accused. So, the Executive had pressurised another magistrate to remand them. It is a clear case of pressuring the Judiciary by the Executive.

MR. SPEAKER: Shri S.S. Palanimanickam, please be brief. You cannot read out the entire thing.

SHRI P.H. PANDIAN : Sir, please give a chance to all the Members to speak on this subject...(*Interruptions*)

SHRI MANI SHANKAR AIYAR (MAYILADUTURAI): Sir, he says that the Judiciary has been put under political pressure. How can he say so?

MR. SPEAKER: He wants to criticise the political pressure and not the Judiciary.

....(*Interruptions*)

SHRI MANI SHANKAR AIYAR : That is what he had said...(*Interruptions*)

SHRI P.H. PANDIAN : Sir, you should not allow such a reading by a Member of Parliament....(*Interruptions*)

SHRI S.S. PALANIMANICKAM : Sir, we should have more safeguards in POTA to prevent action initiated due to political reasons. Under this Act, police officers have been empowered with the power of arrest.

MR. SPEAKER: Please conclude now.

SHRI S.S. PALANIMANICKAM : Sir, our leader Dr. Kaliangar yesterday stated in the Press that there should be an in-built mechanism before the arrest by the police officers.

In the United Kingdom during World War II, the emergency provisions were made that the competent authority to issue warrant of arrest should be the Home Secretary of the State.

We, the DMK, insisted at the time when POTO Bill was being considered that the competent authority to issue the order of arrest should be the Home Secretary of the concerned State. Otherwise, POTA will be misused time and again.

Therefore, we want from the hon. Home Minister a statement about the arrest of Shri Vaiko, an hon. Member of this august House. Thank you.

MR. SPEAKER: Now, Shri E. Ponnuswamy.

श्री रघुनाथ झा (गोपालगंज) : आपने कहा था कि मुझे जीरो आवर में मौका दिया जाएगा। *â€* (व्यवधान)

अध्यक्ष महोदय: मैं आपको परमिशन देने वाला हूँ। अभी मैंने पोन्नुस्वामी को इजाजत दी है। आप बैठिए।

श्री रघुनाथ झा : कब देंगे?

अध्यक्ष महोदय: यह चर्चा महत्वपूर्ण है। मैं इसके बाद आपको मौका दूंगा।

SHRI E. PONNUSWAMY (CHIDAMBARAM): Thank you very much, Sir, for the opportunity given to me...*(Interruptions)*

SHRI P.H. PANDIAN : Sir, let me speak now.

MR. SPEAKER: Do you want to speak now? I wanted you to reply rather.

SHRI P.H. PANDIAN : Sir, you are allowing everybody but not me.

MR. SPEAKER: I will allow you also.

SHRI P.H. PANDIAN : As a right of reply, I should be allowed to speak now.

MR. SPEAKER: Shri E. Ponnuswamy is on his legs. Let him speak.

...*(Interruptions)*

SHRI S.S. PALANIMANICKAM : Sir, Shri Pandian is on the panel of Chairmen also. He should follow the procedures...*(Interruptions)*

MR. SPEAKER: Shri Pandian, you had been the Speaker of a State Assembly also. Please understand. I will give you the chance after him. Now, please take your seat.

SHRI E. PONNUSWAMY (CHIDAMBARAM): Sir, we are with the Government to enact any law to prevent terrorism. We had supported this law in good faith two months ago, just to prevent terrorism and not to arrest any political opponent by misusing the Act.

In the Act, there is no provision to arrest the political leaders as a vendetta and to just score a political mileage or take revenge against the political leaders.

We have enacted this law two months ago. We had supported that measure whole-heartedly, in good faith, that it will never be misused – to take revenge or to take political mileage. ...*(Interruptions)* Please allow me to speak. ...*(Interruptions)*

We had supported that measure and we will continue to support any measure taken by the government to nip terrorism in the bud, in whatever fashion it may come up.

Now, not only to gain political mileage, but also to take revenge against political adversaries or rivals, quite

unfortunately, the Government of Tamil Nadu arrested Shri Vaiko, instead of concentrating on the main issues of the people. People in Tamil Nadu are facing near-famine, without the water of Cauvery. There are so many other problems facing the people of Tamil Nadu. Just to divert the attention of the people from the main issues, the Government of Tamil Nadu, quite unfortunately, misusing the provisions of this Act to harass one political leader. ...(*Interruptions*)

MR. SPEAKER: I think, it is enough. Please conclude.

...(*Interruptions*)

SHRI E. PONNUSWAMY : I request this august House to amend this law, so as not to arrest political leaders, but only to fight against terrorism. ...(*Interruptions*)

SHRI P.H. PANDIAN : Mr. Speaker, Sir, the law was passed by Parliament to protect the sovereignty and integrity of India. ...(*Interruptions*)

SHRI E. PONNUSWAMY : Sir, I appeal to this august House to take all steps necessary to release Shri Vaiko and also to amend that law suitably. ...(*Interruptions*)

MR. SPEAKER: Please conclude now.

...(*Interruptions*)

SHRI E. PONNUSWAMY : POTA should not be used to arrest political adversaries. Shri Vaiko is arrested today; but we do not know who will be arrested tomorrow in the Opposition-ruled States. So, POTA should be used only to prevent terrorism of all kinds. ...(*Interruptions*)

SHRI P.H. PANDIAN : Nobody is above law. The law-makers should not be law-breakers. ...(*Interruptions*)

श्री रघुनाथ झा : अध्यक्ष जी, मैंने भी नोटिस दिया है! (व्यवधान)

अध्यक्ष महोदय : मैं खड़ा हूँ, आप बैठिये। मेहरबानी करिये। रघुनाथ जी, मैं आप के द्वारा उठाये गये विषय पर इजाजत दे सकता हूँ लेकिन जो विषय शुरू किया हुआ है, वह अलग है। मैं आपको इजाजत देने के खिलाफ नहीं हूँ लेकिन यदि एक समय पर चार सदस्य बोलेंगे, यह कैसे होगा?

श्री रघुनाथ झा : लेकिन आपने श्री पाण्डियन को अनुमति दी है।

अध्यक्ष महोदय : श्री पाण्डियन की पार्टी की सरकार के एक्शन पर चर्चा है, इसलिये मैंने उन्हें इजाजत दी है।

SHRI P.H. PANDIAN (TIRUNELVELI): Mr. Speaker, Sir, thank you very much.

Whoever offends Section 21 (3) of the Act is liable to be arrested – whether he is a Member of Parliament or a Minister or anybody else. If one offends Section 21 (3), he is liable to be arrested. That provision is as follows:

"If a person commits an offence or if he addresses a meeting for the purpose of encouraging support for a terrorist organisation and to further its activities, “"

So, whoever offends this provision, he is liable to be arrested – whether it is Pandian or anybody else.

...(*Interruptions*) Whoever it may be and wherever he is, he is liable to be arrested – whether he is in PMK or in any other Party or in any other section of this House. ...(*Interruptions*)

We have passed the law to protect sovereignty and integrity of India. I just want to know this. Two hon. Members

who are the NDA constituents have spoken now. They are constituents of NDA Government. Can a member of a constituent of the Government attack this provision of law? You have passed this law here and you were a party to its passage. Is not that law applicable to you? Is it applicable only for the people outside? Is it applicable for the people outside alone? Please tell me this – is it only for people outside?

It is not so. That is why, in any criminal law, the first line starts with this word "whoever". There is no exception to the Members of Parliament. It does not say, "Whoever, except the Members of Parliament".

Accordingly, a Member of Parliament was arrested when he 'addressed' persons. He made a statement. He issued a Press Release. I have it here. He said that he continued to support LTTE. It is about 'Tamil Eelam'. It is not about 'Tamil Bihar' or about 'Tamil Bengal'. That is why, my leader, the hon. Chief Minister, Dr. Puratchi Thalaivi took that action.

She had enforced TADA and she had arrested the accused in the Rajiv Gandhi assassination case.

They were tried and convicted. You must know that but for TADA, Rajivji's killers would not have been convicted. So, during the Joint Session we supported the sincere implementation of TADA. We must know that....(*Interruptions*)

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): Everybody will be then arrested....(*Interruptions*)

SHRI P.H. PANDIAN : Whoever offends the law will be arrested. Nobody is going to be arrested unnecessarily. If I offend Section 302 of IPC, being a Member of Parliament I cannot claim a privilege or exemption that I cannot be arrested. Will you hold a brief for criminals in Tihar Jail? Whoever he may be, he has offended Section 302. If a Member of Parliament commits a murder, he is liable to be arrested and detained in jail. Please do not hold a brief here. It is not for the Parliament to defend him. It is for him to defend before the court of law whether the use of POTA is to be waived by evidence. An FIR has been filed before the Magistrate. He has been remanded. A trial is going to be conducted. Are we going to conduct a trial? We are not here to conduct a trial. It is a criminal act.

At this juncture I would ask, what is the definition of crime. Somnathji, do you know what is the definition of crime....(*Interruptions*) Any act, forbidden by law, under the pain of punishment is crime. It is forbidden by law. His speeches are inflammatory. He has been supporting LTTE. He has also said in his statement dated 7th, that he has advocated the LTTE cause in Parliament. He has misused the privilege here but he cannot get the protection outside. He wants protection inside. He said that he was supporting LTTE inside the House but he cannot get the criminal protection outside the House....(*Interruptions*)

SHRI S.S. PALANIMANICKAM : Its misuse should be stopped.

SHRI P.H. PANDIAN : It is not the question of misuse. When a law is used, it is for the courts to hold the trial. The political adversaries are not defined in criminal law. A law-breaker cannot be the law-maker....(*Interruptions*)

MR. SPEAKER: I think you have already made your point.

...(*Interruptions*)

SHRI P.H. PANDIAN : If he advocates the cause of LTTE or if he supports LTTE, his arrest is legal. His remand is legal. He has to get the remedy elsewhere. He cannot come here for remedy. Some leaders were arrested under the criminal law. They did not get the remedy here.â€¦ (*Interruptions*)

MR. SPEAKER: Let Shri Pandiyan Speak. Why do you want to disturb him unnecessarily...(*Interruptions*)

SHRI P.H. PANDIAN : He is not the Speaker....(*Interruptions*) We, the 544 Members of Parliament, have enacted the law not for the people outside....(*Interruptions*)

MR. SPEAKER: Shri Pandiyan, you have made your point clear.

...(Interruptions)

SHRI P.H. PANDIAN : His speech offended section 21, clause 3 of the Act....(Interruptions) His arrest was legal. Remand was legal. Under Section 167 the Magistrate remanded him....(Interruptions) Law and order is a State subject. This House is not an appellate forum. An elected Government is there. The Chief Minister is there....(Interruptions)

अध्यक्ष महोदय : स्वाइं जी, आप बैठिये।

श्री मुलायम सिंह यादव (सम्भल) : यह समर्थन ही करते रहेंगे। इन्होंने पोटा का समर्थन किया और इन्हीं पर लगा। पोटा का हमने भी समर्थन किया था हमें भी बोलने का मौका दिया जाए।

SHRI P.H. PANDIAN : An elected Government is there. We cannot attribute motives to a Government. They say that political motivation was there. What was the political motivation? Let him say that he has not uttered that word. Let him say that he has not made a speech in Thirumangalam.â€ (Interruptions)

MR. SPEAKER: Nobody will be allowed to speak for more than two minutes.

He is not a political adversary. They got only 500 votes in the recently held by-elections. Do you say he is a political adversary? No. They lost the deposit. By counting all the votes in the three constituencies put together, they could not get the deposit.

MR. SPEAKER: Shri Pandian, this is out of context.

SHRI P.H. PANDIAN : This is not the forum to debate this issue. Parliament cannot debate it. The Member concerned can say that he has been arrested on such and such a ground. But the Members here cannot defend him. His arrest is legal and his remand is also legal. ...(Interruptions) He has violated the provisions of the Act. He is hand in glove with LTTE. Now the Congress people must rise to the occasion. My leader Dr. Purutchi Thalaivi has prosecuted the offenders in the Rajiv killing case. Do you want any other Prime Minister to be killed?

MR. SPEAKER: Please do not take down anything on record of what Shri Pandian says. Nothing will now go on record.

(Interruptions)*

MR. SPEAKER: Only Shri Mulayam Singh Yadav will speak now.

...(व्यवधान)

अध्यक्ष महोदय : ठीक है आप बैठिए।

श्री रामानन्द सिंह (सतना) : माननीय गृह मंत्री जी को स्पष्ट करना चाहिए कि उनकी गिरफ्तारी सही है या नहीं। â€ (व्यवधान)

*Not Recorded.

अध्यक्ष महोदय : मुलायम सिंह जी, आप बोलिए।

श्री मुलायम सिंह यादव : मैं कैसे शुरू करूँ?

अध्यक्ष महोदय : आप शुरू नहीं करेंगे तो वे बोलते रहेंगे। अब रामदास जी खड़े हो गए। अब उनको समझाइए।

श्री मुलायम सिंह यादव (सम्मल) : अध्यक्ष महोदय, हमने शुरू से कहा था कि संविधान लागू होने के तत्काल बाद इस तरह के खतरनाक कानूनों को बनाते वक्त हमेशा राष्ट्रहित की दुहाई दी गई और हमेशा अपने राजनैतिक विरोधियों के खिलाफ उनका दुरुपयोग किया गया। ये जो सत्तापक्ष में बैठे हैं, जनसंघ के श्री श्यामा प्रसाद मुखर्जी का भी हमने उदाहरण दिया था कि सबसे ज्यादा उन्होंने विरोध किया था इस संसद में जब संविधान लागू हुआ। कम्युनिस्ट पार्टी के लोगों ने जब किसानों की लड़ाई लड़ी तो उनके खिलाफ भी इस तरह के खतरनाक कानूनों का दुरुपयोग किया गया। इसके बाद चाहे रासुका हो या मीसा हो या डी.आई.आर. हो, इनको सारे अनुभव हैं कि देशहित का केवल बहाना लेकर अपने राजनैतिक विरोधियों के खिलाफ ऐसे कानूनों का दुरुपयोग किया गया जिसके भुक्तभोगी हम सब हैं और उधर बैठे लोग भी हैं और हम सब 1975 में जेल काट चुके हैं। कांग्रेस पार्टी ने खुद संयुक्त अधिवेशन में स्वीकार किया कि उसका दुरुपयोग हुआ। उस वक्त संयुक्त अधिवेशन में हमने प्रधान मंत्री जी और गृह मंत्री जी से कहा था कि जो राज्य सभा राज्यों का प्रतिनिधित्व करती है, जब उसने इसको अस्वीकार कर दिया है तो संयुक्त अधिवेशन बुलाने की आवश्यकता नहीं थी और इसलिए पोटो कानून या पोटो लागू नहीं होना चाहिए। पोटो का उपयोग पाकिस्तान समर्थित जो देश विरोधी संगठन हैं, मुख्यतः उनके खिलाफ ही होगा और मुख्यतः पाकिस्तान द्वारा प्रायोजित आतंकवादियों के खिलाफ ही यह कानून है। लेकिन उस समय प्रधान मंत्री और गृह मंत्री को यह पता नहीं था कि उनके खिलाफ तो कुछ किया नहीं जा सकता। आप देखिए क्या हालत हुई राजीव नगर में। अब वही स्थिति आ गई है। सबसे ज्यादा वैको साहब ने पोटो का समर्थन किया था और वे यहां तक बोल गए कि जो पोटो-विरोधी हैं, वे देश-विरोधी हैं। लेकिन आज मुझे उनका समर्थन करना पड़ रहा है, उनके पक्ष में खड़े होना पड़ रहा है क्योंकि हमारी एक नीति है, हमारा एक सिद्धांत है कि ऐसे कानूनों का राजनैतिक विरोधियों के खिलाफ खुल्ला-खुल्ला दुरुपयोग होता है। पांडियन साहब अच्छे वकील हैं, स्पीकर रह चुके हैं, हम उनको मानते हैं लेकिन मैं उनको सावधान करना चाहता हूँ कि एक समय आएगा जब आप भी इस खतरनाक कानून से नहीं बचेंगे।

SHRI P.H. PANDIAN : A politician is not defined in any criminal law.

MR. SPEAKER: Should I treat it a walkout?

श्री मुलायम सिंह यादव : एक उदाहरण यह है कि मारन साहब मिनिस्टर बने हुए हैं। रासुका का सबसे पहले समर्थन करने वाले वही थे, और रासुका भी सबसे पहले मारन साहब पर ही लागू हुआ था।

इसलिए इस पर आज गंभीरता से विचार करें।

मुझे इस बात की खुशी है कि सभी दलों के लोग मेरी इस बात को स्वीकार कर रहे हैं और समर्थन भी कर रहे हैं कि पोटो का दुरुपयोग हुआ है। पोटो के दुरुपयोग के संबंध में मेरी इस बात को लगभग सभी दलों के लोग स्वीकार कर रहे हैं। इस बारे में यहां प्रस्ताव भी आया है। लेकिन अब भी सरकार को कम्प्यूजन है और सरकार पोटो में संशोधन चाहती है। मैं कहना चाहता हूँ कि पोटो में संशोधन नहीं बल्कि पोटो को पूरी तरह वापस लेना चाहिए। अभी मेरी राय में, वर्तमान में जो आई.पी.सी. और सी.आर.पी.सी. कानून हैं, वे दुनिया के सबसे खतरनाक कानून हैं। इनसे खतरनाक कानून कोई नहीं हैं। उन कानूनों के माध्यम से या उनके अधीन इतने कड़े प्रावधान हैं कि जितनी बड़ी और कड़ी से कड़ी सजा चाहें आप दे सकते हैं। अंग्रेजी हुकूमत भी इन्हीं कानूनों के ऊपर चली और उस समय इनके अन्तर्गत फांसी की सजा भी दी गई और फांसी देने का अब भी प्रावधान है तथा दी जाती है। आप इन कानूनों के तहत किसी को फांसी की सजा आज भी दे सकते हैं।

पोटो के संबंध में हमें प्रारंभ से आशंका थी, हमारा शुरू से मतभेद था और अब भी है कि उसका दुरुपयोग हो रहा है। हम भुक्तभोगी हैं। इसलिए हमने पोटो का विरोध किया था। मैं अध्यक्ष जी आपसे भी कहूंगा कि आप हस्तक्षेप कीजिए और इसे समाप्त कराइए। मैं सरकार में बैठे लोगों से भी कहना चाहता हूँ कि समय एक सा नहीं रहता है। आप आज उधर हैं हम इधर हैं। हो सकता है कल ऐसा समय आ जाए कि जो आज इधर हैं वे उधर चले जाएं और आप जो सरकार में हैं वे इधर आ जाएं। मैं कहना चाहता हूँ और मेरी प्रार्थना है कि आज ऐसा मौका आया है कि पोटो को समाप्त कराइए और उसके तहत वाइको की गिरफ्तारी को रद्द कराइए और उन्हें रिहा कराइए। मैं आपसे भी कहूंगा कि समय एक सा नहीं रहता है। इसमें 500 या 5000 की बात नहीं है। हमने बहुत उतार-चढ़ाव देखे हैं। हमें कहा गया कि हम खत्म हो गए हैं, हमारा राजनीतिक वनवास हो गया है, लेकिन मुलायम सिंह आज यहां खड़ा है। मैंने बहुत भोगा है। पता नहीं चलता है कि जनता कौन सी करवट लेगी और क्या परिवर्तन आएगा।

महोदय, मैं सरकार में बैठे लोगों से कहना चाहता हूँ कि कभी बदले की भावना से पोटो का इस्तेमाल आपके खिलाफ भी किया जा सकता और आपको भी जेल के अंदर जाना पड़ सकता है और तब मुलायम सिंह को फिर आपका पक्ष लेना पड़ेगा। इसलिए मैं आपसे कहता हूँ कि आपका यह कानून आपको ही भारी पड़ेगा। मैं पांडियन साहब से भी कह रहा हूँ कि आप भी अपने मुख्य मंत्री को समझाइए। तामिलनाडु में दो दल, अदल-बदल के आ रहे हैं। आज वे सत्ता में हैं कल को वे विपक्ष में आ सकती हैं। वहां तो दो का शासन रहा है कभी डी.एम.के. पार्टी का और कभी ए.आई.ए.डी.एम.के. पार्टी का। इसने परिवर्तन का रास्ता खोल दिया है।

जब हम इमर्जेंसी में बन्द किए गए थे, तब भय का इतना आतंक था कि कोई चिड़िया भी नहीं बोल सकती थी। मैं आज भी कहता हूँ कि उस समय इंदिरा गांधी जैसा ताकतवर दूसरा नेता नहीं था। आज हम मानते हैं कि उस समय उन्हें हर वर्ग का समर्थन प्राप्त था। लेकिन ऐसी लोकप्रिय नेता को भी मुंह की खानी पड़ी। राजीव के जमाने में या इंदिरा के जमाने में कांग्रेस को भले ही बहुमत मिला, लेकिन कांग्रेस उस चोट से अभी तक उबर नहीं सकी है।

महोदय, मैं आज कहना चाहता हूँ कि जयललिता, इंदिरा गांधी जैसी लोकप्रिय नेता नहीं हैं। इसलिए सावधान होइए और इस पर गंभीरता से विचार कीजिए। आज मौका है, श्री वाइको को तत्काल रिहा कीजिए और पोटो कानून को बाकायदा रद्द कराइए। इसके चलते भी आप पाकिस्तानी आतंकवादियों से मुकाबला नहीं कर सकते हैं। यह हमारी अपील है।

श्री शंकर प्रसाद जायसवाल (वाराणसी) : अध्यक्ष महोदय, मैं कहना चाहता हूँ कि उत्तर प्रदेश में भयंकर सूखा पड़ रहा है। किसानों की हालत बहुत खराब हो रही है। **â€**(व्यवधान)

श्री चन्द्रनाथ सिंह (मछलीशहर) : अध्यक्ष महोदय, वहां तो मायावती मुख्य मंत्री हैं। उनकी सरकार में इनकी पार्टी के मंत्री हैं। माननीय सदस्य मायावती का नाम नहीं ले रहे हैं। **â€**(व्यवधान)

श्री शंकर प्रसाद जायसवाल : अध्यक्ष महोदय, उत्तर प्रदेश में सूखे की भयंकर स्थिति है। उसकी ओर तुरन्त ध्यान दिया जाना नितान्त आवश्यक है। **â€**(व्यवधान)

अध्यक्ष महोदय : मैंने आपको बता दिया कि इस पर चर्चा होने वाली है। कृपया आप बैठिए।

SHRI MANI SHANKAR AIYAR (MAYILADUTURAI): Mr. Speaker Sir, it is a matter of public record, well known to the country, that the Congress Party bitterly opposed the attempt to bring in the POTA. We explained our reasons thereof. But, having seen that we lost in the Joint Session, the Congress Governments around the country have

been following the constitutional system, which is that once an Act is made by Parliament, it becomes a part of the law of the land and the implementation of that law becomes part of the constitutional duty of the States, by whatever Party they are run.

The fact of the matter is, as Shri Pandian pointed out to us a little while ago, that there are provisions in the POTA which have apparently been violated by a Member of Parliament.

That Member of Parliament has the total right under parliamentary immunity to say whatever he wishes to within the sacred precincts of this House. But when the organisation that he is referring to in the House gets included by the Government, of which he is a part, as one of the banned organisations under the very Act of which he himself was the most ardent supporter, then it seems to me to be an act of utter irresponsibility or total hypocrisy for him to go outside the sacred precincts of this House and state that he supports an organisation which we regard as terrorists.

The hon. Minister for External Affairs is happily with us. He knows that he and his officers are going all around the world pleading with various countries where LTTE has taken refuge that they too must follow the Indian example of banning LTTE because of the activities that it has indulged in. The hon. Minister for External Affairs has just returned from Sri Lanka where he has encouraged the Sri Lankan Government, in my view completely correctly, to persist with the peace process.

What does this peace process consist of? There are two assumptions. One is that the unity and integrity of Sri Lanka is sacred and it must be preserved. Secondly, the only way of preserving the unity and integrity of Sri Lanka is by giving a fair and good deal to the Tamil population of Sri Lanka. Now, in the light of this, to state that he supports LTTE is not to state that he supports the Tamil people. LTTE is, in the eyes of the Indian law and in the eyes of the Government to which he belongs, a banned terrorist organisation. In the eyes of the courts of India, it is the leader of LTTE who is an absconding person and who has been sentenced by our courts. This Government is maintaining its extradition order against Mr. Prabhakaran.

In these circumstances, it cannot have been a slip of the tongue by Shri Vaiko who has been repeatedly told, among others, by me in this House that his cause is wrong. He goes outside this House and as a senior Member of Parliament, somebody whose knowledge of the law is considerable as he has demonstrated here in this House, he goes there and openly, in defiance of the law that he himself has advocated and in defiance of the list of banned organisations which his Government has prepared, makes statements that are a clear violation of POTA as it exists now.

Now, whether the arrest has been correctly done or incorrectly done is not for Parliament to decide. It is for the courts to decide. If what Shri Palanimanickam has told us just now is correct, it is the courts that will decide that. But to come into this House as Shri Palanimanickam did and start abusing the judiciary by saying that they are subject to pressure from political authorities is just a kind of remark which we should not hear in this House. I, therefore, plead—*(Interruptions)*

SHRI S.S. PALANIMANICKAM (THANJAVUR): Sir, I used the words technically. I told 'by the Executive'—*(Interruptions)*

MR. SPEAKER: You have not said.

...(Interruptions)

SHRI MANI SHANKAR AIYAR : Sir, I, therefore, plead that we must ensure that the law of the land is carefully prepared. It has been a gross act of negligence on the part of the treasury benches and their supporters that they have passed a law which today it dawns on them may be flawed. When we were pointing out exactly how flawed it was, they shut our mouths by a decision of a procedural nature holding a Joint Session of Parliament which has never been done in such a case before. They are hoist with their own petard. And now, it is for the courts to untangle the specific case. But on the suggestion that we amend the law to save one person, is this part of the legal order in this country? If there is something that is weak in the law, it can be done as a general case for the sake of the people of this country and not for one person of India. That person is a responsible Member of Parliament. He knows the law. He knows the antecedents of LTTE.

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He knows what the consequences would be of his openly supporting the LTTE outside of this House....(Interruptions) He did it. Therefore, he must face the consequences.

In the light of these complications, although it is not the practice for the hon. Home Minister to reply to a debate during the Zero Hour, yet I think it is extremely important that the hon. Minister of Home Affairs, who has been promoted as the Deputy Prime Minister for bringing in a draconian law like this, should appear before this House and tell us what is the law of the land. He must also tell us whether it is not the duty of the Tamil Nadu Government or any other State Government to implement a law passed by this Parliament. The question whether it has been correctly done or not is not for Parliament to decide. It is for the judiciary to decide. We would expect that all political parties here would respect the constitutional framework within which action has been taken against one man who happens to be a Member of Parliament.

SHRI SOMNATH CHATTERJEE (BOLPUR): Mr. Speaker, Sir, there is no doubt that because an hon. Member of Parliament has been arrested and detained that we are all discussing this issue. But, Sir, this raises certain constitutional matters. I wish the Government of India had taken note of this.

We found for two days, after the arrest, that there was complete silence from the Government. Then, we found in the newspapers saying that the Cabinet has expressed its disapproval. If I am wrong, many hon. Cabinet Ministers who are sitting here, they can correct me. If it is disapproval, on what ground it has been done? The question is that this Parliament, in spite of the stiffest opposition put up by most of the opposition parties, has passed it. They thought it fit to pass a legislation and steam-roll a legislation. What I had apprehended came true....(Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING (SHRI SU THIRUNAVUKKARASAR): It is not that of the Cabinet. It was done in the NDA meeting....(Interruptions)

SHRI SOMNATH CHATTERJEE : If you differentiate between the Cabinet and the NDA, of course, it is all right. That is the position. If you are an NDA man, if you are a non-BJP man, then you are all becoming parasites. We know about that. It is really the BJP which decides it here. All are parasites. You have no self-identity....(Interruptions)

Mr. Speaker, Sir, this is a very important matter. At least, for two or three minutes I will speak....(Interruptions)

MR. SPEAKER: This is a very important subject.

SHRI SOMNATH CHATTERJEE : The question is that the hon. Member has been saying certain things. I also do not approve of it. Let us be very clear about it. The question is whether in such a case, such a law would be applied. We have said that this is a draconian law. I remember that I said it standing here. Shri Vaiko is a very good friend of ours. He was jumping with great gusto and enthusiasm. He called us anti-people because we were opposing this law. Today, he has become the victim. He has to circulate letters to all of us now. Some hon. Members have to take up the issue. The supporters of this Bill have given this draconian power in the hands of the Government. Who are we to decide here? The question is much more fundamental. If that arrest is justified according to the Government of India, then there cannot be any Members of that party in the Council of Ministers. How can there be? If it is not justified, why is it not justified? What are you going to do with regard to that? Of course, they will say: "What can we do? The State Government is to implement it." Then, why did you give that power?

The West Bengal Government has declared it would never use POTA because, according to us, it is a lawless law; it is a law of the jungle; it is a draconian law. Therefore, I would request all the hon. Members here to ponder very seriously whether such laws should ever be on the Statute Book of a civilised nation. If we are a civilised nation, then this law should be immediately obliterated from the records, from the Statute Book of this country. That is what is needed. My friends, now you have suffered. I am not happy that Shri Vaiko is under detention. But who has given them the power? You are now shamelessly trying to raise this question. You were too eager to pass it. We were told that every terrorist activity would be stopped in this country. But what has happened in Kaluchak? What has happened in Rajiv Nagar and Kashimpura? I asked that question. The Deputy Prime Minister avoided that question because he has no reply to that.

Sir, according to them there is a misuse of governmental authority, but they should please see that nobody is allowed to misuse legal powers in this country. If they have any political conviction, if they have any political morality, they are duty bound to plead with their masters sitting there to obliterate and immediately repeal this law from the statute book.

Therefore, I would like to make it clear, as we have always said, that there are sufficient laws in this country to deal with the situation. Let those laws be applied and this draconian law should not be there in the statute book. But that does not mean that we are absolving Shri Vaiko for whatever he has done, because we have our serious

reservations about the stand that he has taken with regard to L.T.T.E.

श्री रघुनाथ झा (गोपालगंज) : इन लोगों को बोलने का हक है क्या, ये सारे देश के कानून और संविधान को तोड़कर बैठे हैं? (व्यवधान)

SHRI K. YERRANNAIDU (SRIKAKULAM): Mr. Speaker, Sir, we passed this law to prevent terrorist organisations from operating in this country and to arrest those people who are abetting and funding terrorism, not for arresting politicians. If any executive authority is implementing the law, they have common sense. (Interruptions)

SHRI VARKALA RADHAKRISHNAN : Mr. Speaker, Sir, they have extended support to pass this law. Now, they are protesting against its use. ... (Interruptions)

MR. SPEAKER: Shri Varkala Radhakrishnan, please take your seat.

... (Interruptions)

SHRI K. YERRANNAIDU : Sir, before taking action against anybody, we have to observe certain fundamental principles. We have passed this law in the Joint Session of Parliament not to arrest politicians, but to arrest the real terrorists. Therefore, we oppose Shri Vaiko's arrest. This is our party's stand. ... (Interruptions)

SHRI VARKALA RADHAKRISHNAN : Sir, his party has extended support in passing this law. ... (Interruptions)

MR. SPEAKER: Shri Varkala Radhakrishnan, please take your seat.

... (Interruptions)

SHRI K. YERRANNAIDU : Sir, under this law, we have to take action against organisations like P.W.G. and L.T.T.E., not against politicians.

SHRI P.H. PANDIAN : Mr. Speaker, Sir, the L.T.T.E. is beyond the reach of the Government of India. They are in a foreign country. But they have local supporters here and those local supporters have supported the banned terrorist organisation which had come to India to kill Shri Rajiv Gandhi. ... (Interruptions)

MR. SPEAKER: I have called Shri Kirit Somaiya to speak. Please take your seat.

... (Interruptions)

SHRI KIRIT SOMAIYA (MUMBAI NORTH EAST): Mr. Speaker, Sir, the expansion of POTA is Prevention of Terrorism Act. But, I think, in Tamil Nadu, the meaning seems to be different and it is, Politics of Terrorism Act.

Sir, what we need is the prevention of political atrocities under this law. ... (Interruptions)

कुंवर अखिलेश सिंह : किरिट सोमैया जी, आप यह बतायें कि पोटा के अन्तर्गत वाइको जी के विरुद्ध जिन प्रावधानों को लागू किया गया, उन प्रावधानों को आपकी सरकार ने रखा था या नहीं रखा था?

श्री किरिट सोमैया : हां, हमने यह प्रावधान जरूर रखा था। प्रिवेंशन ऑफ पोलिटिकल एट्रासिटीज का प्रावधान इसमें रखा है। कोई भी कानून हो, माननीय मुलायम सिंह जी ने कहा कि क्रिमिनल प्रोसीजर कोड और आई.पी.सी. हैं, लेकिन कानून कानून है। कानून का दुरुपयोग अलग चीज है। कल जाकर कोई 302 में निर्दोष

व्यक्ति को पकड़कर बन्द करके उसके खिलाफ गलत एफ.आई.आर. फाइल कर देंगे, then that is misuse and abuse of I.P.C.

यहां पर जो कानून है, वह कानून योग्य है या नहीं, उस पर चर्चा नहीं हो रही है, कानून के राजनीतिक दुरुपयोग की बात हो रही है। पोटा का मतलब प्रिवेंशन आफ टेररिज्म है, न कि पोलिटिकल फायदे के लिए इसका दुरुपयोग किया जाए। इसके लिए मैं अध्यक्ष महोदय आपके माध्यम से एक बात और कहना चाहूंगा। मुझे लगा था कि कांग्रेस पार्टी और कंग्रेस दोनों एक समानार्थी शब्द बन गए हैं। एक ओर कांग्रेस कह रही है कि हम इस कानून का समर्थन नहीं करते हैं, दूसरी ओर कह रही है कि जिन राज्यों में हमारी सरकारें हैं, वहां हम इसका उपयोग नहीं होने देंगे और तीसरी तरफ तमिलनाडू की सरकार ने एक्ट का उपयोग किया तो क्या गलत किया, इस प्रकार का प्रश्न उठा रही है। भारतीय जनता पार्टी और एन.डी.ए. का स्पष्ट मत है कि पोलिटिकल फायदे के लिए इस एक्ट का जो दुरुपयोग हो रहा है, उसको रोकना चाहिए। अगर आज इस प्रकार का दुरुपयोग होगा तो जो संसद पर आतंकवादियों ने हमला किया था, उसके बारे में क्या होगा, जो नक्सलवादियों को खत्म करने के लिए या इस प्रकार की गतिविधियों को बंद करने के लिए पोटा का उपयोग होगा, तो उसका क्या होगा ? Can we compare Shri Vaiko with the terrorist attack on Parliament?

मैं चाहता हूँ कि बाकी दलों के लोग भी इस विषय पर स्पष्ट मत व्यक्त करें और पोटा का जो दुरुपयोग हो रहा है, उसको रोककर तुरंत वाइको साहब को, सिर्फ उनको ही नहीं, उनके साथ जो असंख्य सामान्य राजीनितक कार्यकर्ता भी जेल में बंद हैं, उनकी रिहाई की मांग करें। जो ओपोजेंट पोलिटिकल पार्टी को क्रश करने के लिए इसका दुरुपयोग हो रहा है, उसको रोकना चाहिए, ऐसी मैं स्पष्ट मांग करता हूँ।

कुंवर अखिलेश सिंह : अध्यक्ष महोदय, मैं आपके माध्यम से जानना चाहता हूँ कि राष्ट्रीय स्वयं सेवक संघ ने जम्मू-कश्मीर राज्य को तीन खंडों में विभाजित करने की बात कही है, क्या यह भी वर्तमान में देशद्रोह की बात नहीं है तो और क्या है उनको भी पोटा के अंदर गिरफ्तार करेंगे ?

SHRI AJOY CHAKRABORTY (BASIRHAT): Sir, while this draconian law was being discussed, we, the entire Opposition, apprehended that at the time of its implementation, it would be misused and applied against the political opponents.

SHRI P.H. PANDIAN : Why do you say 'opponents'? ...*(Interruptions)*

SHRI AJOY CHAKRABORTY : During my speeches, I had categorically said in this House that this law would be used against the political opponents, and the people belonging to the minority communities would be specially targeted under this Act. Now, the apprehensions of the Opposition have been proved totally correct. Although we fully disagree with the contentions, speeches and views of Shri Vaiko and his party, yet we strongly condemn and oppose his arrest. I urge upon the Government of India and also demand that this is the right time to withdraw the draconian law.

I appeal to the Members belonging to the NDA to please join us. They should pressurise the BJP-led Government to withdraw this draconian law. Sir, through you, I demand that this law should be immediately withdrawn and revoked for better interests of the country.

SARDAR SIMRANJIT SINGH MANN (SANGRUR): Mr. Speaker, Sir, I rise to attack the arrest of Shri Vaiko, a very senior colleague and a Member of Parliament. I had cautioned Shri Vaiko and all the regional parties that they should not vote for this draconian law because it would be used against the minorities and us. Whatever Shri Vaiko did, while voting for POTA, was very wrong. But, at the moment, I have received reports that Shri Vaiko while in jail is not receiving medical attention, good food, crockery and toilet facilities.

SHRI P.H. PANDIAN : Even they have not reported. ...*(Interruptions)* What is this? Do you want him to be air-conditioned?

SARDAR SIMRANJIT SINGH MANN : He does not have any mosquito net...*(Interruptions)*

Apart from that, this has been used against a Kashmiri journalist, which we condemn. It is for this reason that yesterday the Press had been so subdued that it did not write a word about the Opposition's view point on the debate condemning the Kashmiri incident. Not a single word has come in the Press. It has been subdued. A Hurriyat Leader also finds himself in jail.

My humble submission is that this law should be rightfully repealed and Shri Vaiko should be let out of prison. He is a senior Member of Parliament and he has not transgressed the law. There is nothing in what he has said...*(Interruptions)* LTTE was a legitimate political body till yesterday. The worthy Prime Ministers, Shrimati Indira Gandhi and Shri Rajiv Gandhi, gave military training and explosive training to them at Chakrata and everything was done by their Governments to aid them...*(Interruptions)* Let me conclude Sir.

I feel that it will inflame Tamil nationals' passions if Shri Vaiko is allowed to remain in jail for very long. The people who support Shri Vaiko's arrest may be Tamilians, but they are not Dravidians.

श्री लाल बिहारी तिवारी (पूर्वी दिल्ली) : अध्यक्ष महोदय, दिल्ली में पानी और बिजली की हाहाकार मची हुई है, हमें इस पर बोलने का मौका दिया जाए।

अध्यक्ष महोदय : आपको कल इस पर बोलने का मौका मिलेगा।

डॉ. रघुवंश प्रसाद सिंह : अध्यक्ष महोदय, श्री वैको इस सदन के पुराने सदस्य हैं, इस नाते हमारी उनके प्रति सिमैथी है। उन्होंने पब्लिक मीटिंग में जो कहा कि हम एलटीटीई का समर्थन करते हैं, *(व्यवधान)*

श्री प्रभुनाथ सिंह : उन्होंने कहा कहा? (व्यवधान)

डॉ. रघुवंश प्रसाद सिंह : हमने टीवी में सुना है। पोटा कानून की धारा 21(3) में है कि जो आतंकवाद का समर्थन करेगा, उस पर पोटा लागू हो जाएगा। हम लोग पोटा के घोर विरोधी थे और अभी भी हैं, आप इसे खत्म कर दें। आप कानून लाएं, हम लोग खत्म करने को तैयार हैं, अन्यथा अगर किसी सरकार ने उसे लागू किया तो उसे भारत सरकार भी ईमानदारी से लागू करे। जितने लोग टेरेरिज़्म का सपोर्ट करने वाले हैं, उन सब को पोटा के तहत गिरफ्तार करें, जैसे इनकी पार्टी का नेता गिरफ्तार हुआ। ये मंत्री कैसे बने हुए हैं, ये पोटा के तहत गिरफ्तार क्यों नहीं हो रहे हैं। श्री अरुण जेटली, भाजपा के प्रवक्ता भी उन्हें सपोर्ट कर रहे हैं। इसलिए उन्हें भी पोटा के 21 नम्बर क्लॉज़ में गिरफ्तार होना चाहिए। इसलिए हमें लगता है कि इन्होंने ऐसा कानून बनाया, जैसे मकड़ी जाल बनाती है तो वह अपने ही जाल में फंस कर खत्म हो जाती है। इन्होंने जो पोटा कानून बनाया है, यह या तो खत्म हो, अन्यथा ईमानदारी से लागू किया जाए, जिससे भाजपा के बहुत से लोग पोटा के तहत जेल में चले जाएं, यही मैं कहना चाहता हूँ।

श्री सुरेश रामराव जाधव (परमनी) : अध्यक्ष महोदय, पोटा के अंदर हमारे साथी श्री वैको को गिरफ्तार किया गया है, मैं अपनी और अपनी पार्टी की तरफ से इसका विरोध करता हूँ, क्योंकि यह राजनीतिक गिरफ्तारी है। इसका दुरुपयोग एवं मिसयूज़ हुआ है। पोटा कानून आतंकवादी गतिविधियों और टेरेरिज़्म को रोकने के लिए बनाया है, किसी माननीय सदस्य, विधायक या राजनेता की गिरफ्तारी के लिए नहीं बनाया है।

मेरा कहना है कि तमिलनाडु सरकार ने इसका मिसयूज़ किया है। इस कानून का मिसयूज़ न हो, इस कारण इसमें सेंटर को दखल देना चाहिए और गृह मंत्री को इस पर बयान देना चाहिए।

श्री रामदास आठवले (पंढरपुर) : अध्यक्ष महोदय, डीएमके के नेता वैको जी को पोटा के अन्तर्गत अरैस्ट किया गया। इस बारे में हमें चिन्ता है। हम लोगों ने कहा था कि पोटा का मिसयूज़ हो सकता है। इस कारण पूरे विपक्ष ने इसका विरोध किया था और कहा था कि पोटा नहीं आना चाहिए। इसके बाद भी एनडीए के लोगों ने इसका समर्थन किया और कहा कि यह कानून आना चाहिए। वह कानून आ गया और वह स्वयं अन्दर चले गए। एलटीटीई का समर्थन करना अच्छी बात नहीं है। जिस ऑर्गेनाइजेशन पर बैन हो, उसका खुले आम समर्थन करना अच्छी बात नहीं है। इस कारण पोटा का कानून रद्द करना चाहिए और वैको जी को जल्दी से जल्दी छोड़ना चाहिए। यदि वैको जी जल्दी बाहर नहीं आएंगे तो बाकी के बहुत से लोग अन्दर जा सकते हैं। इतना ही मुझे कहना है।

MR. SPEAKER: The House stands adjourned to meet again at 2.15 p.m.

13.21 hrs

*The Lok Sabha then adjourned for Lunch till Fifteen minutes
past Fourteen of the Clock.*
