

# **LOK SABHA DEBATES (English Version)**

**Second Session  
(Twelfth Lok Sabha)**

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**LOK SABHA SECRETARIAT  
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Corrigenda to Lok Sabha Debates  
(English Version)

...

Thursday, August 6, 1998/Shravana 15, 1920 (Saka)

...

Col./line	For	Read
(i)/24	Shri Chandramani Tripathy	Shri Chandramani Tripathi
(i)/3 (from below) 76/4	Shri Mullappally Ramachandran	Shri Mullapally Ramachandran
17/21	SHRI SHAILENDRA KUMAR	SHRI SHAILENDRA KUMAR
21/17	exacuating	evacuating
26/last	clapping	clipping
27/5 (from below)	DR. VIJAY SONKAR SHASTRI	DR. BIZAY SONKAR SHASTRI

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# LOK SABHA DEBATES

## LOK SABHA

Thursday, August 6, 1998/Shravana 15,  
1920 (Saka)

The Lok Sabha met at  
Eleven of the Clock

[MR. SPEAKER in the Chair]

### PAPER LAID ON THE TABLE

Statement showing reasons for delay in laying  
Annual Report, Audited Accounts of the  
Hospital Services Consultancy  
Corporation (India) Ltd. for 1996-97

THE MINISTER OF STATE OF THE MINISTRY OF  
HEALTH AND FAMILY WELFARE (SHRI DALIT  
EZHILMALAI) : Sir, I beg to lay on the Table a copy  
of the Statement (Hindi and English versions)  
showing reasons for delay in laying the Annual  
Report and Audited Accounts of the Hospital Services  
Consultancy Corporation (India) Limited for the year  
1996-97.

[Placed in Library See No. LT-1471/98]

11.02 hrs.

(Interruptions)

[English]

SHRI HANNAN MOLLAH (Uluberla) : Sir, today  
is the Hiroshima Day...(Interruptions)

MR. SPEAKER : The House will now take up  
'Zero Hour'. Dr. Shafiqur Rahman Barq.

(Interruptions)

SHRI AMAR ROY PRADHAN (Coochbehar) : Sir,  
as today is Hiroshima Day, I would request you to  
make a reference from the Chair in order to pay  
homage to the memory of the victims of the dropping  
of bomb on Hiroshima...(Interruptions)

MR. SPEAKER : I am going to allow all of you in  
the 'Zero Hour'. Now, I have called Dr. Barq to speak.

(Interruptions)

MR. SPEAKER : I will allow you one by one.

[Translation]

DR. SHAFIQR RAHMAN BARQ (Moradabad) :  
Hon'ble Speaker, Sir, thank you very much for giving

me an opportunity to speak I was trying for it since  
31st of July, but couldn't get the opportunity  
...(Interruptions) On 25th of July a very tragic and  
dreadful incident took place in Jansat Police station  
of district Muzzafar Nagar in Uttar Pradesh wherein  
five young muslim boys Salim, Nafees, Sajid, Nanhen  
and Perbhud were murdered...(Interruptions)

SHRI RAJVEER SINGH (Aonla) : Hon'ble  
Speaker, Sir, whether the matters pertaining to States  
can be raised in Lok Sabha...(Interruptions) This  
matter pertains to Uttar Pradesh Government  
...(Interruptions)

[English]

MR. SPEAKER : I have allowed him to speak.  
Now a days we are discussing State matters only in  
the House.

(Interruptions)

[Translation]

DR. SHAFIQR RAHMAN BARQ : I am sorry to  
say that the circumstantial evidence indicate the  
complicity of police in this murder...(Interruptions) I  
am sorry to say that the treatment being meted out  
to the muslims during regime of B.J.P's Government  
...(Interruptions) The minorities are being evicted from  
the Mumbai...(Interruptions) I would like to inform  
that both the hands of Nafees were amputated before  
he was shot dead in this tragic incidence  
...(Interruptions) Salim's legs were amputated before  
shooting him down...(Interruptions) Nothing could be  
more tragic than this...(Interruptions) I really feel sorry  
to see the atrocities perpetrated and wrongs  
committed on the muslims of this country  
today...(Interruptions) Forced entry is being made  
into their houses and they are being harassed and  
ill-treated...(Interruptions) I would like to inform that  
these boys were going to Salim's in-laws house by  
car. When their car reached near the Police Station  
of Jansat at around 10.30 p.m. they were besieged  
by the Sub Inspector K.K. Gautam and Officer-in-  
charge of Jansat Police Station and were thrashed  
mercilessly inside the Police Station. Firstly their both  
the hands and legs were amputated and later on they  
were shot dead...(Interruptions) The remaining  
persons fled away. The residents of village have  
been terrorised and are seeking shelter elsewhere.  
The victims belonged to Meerut and because of this  
panic is rife in Meerut and Muzzaffarnagar. The  
situation is very bad there. On the 4th of this month  
a number of people from Muzzaffarnagar, Meerut  
and Jansat assembled at Jantar Mantar for 'Ghearao'  
of Parliament and thousands courted arrest later  
on...(Interruptions)

[English]

MR. SPEAKER : Today, 50 members have  
given notices for the matters to be raised in the

Zero Hour. Please understand it. If the hon. Members take more than two or three minutes, it will be difficult for me.

[Translation]

DR. SHAFIQR RAHMAN BARQ : Sir, I urge upon the Government to conduct an enquiry in this regard and the policemen, found guilty, should be arrested and punished. Our democracy cannot sustain and situation cannot improve if such atrocities are continued to be perpetrated on the minorities in the country. This sort of injustice to Muslims should be stopped. If appropriate action is not taken we would be compelled to devise ways and means for our safety and security...(Interruptions)

[English]

MR. SPEAKER : I have called Shri Shivraj Singh Chouhan and Shri Chetan Chauhan.

(Interruptions)

MR. SPEAKER : Dr. Bizay Sonkar Shastry, the Minister is replying

(Interruptions)

[Translation]

SHRI MULAYAM SINGH YADAV (Sambhal) : Hon'ble Speaker, Sir, though the hon'ble member has narrated the entire incident I want to add a few points more in this regard...(Interruptions) Sir, the report is not being filed even after thousands of people have courted arrest. The most shameful thing is that in order to cover up there murders and to defend the policemen the volunteer of R.S.S. and the Bajrang Dal are ruining the villages...(Interruptions) Sir, this is a very serious matter and therefore, I request you to kindly give direction to the Hon'ble Minister to give a statement in this regard...(Interruptions)

SHRI RAJESH PILOT (Dausa) : Hon'ble Speaker, Sir, there's a lot of tension in both the districts. Whatever may be the reason.

[English]

I do not know the reason behind it.

[Translation]

There's a lot of tension between Muslims and Hindus in Muzzaffar Nagar and Meerut...(Interruptions). Please ask the State Government to conduct an enquiry into the incident and take necessary action in this regard.

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS, MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PLANNING AND PROGRAMME IMPLEMENTATION (SHRI RAM NAIK): Hon'ble Speaker, Sir, it is quite natural for members to get agitated over such matters which relate to a murder case. But we must know the facts and the allegations made...(Interruptions) Shall I not respond?...(Interruptions)

SHRI CHETAN CHAUHAN (Amroha) : Mr. Speaker, Sir, no other business could be conducted if the Minister goes on responding to each and sundry.

[English]

We are waiting for the last seven days to raise issues of our constituencies.

MR. SPEAKER : No, no; please understand the merits.

(Interruptions)

MR. SPEAKER : Shri Chauhan, the Minister would like to respond.

(Interruptions)

SHRI CHETAN CHAUHAN : In this way, this House will become a police station...(Interruptions)

[Translation]

SHRI RAJESH PILOT : Hon'ble Speaker, Sir, whatever the hon'ble members has said is right but the Minister can give a statement on this...(Interruptions) You would have gone through the newspaper today...(Interruptions)

[English]

SHRI C.K. JAFFER SHARIEF (Bangalore-North): Sir, may I submit it through you. My good friend, Shri Ram Naik holds brief for the Government. On these sensitive matters, whether their Government is at the Centre or in the States, it is fair on the part of the Minister of Home Affairs to come and make a statement and give an assurance to the minorities of the country.

[Translation]

SHRI RAM NAIK : Sir, I was saying that the murder of anybody is definitely a serious crime. I think dragging the name of R.S.S. Chief in this issue is nothing but stooping too low. It should not have happened in the House. I will collect the information and convey it to the Home Minister...(Interruptions)

SHRI MULAYAM SINGH YADAV : You are stooping too low by getting the murders committed

...(Interruptions) R.S.S. has given statement  
...(Interruptions) Is it stooping too low.

[English]

MR. SPEAKER : Let him complete please.

DR. SUBRAMANIAN SWAMY (Madurai) : Sir, he should defend the Government, not the RSS  
...(Interruptions)

MR. SPEAKER : Please, let him complete. The Minister is replying and you are objecting him. What is this?

(Interruptions)

DR. SUBRAMANIAN SWAMY : Sir, is the Minister replying on behalf of the RSS?... (Interruptions)

MR. SPEAKER : The Minister is replying and you are objecting him. This is not good.

(Interruptions)

SHRI RAM NAIK : I am replying on behalf of the Government... (Interruptions)

MR. SPEAKER : The Minister is replying on behalf of the Government.

(Interruptions)

[Translation]

SHRI MULAYAM SINGH YADAV : The boys, who were in the age group of 18 years, 20 years and 22 years have been murdered. Is this smallness  
...(Interruptions)

MR. SPEAKER : Please do not provoke anybody. Please take your seat. The Minister is giving his reply.

(Interruptions)

[Translation]

DR. SHAFIQUK RAHMAN BARQ : Mr. Speaker, Sir, there was no criminal record against them. Have the police got any right to kill innocent people  
...(Interruptions)

[English]

SHRI C.K. JAFFER SHARIEF : Sir, would the Minister yield for a minute?... (Interruptions)

MR. SPEAKER : You have already spoken. Let the Minister complete now.

(Interruptions)

SHRI C.K. JAFFER SHARIEF : Mr. Minister, just one minute... (Interruptions)

SHRI RAM NAIK : I am not yielding to you... (Interruptions) I have yielded to Shri Rajesh Pilot and I have already yielded to you once... (Interruptions) If you get up every now and then... (Interruptions)

SHRI C.K. JAFFER SHARIEF : You should understand parliamentary propriety... (Interruptions)

SHRI RAM NAIK : I understand parliamentary propriety, etiquette and everything... (Interruptions)

SHRI C.K. JAFFER SHARIEF : That is why this is not fair on your part... (Interruptions) You should understand that the Parliamentary Affairs Minister can speak on behalf of the Government but not without having knowledge of the subject... (Interruptions) not even without verifying it... (Interruptions)

SHRI RAM NAIK : You should have the patience to listen also... (Interruptions)

[Translation]

SHRI JAGAT VIR SINGH DRONA (Kanpur) : Shri Mulayam Singhji, did murders not take place when you were the Chief Minister? Today you are defending them... (Interruptions)

SHRI RAM NAIK : I will inform the hon'ble Home Minister about this incident and he will give the required information to the House... (Interruptions)

[English]

MR. SPEAKER : This is not fair. Yes, Shri Shivraj Singh.

(Interruptions)

SHRI RAJESH PILOT : Sir the Minister has not understood... (Interruptions)

[Translation]

The D.G.P. of Gujarat has given a statement.

[English]

MR. SPEAKER : He has already given the reply. He would be bringing this matter to the notice of the Home Minister. He has already clarified it  
...(Interruptions)

SHRI RAJESH PILOT : Sir, this is not correct... (Interruptions) Sir, you have not understood my point... (Interruptions)

MR. SPEAKER : Nothing except what Shri Shivraj Singh is saying, would go on record.

(Interruptions)\*

\* Not Recorded.



[Translation]

SHRI SHIVRAJ SINGH CHAUHAN (Vidisha) : Hon'ble Speaker, Sir, murder indeed is a tragic incident but I am sorry to say that the innocent tribals of Madhya Pradesh are dying due to drinking contaminated water and due to lack of medicines and facilities of treatment in this country. Hundreds of people have died due to cholera and gastro-entretis in Chindwada district. Every year, more than thousand and half tribals die there due to cholera and gastro-entretis. The Digvijay Singh Government is least concerned and not providing medical facilities for them. Death is taking its toll continuously in absence of these facilities. The Government of Madhya Pradesh is least bothered since the Central Government should formulate a special scheme in order to check these diseases. Every year one and half to two thousand tribals die due to this... (Interruptions) You as well as Shri Jogiji is aware of this. At least, do not drag politics into it Shri Jogiji agrees with me on these points ... (Interruptions)

[English]

MR. SPEAKER : Shri Bhuria, I have allowed him. Why are you unnecessarily interrupting the Member?

(Interruptions)

MR. SPEAKER : Please take your seat. You do not even follow the procedure of the House.

(Interruptions)

MR. SPEAKER : I have allowed him. You please take your seat.

[Translation]

SHRI SHIVRAJ SINGH CHAUHAN : Mr. Speaker, Sir, they are playing politics here also. There is no question of Congress and B.J.P. here. Since the Government of Madhya Pradesh is unable to check these diseases, I am, therefore, requesting the Central Government to formulate a special action plan in this regard. The tribals are dying there every year. Therefore, a team of doctors be sent there and medicines be made available so that the life of those innocent tribals could be saved. Compensation should also be paid to the kith and kin of the deceased. Efforts should be made to provide at least potable water to them in the 50th year of Independence.

SHRI AJIT JOGI (Raigarh) : Mr. Speaker, Sir, he has mentioned my name, therefore, I would like to say something... (Interruptions)

[English]

PROF. P.J. KURIEN (Mavelikara) : Mr. Speaker, Sir... (Interruptions)

MR. SPEAKER : I am not allowing you. I have called Shri Buta Singh.

PROF. P.J. KURIEN : He has taken our name. If name is taken, we should given personal explanation.

MR. SPEAKER : Why do you wish to give personal explanation in 'Zero hour'? Prof. Kurien, I think you know the procedure.

PROF. P.J. KURIEN : Since he has taken our name... (Interruptions) There is a rule. Do you not agree with it?... (Interruptions)

MR. SPEAKER : How can you give personal explanation in 'Zero Hour'?

SHRI BUTA SINGH : Mr. Speaker, Sir, the whole country was shocked to know that... (Interruptions)

MR. SPEAKER : Shri Buta Singh, please wait for a minute.

(Interruptions)

MR. SPEAKER : Shri Buta Singh, please. Nobody is hearing the direction of the Chair.

SHRI BUTA SINGH : I thought you have called my name.

MR. SPEAKER : I did call your name but Shri Ram Naik wishes to intervene.

SHRI RAM NAIK : I thought Shri Buta Singh was raising the same issue. It appears that it is a different issue. So, I would like to respond to the earlier issue raised by the hon. Member.

Drinking water should be provided to the citizens. We shall get in touch with the Madhya Pradesh Government and ensure that their problem is solved.

MR. SPEAKER : Shri Buta Singh, you can speak now.

[Translation]

SHRI KANTILAL BHURIA (Jhabua) : Mr. Speaker, Sir the Government is trying its best to check the death of tribals. There is draught... (Interruptions)

[English]

MR. SPEAKER : I am requesting you to sit down. Your behaviour in the House is not good. You are always disturbing the House. This is not good on your part. I would like to request the Leaders also. His behaviour is not good.

11.09 hrs.

PAPER LAID ON THE TABLE BY  
PRIVATE MEMBER

[English]

SHRI BUTA SINGH (Jalore) : Sir, the whole country was shocked to know that the CBI officer posted at Patna has gone to the extent of involving the Indian Army...(Interruptions)

MR. SPEAKER : Please take your seat. I have called Shri Buta Singh.

SHRI BUTA SINGH : The incident had rocked the Parliament also. The then Home Minister, Shri Indrajit Gupta had made a statement on the floor of the House saying a high-level inquiry Committee has been constituted to go into it and submit a report on the incident.

MR. SPEAKER : Shri Buta Singh, yesterday also you have mentioned it. I would like to know this. Are you tabling the Report? Are you authenticating it? Are you taking the responsibility?

SHRI BUTA SINGH : Yes, Sir, I am authenticating it.

MR. SPEAKER : Then, you can quote from the Report. Not simply laying, you have to quote from the Report. You have to read something from the Report.

SHRI BUTA SINGH : Sir, this is the report of Shri Dorai, former DG, RPF, who was appointed by the Ministry of Home Affairs, Government of India, to look into the entire episode. The Report clearly mentions that :

"This single dramatic episode has shown how an uncontrolled segment of the Central Government organisation can set the Centre-State relations on a collision course. Evidently, the environmental pressure, both political and caste-oriented, has been impinging on the Central Bureau of Investigation and caused fissures in the professional ethos and loyalty to the rule."

One particular officer had gone mad and invited the Army to arrest the former Chief Minister of Bihar, who was always cooperating with the court; he had submitted himself before the court. There was no violation of law.

I lay this Report, which has been duly authenticated by me, on the Table of the House.

[English]

MR. SPEAKER : I have 50 notices of issues to be raised during 'zero hour' with me today. I want to accommodate all the hon. Members.

(Interruptions)

MR. SPEAKER : Shri Jos, your name is also there on the list. I request the hon. Members to please cooperate with the Chair.

SOME HON. MEMBERS : We always cooperate with you, Sir.

MR. SPEAKER : You have not always been cooperating with me. Shri Bhuria, particularly, is not cooperating with me.

[Translation]

SHRI CHETAN CHAUHAN (Amroha) : Mr. Speaker, Sir, the national highway No. 24 from Delhi to Calcutta remains very busy. This highway stretches from Northern India to North Eastern India. There are only two lanes on this highway. As a result accidents have become quite common there. This highway at times remains closed for 6-8 days and after every 2 to 4 days, traffic remains disrupted for many hours. Moradabad is situated on this highway, wherefrom goods worth approximately Rs. thousand crores are exported every year. Foreigners come here for purchasing goods. There is generally traffic jam on this highway and one has to face lot of difficulty on account thereof. Besides the accidents which take place due to traffic jam precious time is also wasted.

Through you I demand the Central Government that National highway No. 24 be converted into four lane highway instead of two lane highway so that the people do not face any difficulty. This is very important work.

[English]

SHRI N. JANARDHANA REDDY (Bapatla) : Sir, I have given notice of the following motion of privilege against the Minister of Power, Shri P.R. Kumaramangalam. On 27th July this year, in response to a supplementary to Starred Question No. 582, which you were kind enough to allow me to put, the Minister had stated that...(Interruptions)

MR. SPEAKER : Shri Janardhana Reddy, your notice of privilege against the Minister of Power is under my consideration.

SHRI N. JANARDHANA REDDY : Let me read out my Motion, Sir.

MR. SPEAKER : I have sought the comments of the Minister in this regard.

SHRI AJIT JOGI : Please allow him two minutes to speak about his Motion, Sir.

MR. SPEAKER : I have already said that it is under my consideration. Let us not create a new procedure here.

*(Interruptions)*

MR. SPEAKER : Shri Janardhana Reddy, I have said that it is under my consideration. Please leave it at that.

SHRI P. UPENDRA (Vijayawada) : Let him at least mention the subject, Sir.

MR. SPEAKER : He has already mentioned that it is against the Minister of Power.

SHRI S. JAIPAL REDDY (Mahabubnagar) : Sir, I am on a point of order.

MR. SPEAKER : Shri Jaipal Reddy, this is 'zero hour'. How can you raise a point of order during 'zero hour'? You are a senior parliamentarian.

SHRI N. JANARDHANA REDDY : Sir, the Minister stated in his reply that the Chief Minister of Andhra Pradesh had not...*(Interruptions)*

MR. SPEAKER : Shri Janardhana Reddy, I will go into the details of your Privilege Motion. Please give me some time.

SHRI S. JAIPAL REDDY : Sir, I want to raise a Point of Order in regard to the notice of privilege.

MR. SPEAKER : Shri Jaipal Reddy, you cannot raise a point of order during 'zero hour', please understand.

SHRI S. JAIPAL REDDY : When you have allowed the Member to speak on the notice of privilege ...*(Interruptions)*

MR. SPEAKER : I can allow you later, not now.

SHRI S. JAIPAL REDDY : Under Rule 235, you can...*(Interruptions)*

MR. SPEAKER : Prof. Prem Singh Chandumajra.

*(Interruptions)*

MR. SPEAKER : Shri Jaipal Reddy, I can allow you later, not now.

*[Translation]*

PROF. PREM SINGH CHANDUMAJRA (Patiala) : Mr. Speaker, Sir, through you I would like to request the Government to bring a motion to condemn this barbaric incident and express sympathy with the families affected by this incident.

*[English]*

MR. SPEAKER : Today being the last day of this Session, I would request the hon. senior Members to kindly accommodate the junior Members. Junior Members can raise their hands, not the senior Members.

*(Interruptions)*

MR. SPEAKER : All right, I will call all of you, if all of you are Junior Members.

*(Interruptions)*

MR. SPEAKER : Shri Jaipal Reddy is not a junior Member.

SHRI S. JAIPAL REDDY : I am also a junior Member of this House. Juniority and seniority is a comparative word...*(Interruptions)* You are junior to me and I am junior to Shri Indrajit Gupta ...*(Interruptions)*

MR. SPEAKER : Shri Jaipal Reddy, if the hon. Members say that you are a junior Member, then I will call your name also.

*(Interruptions)*

PROF. P.J. KURIEN (Mavelikara) : Mr. Speaker, Sir, you are the most senior Member, everybody is junior to you.

MR. SPEAKER : Personally speaking, I am a very junior Member.

*[Translation]*

PROF. PREM SINGH CHANDUMAJRA : Sir, this atrocious incident occurred in November 1984, in which people belonging to a particular community were massacred, chastity of their womenfolk was outraged and small children and women were burnt alive by putting tyres around their neck. People of that community were butchered in Delhi, Kanpur and other parts of the country. Every individual with humane heart has condemned this incident and has said that no amount of condemnation can suffice such a barbaric incident. I am sorry to say that this massacre had the support of the administration. While persons with humane heart were condemning this incident people in the administration were inciting others to avenge. It was said when a huge tree falls the earth is bound to shiver. Though 13 years have passed since this incident took place yet we feel the agony, the pain. Therefore, we would like a motion should be brought in this House to condemn this barbaric incident, to express solidarity with the affected families. People have lost their family members their houses, and whatever they had.

[English]

MR. SPEAKER : No please, this is zero hour. You cannot take more than two minutes.

(Interruptions)

MR. SPEAKER : Prof. Prem Singh Chandumajra, this is not a debate. This is zero hour what is this.

(Interruptions)

MR. SPEAKER : No, please take your seat.

[Translation]

PROF. PREM SINGH CHANDUMAJRA : Mr. Speaker, Sir, I will take just one minute more. As regards compensation for the affected people, the court has decided that each should be given a compensation of 3 lakhs rupees. But I am sorry to say that these people have not yet received the compensation. I think that in this house there would not be a single member who will not condemn this inhuman incident. Therefore, I urge the Government to bring a motion to condemn the incident and a condolence message should be sent to the affected from this House.

Mr. Speaker, Sir, today is the Hiroshima, Nagasaki day. We should observe 1999 as Human Rights Day. Khalsa Panth was founded three hundred years ago. For this panth a writer has written "Na Kahun abki na khun tab ki, agar na hote Guru Gobind Singh to sunnat hoti sab ki."

Sir, Khalsa Panth was founded in this country 300 years ago. The day of its foundation is also being celebrated. I would like the Government to bring a motion to the effect that this year will be celebrated as Human Rights Year. Therefore, I would urge through you that the Government should bring the motion on the above mentioned issues.

SHRI AJIT JOGI : Mr. Speaker, Sir, we support the issues raised by Prof. Prem Singh Chandumajra.

SHRI MANORANJAN BHAKTA (Andaman and Nicobar Islands) : Mr. Speaker, Sir, I request that the two motions should be brought on the issues referred to by Prof. Prem Singh Chandumajra and they should be adopted by the House unanimously as they are important issues.

SHRI RAM NAIK : Mr. Speaker, Sir, both the issues referred to by Prof. Prem Singh Chandumajra are very important, it will be better if they are decided under your guidance after due deliberations with all.

PROF. PREM SINGH CHANDUMAJRA : Thank you, Sir.

[English]

SHRI K.P. MUNUSAMY (Krishna Giri) : Sir, a very serious situation is prevailing in many districts of Tamil Nadu due to food poisoning of students. The supply of rotten eggs to the children through Mid-day Meal Scheme in Dharmapuri District has led to hospitalisation of 1012 children on 31.07.1998. In Ammani Mallapuram alone 312 children have been affected. While 291 children have been discharged after medical aid, 21 children have been admitted in serious conditions. In old Dharmapuri, 500 children were affected, out of which 50 have been admitted in the hospital. In Konangi Nayana Halli 200 children were affected, of which 25 have been admitted in hospital.

Some children are reported to be serious because the eggs supplied under the Mid-day Meal Scheme were rotten. This is not the first time that such thing has happened. Even two weeks before thousands of children were affected due to supply of rotten eggs in many districts of Tamil Nadu.

The Tamil Nadu Government claimed to have destroyed 28 lakh rotten eggs. The Government had asked TAPCO, a Government organisation, to supply eggs. I wish to place on record that the rotten eggs have been supplied by TAPCO in Dharmapuri District. Our respected Leader Dr. Puratchi Thalaivi has said that the DMK Government is attempting to stop this Mid-day Meal Scheme. That is why, it is creating a terror among the children through supply of rotten eggs.

I would request the Government to despatch a Central team with medical experts to assess the situation and suggest remedial measures.

DR. B.N. REDDY (Miryalguda) : Sir, the point that I am raising is regarding Falaknuma Express which starts from Secunderabad and goes to Howrah. The hon. Railway Minister is also present in the House. Sir, it passes through Nalgonda District, any my Constituency, Miryalguda. It stops there for a few minutes for technical reasons. We have been asking the Railway Ministry for the last one-and-a-half years to stop it regularly for another two minutes and give chance to the people to get into it. But it has not been done so far.

I would urge the hon. Railway Minister to concede to my request, Thank you.

SHRIMATI BHAVNA DEVRAJBHAI CHIKHALIA (Junagarh) : Mr. Speaker, Sir, there are Sainik Schools all over the country. Students are imparted good education in these institutions. But I am sorry to say that very few girls are given admission in these schools as compared to boys, as a result thereof many bright girls remain deprived of good education. Hence I urge upon the Government of India that the number of

girls students to be admitted in Sainik Schools all over India, should be increases substantially.

Mr. Speaker, Sir, my another request is that in every state of the country particularly in Gujarat one Sainik School exclusively for girls should be established. The Education Minister of Gujarat has recently made a demand in this regard that a Sainik School for girls be opened in Gujarat. I also request that Sainik Schools exclusively for girls may be set up there so that the girls could get good education. The education for girls in our country, is not comprehensive. Therefore I once again request the Government of India and hon'ble Minister of Defence to open one Sainik School for girls only in Gujarat.

SHRIMATI MEIRA KUMAR (Karol Bagh) : Mr. Speaker, Sir, I support the demand of Hon'ble Member Shrimati Bhavana Devrajbhai Chikhali to set up girls Sainik School and urge the Government of India to set up girls Sainik Schools all over the country.

[English]

PROF. SAIFUDDIN SOZ (Baramulla) : I will request the entire House to kindly listen to me for a minute or two. I am not raising any political issue about Jammu & Kashmir, but I am raising an issue which has a human angle.

My point is that a lot of massacres are taking place in Doda District and on the borders of Chamba also innocent people were killed.

Now I raise it from a different angle. Shri Ram Jethmalani, a brilliant person, is there on the Treasury Benches. I would want him to respond today as he responded yesterday. The point is that it is not an issue which is confined to the BJP. It is a national issue. I would plead through you, Sir, with the hon. Prime Minister and remind him that he must adopt the same convention as was adopted earlier by the Congress Government... (Interruptions) Please listen to me for half a minute about the tragedy of Kashmir.

There was a day when the then Prime Minister approached Shri Atal Bihari Vajpayee because he found that he had the necessary talent, mental aplomb, and awareness about this issue and he requested him to represent this nation at the United Nations, at Vienna and at Geneva. Dr. Abdullah had joined Shri Atal Bihari Vajpayee. And not only myself but crores of people in this country were also satisfied with the way Shri Atal Bihari Vajpayee had represented this nation. Today, I raise a question. We are explaining the case to America through Shri Jaswant Singh, he is an able and a talented person. He enjoys the trust of the Prime Minister. I do not grudge that. But in this nation, there are people like former Prime Minister, Shri Chandra Shekhar, Shri I.K. Gujral, Dr. Manmohan Singh and many others from the Congress Party. This is the talent available.

Why are we not approaching Europe and, explaining to them the vagaries of a neighbouring country and allowing that country to do what they are doing in Kashmir? We are not explaining this case to the whole world. I am not satisfied. So, I would say that Europe is important; Japan is important; and 51 Muslim countries are important. They are not all our enemies.

So, I would urge through you that the Prime Minister or the hon. Home Minister later take this House into confidence as to what this Government is going to explain to the world on what the neighbouring country is doing in Kashmir because the price is paid by innocent people. In fact, what has happened in Prankote yesterday? Eighteen people were killed.

So, I would urge you to request Shri Ram Jethmalani to kindly say a few words. He is the only Cabinet Minister sitting here and he must respond to my urge. I want this Government to explain to the whole world that the killings should be stopped. We must promote friendship with Pakistan. Nobody is against that. What is happening there cannot be stopped.

SHRI A.C. JOS : The entire House supports this.

PROF. SAIFUDDIN SOZ : The army is there to look after things, but there is also a human angle. It is not the army that will fight at all the fronts. There are so many other factors responsible for the situation in Kashmir.

PROF. P.J. KURIEN : We fully endorse the suggestion made by Prof. Saifuddin Soz. I would request the hon. Minister to give a reply, because there is already a consensus of almost the entire House which is supporting Prof. Saifuddin Soz.

[Translation]

THE MINISTER OF URBAN AFFAIRS AND EMPLOYMENT (SHRI RAM JETHMALANI) : Mr. Speaker, Sir, I consider the advice given by the Hon. Member Shri Soz a valuable one.

[English]

I promise that I will convey all the sentiments which he has expressed and the support of this august House to the hon. the Prime Minister as well as the hon. the Home Minister and I hope they will come and respond at the proper time to the satisfaction of this House and to the satisfaction of Prof. Saifuddin Soz.

SHRI V.M. SUDHEERAN (Alleppey) : Sir, I would like to raise a very important point regarding the development of the power projects in our country. It is reported that the Government of India have denied

permission to the proposal of NTPC for obtaining foreign loan of Rs. 4,800 crore for the development of three power projects including Kayamkulam in Kerala.

The NTPC made this initiative due to the bleak chances of getting fresh loan from the World Bank because of India's nuclear explosions. But the Government is reported to have turned down this proposal advising the NTPC to continue discussion with the World Bank for fresh loan.

This is bound to delay the development of these power projects.

Therefore, I request the Government to reconsider the present stance and to grant permission to the NTPC to seek fresh loan from elsewhere. Sir, this being a very important issue, I would request the hon. Minister for Parliamentary Affairs who is here, to respond and convey this point to the Prime Minister and the Minister of Power.

[Translation]

SHRI SHAILENRA KUMAR (Chail) : Mr. Speaker, Sir, on the night of 1/2 August two dalit sisters Sheela and Rekha were paraded naked from 11.00 p.m. to 3 a.m. in village Mandhera, police station Shahpur, Muzzaffar Nagar, Uttar Pradesh. Their fingers were broken, they could not get treatment in government hospital, hence they got their treatment in private hospital. Their husbands work in C.I.S.F. in Ghaziabad. Their only fault was that they constructed a new house and were living in it. Their standard of living was very good. The so called rich of the village could not digest it. When these two women went to the SSP to lodge their report it was not registered and they were humiliated and thrown out. The report was filed against 25 persons.

In an another incident 3 lakhs rupees were snatched from a distributor of Hindustan Lever Ltd., in Wazirganj, Golaganj, Lucknow in Uttar Pradesh. A woman and her daughter were murdered today in Rajouri Garden in Delhi. Dead bodies of two young lovers, who were working for Zee TV, were recovered. Terror is let loose in the BJP governed states of Uttar Pradesh and Delhi. The Government which gave the slogan of fearless society has itself become totally uncontrolled. Everywhere there is looting and murder. Atrocities are being committed on dalits, minorities and backward classes.

Sir, through you, I demand the Government to take necessary action considering it a serious matter. Hon'ble Minister must give a reply to it. It is a very serious matter that two dalits women were paraded naked. It is a blot on the society. 50 years have passed since independence, but even today people are having such mentality... (Interruptions) This is being done by the Government, this is my allegation... (Interruptions)

SHRI RAM VILAS PASWAN (Hajipur) : Mr. Speaker, Sir, day before yesterday an eleven hours debate was held on issues related to SCs and STs. Today Shalendra Kumar ji has raised this issue again because the hon'ble Minister did not reply to the discussion. You would recall that the subject atrocities was the main issue before the B.A.C. The matters relating to atrocities come under the Home Minister, but the reply was given by Welfare Minister, that too by the State Minister. The result is that all the hon'ble member are unsatisfied. Such incidents are happening not only in Uttar Pradesh but in other States also. I will be leaving for Meerut because Surendra Prasad Jatav has been shot dead there. I wanted to remain in the House till 2 o'clock in the afternoon but cannot do so because I have to go there. Atrocities are being committed in an organised manner all over the country. I want that the hon'ble Minister should assure the House that action will be taken on all the issues raised by hon'ble members during the 11 hours long debate. Otherwise such issues will be raised daily and the proceedings of the House will be interrupted therefore please convey this message to the Home Minister and he must give a reply in this regard. The issue which was raised by the hon. Member is a very shameful incident. Incident of blinding of Guddi Devi in Delhi has also been raised... (Interruptions) I am talking about the whole country. My constituency Hajipur also witnessed such incidents... (Interruptions)

SHRIMATI MEIRA KUMAR : Mr. Speaker, Sir, shameful incidents are occurring in the capital. We are raising these issue because we are aggrieved. I am really sorry to say that such shameful incidents have been taking place in Delhi.

[English]

MR. SPEAKER : The Minister is responding, Madam. Please take your seat.

(Interruptions)

MR. SPEAKER : The Minister is responding. What is this? This is not good.

[Translation]

SHRI RAM NAIK : Mr. Speaker, Sir, deviating from the normal practice I am responding to the points raised by the hon. Members because today is the last day of the session. I assure the hon. Members that I will convey their feelings to the hon. Home Minister that reply on these issues, which have been raised by Shri Ram Vilas ji and other hon. Members should come from his side. The specific instances quoted by them have also been recorded.

DR. MAHADEEPAK SINGH SHAKYA (Etah) : Mr. Speaker, Sir, I would like to bring to your notice a very important matter of urgent public importance.

[English]

MR. SPEAKER : He is a back-bencher. There is an other amendment for back benchers.

[Translation]

DR. MAHADEEPAK SINGH SHAKYA : Mr. Speaker, Sir, In resolution brought in this House on 13.7.1988 it was stated that five percent of the total money collected from the duty levied on petrol and diesel, may it be through central excise or customs will go to the road fund, and out of that fund Rs. 3109 crore will be given to the Government of Uttar Pradesh by the Central Government. A resolution to this effect was passed in 1988. The Government of Uttar Pradesh has sent several letters, in this regard but the Central Government so far has not replied to any of those letters. Several governments have changed since 1988. This matter is still pending. A letter sent in this regard by Uttar Pradesh, has recently been attended to by them on 1.9.1997. In their reply they have stated that the matter is still under consideration.

I want to bring it to your notice that the matter is pending since 1988. U.P. Government was to receive Rs. 3109 crore out of that fund but the matter has not yet been decided. I urge upon the Central Government to take an early decision in this regard so that Rs. 3109 crore could be given to U.P. and development of the State and completion of the pending projects is ensured.

I thank you for giving me the time to speak...(Interruptions)

MR. SPEAKER : I will call one by one. I'll call everyone. Everyone will get a chance today to speak.

(Interruptions)

DR. SHAKEEL AHMED (Madhubani) : Mr. Speaker, Sir, this is not fair. I was second in the list.

[English]

MR. SPEAKER : I shall call your name also.

(Interruptions)

[Translation]

DR. SHAKEEL AHMED : I was second in the list, what I want to say is that I have been jumped upon...(Interruptions)

[English]

MR. SPEAKER : Please take your seats. I will give chance to you also.

(Interruptions)

[Translation]

SHRI ANAND MOHAN (Sheohar) : I have been raising this question for the last ten days...(Interruptions)

[English]

MR. SPEAKER : Please take your seats. I will give chance to you also.

[Translation]

SHRI MOTILAL VORA (Rajnandgaon) : Hon'ble Mr. Speaker, Sir, Law and order situation in Gujarat is deteriorating rapidly...(Interruptions)

[English]

MR. SPEAKER : Shri Prabhunath Singh, your assistance is not necessary. I can also call his name. What is this? You need not recommend his name.

(Interruptions)

MR. SPEAKER : Shri Anand Mohan, please take your seat. I will call your name also. What is this? Without Chair's permission, how can you speak like this?

[Translation]

SHRI MOTILAL VORA : Hon'ble Mr. Speaker, Sir, in Gujarat Law and Order situation is deteriorating day by day. Everyday approximately 45 cases of rape, robbery and looting etc. come to pass. Yesterday the D.G. of Gujarat Shri C.P. Singh has given a statement that the law and order situation in Gujarat is deteriorating and the people of Vishva Hindu Parishad and Bajrang Dal holds responsibility for this. The Chief Minister, Shri Keshu Bhai Patel has also confirmed it. He has said that this deterioration in the situation in Gujarat has arisen during the last five months only due to which in the minds of the people of Gujarat especially the minorities...(Interruptions)

[English]

Shri Keshubhai Patel has endorsed the views of the DGP. I do not want to read out the whole thing. So, Sir, kindly ask the Minister concerned to look into the matter and get the report from the Gujarat Government so that we can come to know the fact.

SHRI A.C. JOS : Sir, I had also raised this point regarding crimes against minorities two weeks back and the hon. Home Minister had said that he would look into it. Now the Director General of Police, Gujarat has gone to the Press by conducting a Press Conference where he said that the law and order

situation in Gujarat has deteriorated. It is because of the Vishva Hindu Parishad...*(Interruptions)*

MR. SPEAKER : Now Shri P. Sankaran.

*(Interruptions)*

SHRI A.C. JOS : Now Shri Vora has raised it. This is a very serious matter, Sir...*(Interruptions)*

MR. SPEAKER : I have called Shri P. Sankaran.

*(Interruptions)*

SHRI A.C. JOS : I am supporting Shri Vora, Sir. This is a very serious matter and I request the Home Minister to please look into it.

*[Translation]*

SHRI MOHAN SINGH (Deoria) : Mr. Speaker, Sir, the matter that Mr. Motilal Vora has raised, is very serious. Since the last 15 days all the major newspapers has been publishing this news that there, the Muslims villages have been exaucating the people are migrating...*(Interruptions)* The Superintendent of Police of that area has given the statement that the people of Vishva Hindu Parishad and Bajrang Dal are behind it. According to my acquaintance he has himself agreed that the people of RSS have been committing atrocities on Muslims and as a result the Muslims villages are evacuating frequently. Since the last 15 days 'Hindustan Times,' Indian Express and a T.V. Programme 'Aaj Tak' have been publishing an article and showing a film clipping on the matter as how the Muslims are migrating from there. Separate colonies are coming into existence there. The Government of Gujarat is creating differences between the Hindus and the Muslims. India should stand united. This is a matter of deep concern. In my knowledge, today the Government of Gujarat is processing to suspend that Police Superintendent. I would like to draw the attention of the Central Government towards this matter and wants to say that it should intervene to give protection to the Muslims and dismiss the communal Government of Gujarat...*(Interruptions)*

*[English]*

MR. SPEAKER : Shri P. Sankaran.

*(Interruptions)*

MR. SPEAKER : Nothing will go on record except what Shri P. Sankaran says.

*(Interruptions)\**

SHRI P. SANKARAN (Calicut) : Sir, I may draw your kind attention to the need for a separate Ministry of Fisheries in India. You know that India is blessed

with abundant resources in the field of fisheries, both marine and inland in the world scenario. Our country has a coast line of 8060 kilometres comprising of ten States and three Union Territories and Exclusive Economic Zone of over two million square kilometres.

From the time immemorial, fishing has been the profession of several communities who reside on the coastal belt and elsewhere on the banks of inland sectors. As many as one crore people from fishermen community are engage in traditional fishing activities and in motorised and mechanical boats etc. We have a vast potential in fresh water, and brackish water farms are also having a good scope.

During 1994-95, India earned Rs. 3,600 crore by way of exports from fisheries sector. The export figures in the current financial year are already showing a downward trend, amounting to nearly Rs. 300 crore only, that is ten per cent of the earnings made in the year 1994-95. This has happened for the first time during the last twenty years.

India holds seventh rank in the world and second in the inland fish production. The fisheries sector has gained importance world over in the last few decades. In view of the changes, there are full-fledged Ministries exclusively for fisheries in many developed and developing countries like Japan, Peru, Norway, Philippines etc.

Unfortunately, in India, the Fishery Programmes are presently supervised by a division in the Ministry of Agriculture. The fisheries sector should be handled with more responsibility and authority. So, a separate Ministry for fisheries may be created with two separate wings marine fisheries wing and inland fisheries wing — for better management of fisheries programmes in the country.

It is also suggested that an Indian Council of Fisheries Research (ICFR), National Fisheries Corporation (NFC) and Inland Fisheries Development Corporation (IDFC) may also be set up. It is hoped that in the interest of this great nation, the Government may consider the suggestions made by me to give necessary boost to the fisheries sector.

SHRI RAM NAIK : Sir, the hon. Member has raised a very important issue. I must say that when I was on that side, I had also been supporting this cause. Our Government, in its National Agenda for Governance, has also decided to give enough importance to the fisheries because it is contributing in an unparalleled way. It is employment-oriented. It gives food and also export earnings. I will communicate the feelings of the Members, and the clapping and thumping which, I suppose is from the entire House, to the Prime Minister to look into this demand.



[Translation]

SHRI CHAMAN LAL GUPTA (Udhampur) : Mr. Speaker, Sir, through you, I would like to bring to the attention of the House a very important matter relating to Jammu and Kashmir. Shri Soz has raised a question, I fully extend my support to him but I would certainly like to make this requisition to the Government to look into the affairs of the victims of the terrorism in Jammu & Kashmir because no attention has been paid to them by the Government. It becomes necessary to provide, ration and shelter to those who have been uprooted from there but the Government is hardly paying a heed to them.

The matter that I want to bring to your notice is that, in 1947 at the time of partition of our country approximately one lakh Harijans had migrated from West Pakistan and settled down in Jammu and Kashmir. All of them came and settled in our country but ours is such an unfortunate State that those people who came in 1947 are still devoid of their right to vote in the State assembly. Their wards can not even study in colleges as they are not considered the State subjects. Today the 50 years of Independence have elapsed, but the large number of Harijans who reside in this region, have not been given the any rights ...*(Interruptions)*

[English]

MR. SPEAKER : Shri Chaman Lal Gupta, constitutionally, they are SCs and STs and not harijans. So, you use the words SCs & STs not harijans.

[Translation]

SHRI CHAMAN LAL GUPTA : Thanks a lot for correcting my words. All those people are not getting the right to vote there, their children can study upto Metric but could not go to the colleges.

12.00 hrs.

Therefore, I want to make a humble submission to the Government to put the refugees and the other citizens of the Nation under the same yoke by conferring them the same rights. Some refugees were those who came there in 1965, some, who come in 1971 whereas the refugees of 1947 were already there. Government should solve the problems of all the refugees at the earliest and it should systematize everything in such a way that the citizens of Jammu and Kashmir may consider themselves the citizens of the whole India, this is what I wanted to convey.

[English]

SHRI BUTA SINGH : Mr. Speaker, Sir, I want to support him.

MR. SPEAKER : Shri Buta Singh, we have to accommodate many Members and it is already 12 o'clock. Please cooperate

SHRI BUTA SINGH : Sir, I will not take much time. I want to say only a few words in support of him.

Sir, thousands of families who have come from Pakistan do not have citizenship here. They are neither the citizens of Jammu and Kashmir nor the citizens of India. They have been deprived of their livelihood. Therefore, I support the issue raised by the hon. Member and I urge upon the Government to give them citizenship of Jammu and Kashmir, where they are residing for more than 50 years.

[Translation]

DR. SHAKEEL AHMAD : Sir, I want to call your kind attention to the Madhubani Lok Sabha constituency of Bihar. Since last many days this region is badly affected by the flood. Among the affected areas are the blocks Khajoli, Jainagar, Harlakhi, Basopatti, Madhwapur, Benipatti, Madhubani, Rajnagar, Bisafi and Jaale and Singhwada blocks of Darbhanga District.

Sir, the water that flooded these regions came from the rivers of Nepal. The people of Nepal hold back the water for irrigation and other purposes and when it is congregated in big volume, all of a sudden they open it up, as a result this water in the form of heavy flood enter into these regions to inundate and destroy the fields of the farmers, their houses, grains and whole of the crops. Therefore, I urge upon the Central Government to kindly hold talks on this matter with the Government of Nepal and ask them to stop this practice in the future and give assistance to the persons of Madhubani Lok Sabha Constituency of North-Bihar where heavy destruction is caused due to the floods in the rivers that flow from Nepal.

Sir, till now, 58 people have died due to heavy floods in the whole of Bihar. I request that the Central Government may soon provide special financial assistance to Bihar. The situation of flood in the Madhubani area of Bihar is very serious.

Sir, from the last four days I was trying to put forward my point and I am very thankful to you for giving me the opportunity to speak...*(Interruptions)*

[English]

MR. SPEAKER : Shrimati Rama Devi, your name has not been called. Please take your seat.

[Translation]

SHRIMATI ABHA MAHTO (Jamshedpur) : Sir, I am going to raise a very serious matter of my constituency. The economic condition of Indian

Copper Complex, a Government of India undertaking situated in Ghatshila/Musabini tribal area of Bihar, has turned out to be very piteous as it has been facing heavy losses from the last many years due to the negligence of the present Management. Approximately eight thousand workers are working there. Management did not even paid a heed to the development of the mines of I.C.C., which led to the closure of Banalopa and Badia copper mines and due to which 1500 workers were rendered unemployed. Local newspapers too has also published the news that the two more mines namely Kendradeeh and Pathargoda would be closed in August. If these two mines would be closed, the plight of the labourers would become even more worse.

Therefore, through you I would request the Government that the ICC may be given assistance of Rs. one hundred crores to open new mines at Dhoboni, Kishangadia, Siddheshwar and Chapdi so that the workers of the closed mines could be employed there.

[English]

SHRI HANNAN MOLLAH (Uluberia) : Sir, I would like to raise a serious problem faced by the peasants and jute growers of West Bengal, Bihar, Assam and Eastern Region.

Sir, as you know, jute is one of the important cash crops of these regions. About 40 lakh people are engaged in jute growing and about 5 lakh people are engaged in that business. Out of 73 jute mills, 59 are in West Bengal and about 2.5 lakh workers are engaged in those mills.

Sir, the price of jute is coming down. Now, this is the season of the jute crop. At present, its price is Rs. 250 to Rs. 300 per quintal, whereas, the cost of production of jute is much more. It is, at least, three times more. The jute growers are demanding that its price should be raised to Rs. 1000 per quintal. The Government had not declared adequate price for jute.

Secondly, out of the jute goods export, the Central Government earns about Rs. 800 crore and it is estimated that in the Ninth Plan, the Central Government would earn Rs. 2,000 crore from the jute export. But this industry is being destroyed gradually.

Sir, there is an Act in our country called Jute Packaging Materials Act. According to this Act, cement and sugar produced in this country have to be packed in jute bags, but due to the pressures from the plastic manufacturers lobby, the Government is ignoring this Act. That is why, the jute industry is in a crisis.

Sir, raw jute is purchased by the Jute Corporation of India (JCI). The Central Government provides funds to the JCI for purchasing raw jute. But due to lack of

funds, the JCI is also unable to enter into the market for purchasing raw jute. This is creating a serious problem.

Therefore, I would urge upon the Government to fix the jute price at Rs. 1000 per quintal. I would request the Government to provide adequate funds to the JCI so that it can intervene in the raw jute market. Thirdly, the Government should implement the Jute Packaging Materials Act properly so that jute industries and lakhs of workers including peasants could be saved.

I would once again request the Government to take a serious note of these problems and take appropriate action.

12.09 hrs.

### PERSONAL EXPLANATION UNDER RULE 357

[Translation]

SHRI ANAND MOHAN (Sheohar) : Mr. Speaker, Sir, on 14 July I was Marshalled out from the House as per your direction and my palm got injured badly during this course, I had to be hospitalized and in the hospital only on third day of the incident I read in a newspaper that I was carrying a pistol and two knives alongwith me in the House and taking cognizance of this news a Metropolitan Magistrate in his wisdom, for the first time in the history of India, filed a suo motu case in his court and a reputed paper 'The Pioneer' too treating this news as correct started conducting a survey and contacted nearly 700 members to ascertain how much safe is the life of other Members in the House where a Member, Anand Mohan had enter the House in a heavily drunken state alongwith a pistol and knives. Not only this, 'Dainik Jagran' has also published that I was sitting there armed with a pistol and knives and when I was Marshalled out it was detected by a Metal detector that Anand Mohan has a pistol and knives and the Marshal recovered them when I was entering in Ambulance; 'Hindustan Times' published that knives and a pistol were recovered from Anand Mohan at the time when I was going to the operation theatre. One newspaper 'News Times...(Interruptions)

[English]

MR. SPEAKER : Shri Anand Mohan, please conclude during the 'zero hour', you can take only two minutes and not more than that.

[Translation]

SHRI ANAND MOHAN : Mr. Speaker, Sir, right now I have with me a clapping of a fortnightly

Megazine 'Sarita'. It is not that I have come without any proof, I have all the clippings with me. It was written in it that I misbehaved with you. I snatched away the papers from your hand and insulted you. Then, you gave the orders for Marshal out. Prime Minister intervened and settled the matter. This is written in a fortnightly magazine 'Sarita'. I have already shown all these newspapers to you in your office, yesterday. This is all a part of conspiracy. Newspapers continued to publish such things not only on 1st or 2nd day but even till the 21st day of the incidence just because they don't want the people to know my views on the women's Bill. They are trying to defame me in the public by putting a question mark on my character. They all are of the view that the hon'ble members of Parliament did not me here elected with lakhs and lakhs of votes, instead they think that this is a rendezvous for the hooligans, rogues and gamblers. Sir, this is not a question of an individual. These things have been uttered against the honour of all the 542 Members and against the dignity and decorum of the house. We are the supporter of freedom of expression of press we are not the product of the system which serves as a breeding ground for the evil elements. Our forefathers were the freedom fighters, we have donated 4 kgs. of gold in the freedom struggle. My grand father sold off his hundreds acres of land for helping the freedom struggle. I am a product of J.P. Movement. When the sword of censorship was hanging on their necks, I am sorry I had to mention it. I went to the jail, fighting for them, they are conspirating to defame me. I'm not scared of such things. I have fought many battles with news papers; magazines, Governments, present system and present situation in Vidhan Sabha before coming to Lok Sabha for the second time. I am confident and I've full faith that my supporters will treat those full of gossips newspapers as a garbage and throw them the bins and I'll surely win and come to this house again. There's no doubt in it. It can not spoil my political image...*(Interruptions)*

*[English]*

MR. SPEAKER : Shri Anand Mohan, you have given your personal explanation. Please conclude.

*[Translation]*

SHRI ANAND MOHAN : It affects the dignity of the Chair and the House. I would like to ask the question where has that revolver and a Pistol gone? They have tarnished the image of Indian democracy before the whole world.

DR. VIJAY SONKAR SHASTRI (Saidpur) : At least tell us the reason for which you were asked to leave the house...*(Interruptions)*

SHRI ANAND MOHAN : I was Marshalled out...*(Interruptions)* The one Man parties like ours

are not invited to participate in the All Party Leaders Meeting. Not only this but when we stand up to say something they say, 'Please Anand Mohan, sit down'. What should I do? Go and hum in the bathroom? My humble submission to you Sir, is that the small parties should also be invited in the All Party Leaders' Meet and they should also be given the time in the House. Who'll run the House, you or the Metropolitan Magistrate?

*[English]*

SHRI G.M. BANATWALLA (Ponnani) : Sir, the matter must be referred to the Privileges Committee...*(Interruptions)*

SHRI T.R. BAALU (Madras South) : Sir, will you please refer this matter to the privileges committee?...*(Interruptions)*

*[Translation]*

SHRI RAGHUVANSH PRASAD SINGH (Vaishali) : Mr. Speaker, Sir, if it constitutes breach of privilege then it should be referred to the privileges committee...*(Interruptions)*

SHRI ANAND MOHAN : Mr. Speaker, Sir, a deep conspiracy has been hatched for my character assassination. This is an attack on the dignity of the House...*(Interruptions)* Under which law the Metropolitan Magistrate has done this? Judiciary and Legislature are two independent wings...*(Interruptions)* I have given notice against Dainik Jagaran, the Hindustan Times, Youth Times and the Metropolitan Magistrate. The matter involves the dignity of the House. Therefore, permission may be granted to me.

*[English]*

MR. SPEAKER : Shri Anand Mohan, please conclude. What is this?

*(Interruptions)*

MR. SPEAKER : Please take your seat.

*[Translation]*

SHRI OM PRAKASH (Ghazipur) : Mr. Speaker, Sir, this matter may be referred to the Privileges Committee.

SHRI MOHAN RAWALE (Mumbai South Central) : It involves the dignity of the House.

*[English]*

MR. SPEAKER : Please take your seat. I am not allowing you. What is this? Please take your seat. You must know that this is 'Zero Hour'.

*(Interruptions)*

SHRI AJIT JOGI : Sir, our request is that you may kindly refer this matter to the Privileges Committee.

[Translation]

SHRI ANAND MOHAN : Mr. Speaker, Sir, the Metropolitan Magistrate has infringed upon your rights. Therefore, it is a serious matter. Please give your ruling on this matter.

[English]

MR. SPEAKER : Shri Anand Mohan, please conclude.

(Interruptions)

SHRI BUTA SINGH : Mr. Speaker, Sir, under Rule 227, I want to raise this issue...(Interruptions)

MR. SPEAKER : Shri Anand Mohan, please conclude. Shri Buta Singh, what is this? You are a very senior Member and senior Members like you must follow the rules. I have to call the names of other Members also. This is not the only subject that we have. He has explained everything well. Why should unnecessarily intervene?

SHRI BUTA SINGH : Sir, under Rule 227, you have to consider this matter.

[Translation]

SHRI ANAND MOHAN : Mr. Speaker, Sir, I demand that the matter be referred to the Privileges Committee.

[English]

SHRI BUTA SINGH : Sir, kindly listen to me...(Interruptions)

MR. SPEAKER : Shri Buta Singh, please hear me. This matter is under my consideration. Shri Buta Singh, his privilege notice is already under my consideration. Dr. V. Saroja.

[Translation]

SHRI RAMDAS ATHAWALE (Mumbai North-Central) : Mr. Speaker, Sir, this matter may be referred to the Privileges Committee. When the Member had no weapon, why was such a charge levelled against him? The matter should, therefore, be referred to the Privilege Committee...(Interruptions)

[English]

SHRI AKBAR AHMAD (Azamgarh) : Sir, it is a very serious matter and it should be referred to the Privileges Committee...(Interruptions)

MR. SPEAKER : Hon. Member, please understand that I have already given my ruling. This privilege matter is under my consideration. Without

hearing the Chair's remarks, you are speaking. What is this?

(Interruptions)

MR. SPEAKER : It is already under my consideration. What is this?

SHRI BUTA SINGH : Sir, kindly hear me.

MR. SPEAKER : Shri Buta Singh, with great respect, I must say that I am not permitting you. You are a senior Member and you must observe the procedure. I have called Dr. V. Saroja.

SHRI BUTA SINGH : Sir, I am not disturbing you. I am only trying to help the Chair.

MR. SPEAKER : The Chair has already given the ruling that this privilege matter is under consideration.

(Interruptions)

MR. SPEAKER : Shri Buta Singh, this matter is under my consideration. What is this? The Chair is telling that this matter is under consideration.

(Interruptions)

SHRI G.M. BANATWALLA : Sir, let it be an active consideration.

MR. SPEAKER : So, you are very actively telling me that it should be an active consideration!

[English]

DR. SAROJA V. (Rasipuram) : Mr. Speaker, Sir, I stand before you to draw the attention of this august House to the ill-treatment and dragging that has taken place recently in Tamil Nadu.

The sad demise of Shri Sarika Shah, a college student of Chennai recently has been the most shameful event of eve-teasing. The provoking factor for this sort of indecent event, among others, seems to stem from such obscene scenes and scenes of violence which are seen in cinema and TV programmes showing eve-teasing of girls by a group of boys.

Another incident of brutal dragging of Shri Navarasu, a medical student from a medical college of Tamil Nadu has taken place earlier. Ragging by the senior students led to his death.

So, all of you in this august House will join me in condoling the deaths of these students and share the grief of their parents.

I appeal to the student community of this country, through this august House, not to let history repeat itself.

Our revolutionary leader Dr. Puratchi Thalaivi, in a recent press statement has appealed to Prasar Bharati that a new blood should be infused in the following manner :—

- (i) the movies that are being shown should be in a manner in which the families, adults and children can sit and watch with ease of mind and without shyness and embarrassment; and
- (ii) there should be no scenes of sexual harassment and violence.

This can be accomplished only by the Government by strict enforcement of strict censor through the Censor Board.

I appeal to the Directors, actors and producers of films to have self-censor as a national service.

I express my grief and condemn the following :—

- (i) cruel attacks on innocent students;
- (ii) the lack of political will of the present DMK Government;
- (iii) the increasing violence and attacks on women; and
- (iv) deterioration of law and order situation in Tamil Nadu.

Jain Commission report also indicts DMK involvement in the assassination of Shri Rajiv Gandhi.

Therefore, I seek dismissal of DMK Government in Tamil Nadu.

SHRI RAM NAIK : Dr. V. Saroja has raised an important issue about films. Unfortunately, the concerned Minister, Shrimati Sushma Swaraj is not in Delhi today. But I will immediately communicate to her the views of Dr. V. Saroja and ensure that some action is taken.

*[Translation]*

SHRIMATI KAILASHO DEVI (Kuruksheetra) : Mr. Speaker, Sir, today is the last day of the Budget session. Many important bills were introduced and passed during the Budget Session. One such bill was Members' Salaries and Allowances Bill which was supported by Shri Lalu Prasad Yadav and other Hon. Members. Later on, this bill was passed also.

Mr. Speaker, Sir, recall the black day of 13 July when women's Reservation Bill was to be introduced in this House. At the time the Women's reservation Bill was being introduced, one anti-women member snatched the copy of the Bill from the hands of the Law Minister and tore it into pieces at the behest of

certain anti-women elements and thus insulted the entire women folk...*(Interruptions)*

SHRI MULAYAM SINGH YADAV (Sambhal) : Mr. Speaker, Sir, it is objectionable...*(Interruptions)*

SHRI AJIT JOGI : You should speak only on matters related to Women's Reservation Bill.

*[English]*

MR. SPEAKER : You cannot mention the name of the Member. You can express your points.

DR. SUBRAMANIAN SWAMY (Madurai) : It is a breach of privilege.

SHRI BUTA SINGH : You cannot take the names of Members.

*[Translation]*

SHRIMATI KAILASHO DEVI : They have insulted the women kind and by trampling on the dignity of the House, they have added a black chapter in the history of India. Women will never forgive them. Women will never forget this humiliation.

Mr. Speaker, Sir, all those who have been shedding crocodile tears for the welfare of the women and have been getting sympathy from them on this pretext have now been fully exposed by their such degraded act. But the fact is when actually any opportunity occurs for serving the cause of the women they either oppose that measure or they keep silent. The same happened the other day when the Women's Reservation Bill was being introduced. Members of various political parties remained silent spectators when presentation of the Women's Reservation Bill was being opposed. All this has made amply clear that neither any political party nor any male member wants that there should be reservation for women.

Mr. Speaker, Sir, you must have read the story of disrobing of Draupadi. When disrobing of Draupadi was ordered the grand old man Bhishma and Draunacharya were present in the assembly but they were helpless and were forced to see that sight because there was rule of Kuru at that time.

However, today, there is democracy in our country where the representatives of the people are at the helms of the affairs. Even then, if women folk are humiliated and Women's Reservation Bill is not allowed to be introduced in the highest Panchayat of the country i.e. Parliament, then it is certain that the future of democracy in this country is in peril. After this incident, it seems that future of democracy is not bright in India.

Mr. Speaker, Sir, when hon. Member Anand Mohan supported the introduction of the Women's Reservation Bill, he was thrown out of the House

and was humiliated. Whereas the people, who opposed the introduction of the Bill and humiliated the women folk, were forgiven.

Mr. Speaker, Sir, women too have erred. We too should have staged a walkout from the House when Anand Mohan ji was being thrown out of the House with the help of Marshals. Sir, the issue is very important because it relates to dignity of women. The opposition to the women's reservation bill has really hurt me. I am very sad. I am, therefore, walking out of the House today and also I will sit on token strike following the path shown by Gandhiji...*(Interruptions)*

12.28 hrs.

*At this stage, Shrimati Kailasho Devi left the House.*

[English]

MR. SPEAKER : Madam, please take your seat.

*(Interruptions)*

MR. SPEAKER : Shri Ramdas Athawale, I have not called your name. What is this? You have not changed your behaviour. Now, Shrimati Lakshmi Panabaka to speak.

*(Interruptions)*

SHRI AJIT JOGI : Sir, those two remarks should be expunged...*(Interruptions)* Those two remarks-one relating to the MP and the other one relating to the hon. Chair - should be expunged...*(Interruptions)*

MR. SPEAKER : If it is objectionable, I will expunge those remarks.

*(Interruptions)*

SHRI AJIT JOGI : Please expunge those two remarks.

MR. SPEAKER : If anything is objectionable, I will expunge it.

SHRI HANNAN MOLLAH : Sir, I support her demand. Why have they failed to bring forward the Women's Reservation Bill during this Session itself?...*(Interruptions)*

SHRIMATI LAKSHMI PANABAKA (Nellore) : Sir, I would like to bring to your kind notice that for the last few days repeated derailments are taking place in Vijayawada Division of the South Central Railway resulting in death and injuries to passengers. Hence, there is an imperative need to provide more safety to the passengers and trains.

On 25th July evening, one goods train derailed near Eluru resulting in death of seven persons and injuries to five others.

On 26th evening the Visakhapatnam Express 7015 derailed at Nadikudi Station in which 11 bogies derailed resulting in injuries to 53 persons.

Again, on 29th July morning, Train No. 2724, Narayanadri Express derailed between Vijayawada and Gudur Division. Injuries and deaths are not known. On 30th and 31st of July, and on 2nd, 3rd, 4th and 5th of August also, trains derailed in the same Division. Track maintenance is not good in Vijayawada Division.

The Railway authorities should look into the causes of these repeated train derailments and take steps to avoid recurrence of such incidents. They should also provide safety and security to passengers and railway property.

*Thanking you.*

SHRI T.R. BAALU (Madras South) : Sir, it is a matter of promissory estoppel. The hon. Home Minister, in the presence of the hon. Prime Minister, had promised that they would introduce the Bill pertaining to Statehood to Pondicherry in this Session itself. Today is the last day of this Session. But so far the Government is not in a mood to introduce the Bill. So, we are very much worried about it. The people of Pondicherry are also very much worried about this. In fact, the funny part of this issue is that the hon. friends belonging to the AIADMK Party carried out a Victory Day procession in Pondicherry. We are very much worried about the Statehood to Pondicherry.

SHRI V. SATHIAMOORTHY (Ramanathapuram) : Sir, he must withdraw the words "funny part of the AIADMK functionaries"...*(Interruptions)*

SHRI T.R. BAALU : We want to know the reaction of the Government. The hon. Home Minister is here. We want to know whether the Bill would be introduced at least in the next Session. Let him react to that because we are very much worried about it.

MR. SPEAKER : The trouble has again started.

*(Interruptions)*

SHRI R. MUTHIAH (Periyakulam) : Sir, he has to withdraw the word 'funny'...*(Interruptions)*

MR. SPEAKER : I have called Shri Baalu. Let him complete. What is this?

*(Interruptions)*

SHRI R. MUTHIAH : On our demand, this Government has assured us that they would bring the Bill on granting the Statehood to Pondicherry along with the Bill pertaining to granting statehood to Delhi...*(Interruptions)*

SHRI T.R. BAALU : The Government has cheated us. They are not reacting to our demand. In protest, I walk out from the House...*(Interruptions)*

12.31 hrs.

*At this stage, Shri T.R. Baalu left the House.*

[Translation]

SHRIMATI RAMA DEVI (Motihari) : Mr. Speaker, Sir, I would like to say that floods have disrupted the entire public life and disrupted the traffic in North Bihar and caused wide spread destruction to life and property there. The floods have affected the public life, especially in all the villages of Adapur Legislative Constituency, all the six legislative constituencies of Motihari Lok Sabha Constituency and Betia, Muzaffarpur, Shivhar, Sitamarhi, Darbhanga, Madhubani, Samastipur, Vaishali, Supil, Saharse, Araria, Kishanganj, Purnia, Katihar, Saran, Gopalganj, Bhagalpur and Banka. People are crying for help and relief. Several rivers of Nepal and Sikurna, Gandak, Burhi Gandhak, Kamalabalana, Kosi, Bagmati, Mohananda, Adhwara Bakaiya and Ganga are flowing above danger level. The people of that area have taken shelter on roofs of their houses, high mounds and trees.

I would like to urge upon the Prime Minister to order a survey for the flood affected area and in view the flood situation, assistance should be provided to the people. Compensation should be given to those whose crops have been destroyed.

I would also like to say that Motihari Sugar Mill should run properly so that the poor could get their livelihood by working in the mill. The closed Chakia Sugar Mill should be revived without any delay. East Champaran District which has been devastated by the fury of floods, should be declared as flood affected area. Construction work on the incomplete dam on Burhi Gandak should be completed. There is a scheme to provide Rs. 20,000 under Indra Awas Yojana. This amount should be increased to Rs. 25,000. Mudhabani Ghat Bridge should be constructed without any further delay.

[English]

SHRI P.C. CHACKO (Idukki) : Sir, I would like to raise a very important issue which I had been waiting to raise for the last four, five days.

On the midnight of last Saturday, a devastating land slide which affected the Idukki District, that is on the high ranges of Kerala, washed away 300 house causing wide-spread destruction to life and property. Unfortunately, this has been a regular story in the district of Idukki which I represent in Parliament. Land slides and torrential rains are almost a continuous phenomena. During this monsoon season in Idukki, 300 houses have been washed away and 100 acres of land has been

completely destroyed. Now for the next ten to fifteen years, farmers may not be able to do any cultivation there. Unfortunately, the compensation that is being given by the State Government is quite inadequate. For the total loss of a house, the compensation given by the State Government is to the extent of Rs. 2,000 to Rs. 3,000. In case of a loss of life, the compensation amount given by the State Government is Rs. 20,000 to Rs. 25,000. The release of sufficient compensation by the Central Government through the Calamity Relief Fund, is not being made available to the State Government. The State Government is not providing any help in this regard.

Due to land slides and the erosion of soil, the land has totally become uncultivable. This is a serious situation. Sufficient compensation may be given by the Central Government.

I raised this issue in the House when another incident took place. I would request the Government to send a delegation to the affected area. I have written a letter to the Prime Minister requesting him to send a team of officials from the Calamity Relief Fund to the State Government for assessing the extent of loss and to provide compensation to the farmers. This is a very serious issue affecting the farmers of the Idukki District. Last week, it happened in Sithathode in Raani.

Sir, last week, in Mariyapuram, Vazhthope, Kanjikuzhi and Vatthukkudy, a widespread destruction happened. So, I once again request the Central Government to send a team for assessing this loss and to compensate the farmers. Thank you.

MR. SPEAKER : Now, we come to the next item, discussion on the Jain Report.

(Interruptions)

SHRI PRITHVIRAJ D. CHAVAN (Karad) : Sir, Sri Krishna Commission Report is to be tabled today in the Maharashtra Assembly. There is a serious apprehension that the law and order situation may break down in Mumbai. So, I would request the Central Government to take adequate precautions. They should send extra forces there, if necessary ... (Interruptions)

SHRI TAPAN SIKDAR (Dumdum) : Sir, in the today's list of 'Zero Hour', my name stood at Serial No. 9. But I have not been called... (Interruptions)

SEVERAL HON. MEMBERS : Sir, before the discussion on the Jain Commission Report resume, you please take up Matters Under Rule 377.

MR. SPEAKER : We will take up the Matter Under Rule 377 later. Now, Shri Mulayam Singh.

12.36 hrs.

**MOTION RE: CONSIDERATION OF FINAL  
REPORT OF JAIN COMMISSION AND  
MEMORANDUM OF ACTION TAKEN  
ON THE REPORT — Contd.**

*[Translation]*

SHRI MULAYAM SINGH YADAV (Sambhal) : Mr. Speaker, Sir, I am thankful to you for keeping in mind my turn and gave me an opportunity to speak...*(Interruptions)*

SHRI CHAMAN LAL GUPTA (Udhampur) : Lalujji's time is being given to you...*(Interruptions)*

SHRI MULAYAM SINGH YADAV : 'Lalu Ji had already got an opportunity to speak. Therefore, keeping in mind my convenience, he has allowed me to speak. But why are you feeling bad, if I am thanking Mr. Speaker. The problem is that if I express thanks then you feel bad and if say something else, then also you feel bad...*(Interruptions)*

SHRI CHANDRAMANI TRIPATHI (Rewa) : Mr. Speaker, Sir, I am on a point of order...*(Interruptions)* Matters under Rule 377 are enlisted in today's Agenda before consideration of final report of Jain Commission...*(Interruptions)*

MR. SPEAKER : We will take them later on...*(Interruptions)*

SHRI MULAYAM SINGH YADAV : Matters under Rule 377 may be taken after I have spoken...*(Interruptions)*

PROF. P.J. KURIEN (Mavelikara) : We will see...*(Interruptions)*

SHRI CHANDRAMANI TRIPATHI : Are you the Speaker?...*(Interruptions)*

MR. SPEAKER : He is your friend.

*(Interruptions)*

SHRI MULAYAM SINGH YADAV : We have held discussion on Jain Commission for about 12 hours since yesterday. It is good that many hon. Members have taken part in the debate. I would feel happy if we arrive at any conclusion. So far as late Shri Rajiv Gandhi is concerned, he was not only a leader of the Congress Party and a former Prime Minister of the country, he was a symbol of secularism of the country. I am proud that he cooperated with me in strengthening the powers of secularism and extended his support at every stage in the fight against communalism in the National Integration Council. He was not only a very good human being, he was an asset to the country. Two commissions were appointed to enquire into the killing of Rajiv Gandhi

and it will be a matter of regret if they do not come to any final conclusion. The debate has been held for 12 hours and reply will be given at 2 o'clock. I regret that I will not be present in the House when the Minister of Home Affairs replies to the discussion. I have to go for an urgent work. Two commissions were appointed and they enquired the matter for seven years. I do not want to repeat. Several hon. Members have said that even after spending crores of rupees, no final conclusions have been reached at. Therefore, I want to suggest that after such long debate this House should reach at some logical conclusion. Home Minister while giving his reply should ensure that a timely decision and that too a correct one is arrived at. After going through this report, I am of the view that this commission has not taken this subject with the seriousness, it deserved. I, therefore, would like to say that when any commission is appointed, it does not like to read the provisions of the constitution. There is a provision that the commission should present concrete proof and give definite opinion. But in this report neither any concrete proof nor definite opinion has been given. It has only expressed doubts. Therefore, though some of my friends and even our Congress friends have said that we should not criticise the commission, but my direct charge is that this commission has not reached at some logical conclusion. The commission has not taken the killing of a leader of the stature of Rajiv Gandhi seriously and has also not suggested any concrete measures to prevent repetition of such incidents of killing of important leaders in the future.

In the case of Verma Commission, issue of conspiracy was not included in the Enquiry. That is why Jain Commission was appointed. This commission was to look into the matter of conspiracy.

The basic question that arises is, whether the commission was constituted just to tell that the needle of suspicion points towards several persons and institutions or was it expected to give some concrete conclusion. Now as far as the question of suspicion is concerned, it is well known fact that until one is proved guilty beyond doubt, he cannot be punished. But in this case, on the ground of mere doubt, people are being punished. The courts acquit those persons who come just in the ambit of doubt. This Commission was assigned the responsibility of finding out as to who is involved in this case, who is the killer, which are the foreign agencies that are involved in this conspiracy? The killer should not go scot-free.

I have also to say that innocents should not be harassed. If they are harassed and implicated and politically maligned then the sympathy which the whole of the nation have towards the assassination of such an eminent leader could run, counter to the situation.



[Shri Mulayam Singh Yadav]

I would like to ask the ruling party and the present government that whether it has been investigated as to how the report was leaked and how the report was published. I charge that the report could not have been published without support of the commission. I allege that somewhere this commission was also influenced politically. Ministry of Home Affairs too did not go deep into the matter as to find out why the report was leaked. It has regularly been asked as to how this report got published. As far as the question of the ruling party is concerned, it only wants to take advantage of the situation by dividing us on the basis of this report. And they did take the advantage. Due to the publication of this report only the country had to go in for the election and the present ruling party is reaping the benefit. Why the publication of the report is not being taken seriously? Since the ruling party will not take it seriously. I would like to tell friends in the Congress party that we have forgotten everything that had happened in the past and we will support you in removing this government. But you removed United Front Government on the basis of the report published and withdrew support. This matter is not a trivial one. It is a serious matter. You have to take it seriously. The Congress Party withdrew its support from the then ruling party on the basis of the published report and the country had to go in for fresh elections due to which the present ruling party got the benefit. The people of the country wants to know, how the report was published whether they get it from the commission or someone had stolen it from a box, Almirah or the table? Since we have doubt at least the commission should be asked how the report has been leaked and published. When needle of suspicion points towards some leaders or individual this commission can not be absolved. We hope that when the hon'ble Home Minister would reply to this debate, he will clarify this point also. He might have got information about it. The people of the nation and the House want to know that how the report was published, as it is, in all the news papers and the journals. How could we rely on the commission until the facts come to the light, that's why we have doubt over the commission. Whether the report was leaked by Justice Jain for political motives.

Today, the discussion is going on in this house. If you study deeply then you will find as to what is the difference between final report, the interim report. Within a period of seven months a government was also unseated and the country had to face an election. When the final report came after the interim report, how the difference came about within period of seven months. Therefore we have doubt over the report as well as over the commission.

The nation had expected that the commission would come to any conclusion and that, it would be

right one. But it is regretted that the commission has not demonstrated any responsibility or accountability and has not reached to any concrete conclusion. I have already said that the commission has neither came up with any sound measures nor presented any sounding proofs. The Commission has done nothing except wasting valuable time and money of the nation. Even after 7 long years the country could not reach the truth. It was very clear from the beginning that Prabhakaran will not be available for investigation. Every one knows it very well that he would not present himself before the commission. The commission can not be absolved of its responsibility on the pretext that unless Prabhakaran and other persons are arrested it cannot come to any conclusion. If Prabhakaran dies untimely would we not ever be able to know the real killers of Rajiv Gandhi and the country would not be able to come to any conclusion. What was the need of wasting so much time and money of the country.

Mr. Speaker, Sir, I would like to mention two or three points. It has been pointed out in the report that the commission did not get full support or assistance and the correspondence has been concealed from it. If the commission could not get cooperation, it should have made it known as to which was the other agency or the Government that did not cooperate, which were the political parties, leader or forces which created hurdles and did not cooperate due to which the report was delayed. In regard to Rajiv Gandhi assassination the commission has said the number of security personnel was not sufficient and there was lacunae in the security arrangements. Had it been mentioned in the report that what sort of fool proof security arrangements were required so that there is no lapse of security. This is a very general thing, anyone can point out that security arrangements were not upto the mark, there were lacunae in it.

The law and order situation is deteriorating in Delhi and therefore we require five thousand more police force. Is it an excuse. This is not an excuse. But in order to recruit five thousand own supporters in the police-force these type of excuses are made. There was no mention of any security threat if it was lacking or there was need for more security people or how to provide security cover to the big leaders of our country viz. Prime Minister, Home Minister or any other leaders so that no untoward incidents happen in future. Why they did not do if such threat or situation was existing earlier?

So far as the handing over this issue to CBI is concerned, the entire country, its people are aware that the entire reports, chargesheets filed by the CBI were repelled by the court. The other day also our friends had stated that they do not have any faith in the CBI. Hon'ble Home Minister! you yourself know that the CBI left no stone unturned to implicate you.

It was court which came to your rescue, otherwise you might have landed in jail. CBI was bent on ruining your future. I do not know whether you have read our statements or not, in which we had stated that if CBI keeps on implicating a leader like Advaniji in bribery or hawala case then nobody will be spared. Because we were certain about the outcome of this case. But they implicated you also. If you believe in CBI then you must have full control over it. If you are thinking in the direction of conducting a CBI enquiry then we feel that it will not be an impartial one under your leadership for you yourself had the taste of it. Nothing is going to happen by creating a special team in the CBI.

Though the Home Ministers had already stated that the talks held between the Heads of States of the two countries will not be made public but if the House agrees then I have a point to make. They should have definitely made an enquiry with regard to the information received. I do not mean that they should make the talks held between Heads of the States public, but they should have conducted an enquiry on the basis of information received. They would have definitely got some facts on that basis but they did not do so.

I am of the opinion, as said yesterday, that leaders of any country, whether they are in the Government or outside, should not interfere in the internal matters of any other country. Today also I do agree to my earlier stand that the Government of India should not have interfered in the matter of Srilanka so that other countries also desist from interfering in the internal matters of India. We should follow this principle. It is the common perception of people today that had we not interfered in the internal matter of Srilanka then one of our great leader wouldn't have lost his life. When he went to Colombo, he was attacked by a security man. He was Prime Minister then. Somehow he escaped unhurt. Some of our friends opined that this matter should be handed over to some agency. I do not know which agency is impartial or individual in their opinion. Which is such individual agency through which a fresh enquiry could be conducted. We do not have any faith on the report which has recently been submitted. We have reached this conclusion after going through this report seriously. This ATR is also reeking of politics. It should also be rejected.

Sir, it is my firm conviction that no enquiry should be conducted by the retired judges. I have reached on this conclusion after getting enquiry done by the judges. We know that the retired judges are also becoming political. They are also trying to get berth in the Rajya Sabha. The Generals from our army have started entering to Rajya Sabha and also getting elected to Lok Sabha. Therefore, enquiry should be conducted by a sitting judge who has at least three years left in his retirement. Another commission under

a sitting supreme court judge be constituted after abrogating this commission as well as rejecting this ATR. All enquiry should be conducted under the supervision of Supreme Court and it should be time bound. It should be completed within three months, six months or one year. It should not take more than that time at any cost. A law should also be enacted in this regard making it obligatory for the Government as well as officers to extend time bound help to the commission. Nobody is responsible so for the loss and missing of correspondence is concerned. In regard to the missing of correspondence, the Home Ministry is also taking lackadaisical approach. Action should also be taken against the persons who are responsible for this loss. They should also find out how and why this correspondence had disappeared? This is also a mystery how this letter disappeared, they have not been able to trace the correspondence.

Mr. Speaker, Sir, I do remember a speech delivered by the wife of Rajiv Gandhi in Amethi in which she had stated in an emotional overtones that the Report is not being shown to them. The documents are being removed thereby creating an apprehension in the country. We should not let the real culprits go scot free who are involved in the murder of a great leader like Rajiv Gandhi. Therefore, we all are of the opinion that this enquiry should be conducted by a Supreme Court judge. We do not expect an impartial enquiry so far this Government is in power therefore, I repeat that this enquiry should be conducted under the supervision of a supreme court judge. This is an established practice of court to free those persons who are under suspicion. You are also a lawyer and you know well and we daily read in the newspapers that people go scot free by taking advantage of benefit of doubt even though they are involved in murder. No action is taken against those who are under the needle of suspicion. So, I do not have any faith in the ATR and it reeks of sheer politics.

Mr. Speaker, Sir, I, therefore, submit you to ask Home Minister to constitute a time bound commission under a sitting Supreme Court judge. I do not want to repeat all what has been said by my friends. But I do regret saying that it is taking a lot of time of the House. The Commission has taken seven years and incurred huge expenditure. But the House took up this matter leaving aside a many important business. The hon'ble Members and leaders took part in this debate by sitting here till 11 p.m. The suggestion given by them must be taken care off so that their efforts should not go waste. It is, therefore, requested to adopt a positive approach in view of debate taken place in the House. They should also pass a motion in this regard. Home Minister should also take such a decision so that report could be presented on time as well the real culprits are brought to book.

13.00 hrs.

**PERSONAL EXPLANATION UNDER  
RULE 357 — Contd.**

*[English]*

SHRI SHIVRAJ V. PATIL (Latur) : Sir, with your permission, I would like to digress a little and speak about one issue which had come before this House. Shri Anand Mohan has given a case about privileges to your goodself and you are looking into it. You will certainly come to a conclusion. It appears from that case relates to the newspapers and also the Judiciary. It is a very difficult area. We have to tread it very carefully. If it is not out of the way and if you think that it is proper, this matter can also be discussed with some of the leaders.

It means, this House should have the jurisdiction and no one else should confirm the jurisdiction on this House or any other organisations should assume the jurisdiction which is not their own.

13.01 hrs.

**MOTION RE: CONSIDERATION OF FINAL  
REPORT OF JAIN COMMISSION AND  
MEMORANDUM OF ACTION TAKEN  
ON THE REPORT — Contd.**

*[English]*

SHRI SHIVRAJ V. PATIL (Latur) : Sir, the discussion on the Jain Commission's Report, according to me, has been quite sober, sincere, restrained and responsible. Some of the points have been made by the Members sitting on the other side and some points have been made by the Members sitting on this side. If we consider all these points together, I think, the most important points have been highlighted in the course of the debate very cogently, judiciously and also forcefully.

Allow me to say that the credit for this discussion should go to all the parties and all the leaders who have expressed their views on this Report very sincerely, very candidly, and, at times, very fruitfully but very forcefully.

I am not going to quote chapter and verse from the Report. I know that the entire Report runs into about 12,000 pages. There are other documents also. Within the short time that you would be pleased to give me, it will not be possible to read out the extracts from the Report to support my arguments. So, I propose to do it without reading the extracts from the Report.

Yesterday, many Members quoted the Reports and Reports are available to us. If we make the points, if we have to verify whether the points are in accordance with the Report or not, we can make a reference to the Report and that would be more than sufficient.

Shri Rajiv Gandhi was the Prime Minister of India. He was the President of the Congress Party. More than that, he was a very fine, young, sparkling, and visionary human being. In the words of Shakespeare, one can say that Nature would stand up and say that the elements are so mixed in him that Nature would stand up and say that here is a man.

Such a person, such a friend, such a leader had been exploded to death. And we, sitting on this side, are naturally very sorry. Our hearts are filled with sorrow. When we make statements on the floor of the House, we are not making the statement out of malice towards any organisation, any party or any individual, we are speaking out because we feel. We are speaking out to get the justice. We do not want that any person, who has been exonerated or who has been declared as not guilty or not involved, should unnecessarily be harassed.

But at the same time we would be interested in seeing that we come to the logical conclusion and we try to find out the real truth. While speaking about the Report, different people have expressed their views differently. This is the Report of an Inquiry. Let us understand this fact. This is not the Report of an investigation. There is a difference between an inquiry and an investigation. When somebody is enquiring into certain aspects of an offence or something which has happened, we are not going to the final conclusion, we are only trying to find out the ambit within which the truth could be found. We get the direction and we put those directions and information before the investigating authority, before the Government, on the basis of which investigation could be started and the matter could be taken to the court and the court could give the final judgement. We shall have to understand this distinction between an inquiry and an investigation.

Sir, some times we feel, when Members are talking about the Report, that they are thinking, that this is a Report given by an investigating authority. This is not a Report given by an investigating authority. This is a Report given by an enquiring authority. On the basis of what appears in this Report, nobody could be punished. The Government shall have to enquire again into it and have to file chargesheets and then only could people be punished. Otherwise, on the basis of it, no punishment could be awarded to any person.

People have been saying, 'what has come out of this Report? Nothing has come out of this Report. I find it very difficult to subscribe to this theory. What has come out of this Report is that there was negligence; there was inefficiency on the part of

certain persons and certain agencies. The Report has said that there was a conspiracy. The Report has said that the LTTE was involved in the conspiracy. The Report has also said that there was some evidence to link the terrorists activities taking place in our country to this incident also. The Report has said that the ambit of conspiracy is wider than that and shall have to be investigated. Are these findings not useful? Could we say that if an independent agency or a judge has come to this conclusion and has put that matter before us and before the people, is it not going to be useful to us?

Sir, on the question of negligence, the Reports say very clearly — not only one Report but the two Reports — that had SPG not been withdrawn, probably this offence would not have taken place. Now, even with SPG, this could have taken place. It is very difficult to say that it would not have taken place at all. But if it says that SPG could have given a better protection, we just cannot set it aside. If we do not want to consider this aspect of what has happened in the past, then at least consider this aspect of what is going to happen in the future. This matter does not relate to only one person belonging to a particular Party, but it relates to all of us.

The hon. Home Minister had gone to Chennai and his life was in danger. Should we not take a lesson from what had happened to the late Rajiv Gandhi and provide better protection to the persons who need protection? Is it not necessary for us to come to the conclusion that we should not wait for the protection to be given? If it is necessary, let us give the protection. Let us forget the past. Let us forget history. But at least the future is telling us that we are living in times and in situations in which if it is necessary to provide protection, let us give protection.

If an individual's life is lost, if an individual is done to death, it is not only that individual who is losing the life, the entire confidence of the people in the Government machinery is lost. This loss is so enormous that one cannot make up for that loss. One's prestige is gone. The prestige of the Government is gone. The prestige of the country is gone. One's confidence in oneself is lost apart from the life that is lost. That is exactly why we shall have to be careful at least for the future to see that the persons who need security should be provided even though they do not want. We had a Home Minister, a very good friend of mine who refused to take the security. I felt like telling him that he just cannot deny the protection which he needs. It is not his life alone which is important but if something happens to him the entire country is going to lose the confidence and the prestige. That is why this protection is required. We should learn it from this Report. Is it not something which has been told to us very poignantly, efficiently and effectively in the Report? Even if this has been told to us in the Report,

but we are not understanding it, that is our business. If it has been mentioned in the Report and if we are not doing something, that is our business. We cannot blame the Judge or the person who was presiding over the Commission.

Inadequacy is another factor. Shri Rajiv Gandhi went to Sriperumbudur. The Report says that sufficient protection was not provided to him. Even the persons who were to protect him were not with him. Is it not something from which we can learn for the future? I do think that there is something which we can learn for the future. The Report says that messages were intercepted and yet some of the messages could not be decoded because they were complicated and because we had no personnel to read them. Is it not something on which we can draw our attention to and do something for the future? The Report says that the intelligence which was available to the police force was not sufficient. Is it not something which we can understand from this Report, that is to protect ourselves from the terrorists activities which are taking place in our country? If we do not want to read anything at all in the Report, that is left to us. But, if we can read and understand every word, sentence, paragraph and the totality of the Report, I think there is a lot which we can understand. Only thing is, we shall have the will and the determination to read what has been told to us and to act upon it.

So, in my opinion, having appointed the Commission ourselves, when the Report is not totally agreeable to us, it would be wrong to attack the Commission and the Report. It is just not fair, to say the least. My submission is, Justice Jain was working in certain conditions. He had certain difficulties. He has explained those difficulties in the Report. If we have to explain, we can explain what were the difficulties which he faced. Probably on certain points the Report given by him is not acceptable to all of us. If the totality of the Report is acceptable to us, it would be very unfair to criticise it. Having appointed the Commission, to criticise it and say that this is not acceptable to us is not correct. That is not the stand which the Congress Party has taken.

The stand of the Congress Party is, whatever has been stated in the Report is acceptable to us. We do not want that the case should be re-opened. We want that action should be taken on the suggestions given in the Report and if more investigation is necessary for taking the action, let us go into it. Let us investigate and let us take action on the logical final conclusions after applying the principle of benefit of doubt. The matter should be proved beyond the shadow of doubt. Otherwise, do not harass anybody, do not take action against anybody who is not involved in it.

That is not the stand of the Congress Party. This Report is given by a Judge and there are certain findings in it. The Government itself has culled out

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certain points. The 18 points culled out for action to be taken by the Government are all important points. Even if one reads these points, one can understand the nature and extent of the recommendations made by the Commission. That is why, our Party's stand is that the Report is acceptable to us. We are not going to say that it is not a good report. On the contrary, we are going to say that the Judge had to work under certain circumstances, the ambit was very wide and the jurisdiction was very wide.

We shall have to understand this case in two parts — one is about those who were actually responsible for pressing the button and killing Rajiv Gandhi, and the other is to find out if there were any other people who may have supplied certain material to help the killing, etc. There is no doubt as to the first part. The investigation was done. The matter was presented before the Special Court and the sentence had been given. That matter is now in the Supreme Court and we are waiting for the final decision. The Verma Commission did go into the matters related to what actually happened on the spot. The Jain Commission was expected to probe into the circumstances leading to the incident. Ultimately it was expected to find out if there was a conspiracy behind it, and if so, the ambit of it, the people and the organisations involved. If one wants to go beyond that, one should go beyond that. On this second point, there is a difficulty. The Report says that certain LTTE leaders are involved. It referred to certain LTTE leadership directly. There is no mincing of words, so there is no difficulty in coming to that conclusion. Even if that requires investigation, let us go into it. But the ambit is very big.

Now as far as the conspiracy is concerned, I would seek your permission to go a little outside this Report. It is not possible for this Report to cover everything. Now that it is proved beyond doubt that there was a conspiracy, the question comes up as to who were involved in the conspiracy. Against some persons and some organisations, there is clinching evidence and there is no doubt about it. Against other persons and other organisations, the Report suggests that investigation should be done and more information should be collected. This is one part of the conspiracy — conspiracy against an individual.

I would like to touch upon something different. Rajiv Gandhi was a vibrant leader and a promising leader. He was expected to be on the scene for a long time. He had the acceptability to the people in the country. He had the acceptability to the people coming from the developing and other countries. He was expected to be on the scene for a pretty long time. He was first praised to the skies and then asked to produce certain results. It is not possible for any leader to produce all the results that are expected by the people. He was criticised that he had not produced the expected results. He was

criticised by saying that he was inefficient. He was criticised that he was not behaving properly. He was sought to be defamed, his reputation was attacked. People wanted to finish him politically and people tried to finish him politically. And then, even after all these things, when he was poised to come back to power, he was finished physically. Is it not what has happened to all the famous leaders in our country? Did it not happen to Shrimati Indira Gandhi? Did it not happen to Shri Rajiv Gandhi? What do you call this kind of a thing? Will you not call it a conspiracy, though not in legal terms? You can give any nomenclature to it.

But, it seems, according to me a conspiracy. This conspiracy is very difficult to unearth, control and punish for this kind of conspiracy. But this kind of conspiracy was hatched against Shri Rajiv Gandhi and he suffered for it. Mentally he suffered; his reputation suffered; ultimately he suffered physically also; and was removed from the scene. If this kind of conspiracy is there, well, it is very difficult to control.

Now, there is a third kind of thing. What happens? India is a great country and if India has to remain united and India has to progress, it needs a Government which is efficient, which can keep the country united, which can look into the future, which can create the competence in the country, and which can help this country to march with other countries. Government is very important. So, India will be supported by the Government. Government is not the only thing. There are people outside who will also support but ethos is created by that Government and then this Government has to be supported by a sort of ideology or a group of persons who hold a sort of ideology, which may call it a party, and that party has to support. That Government can provide a suitable Government and then that party, that ideology has to be supported by the individual who has a vision, who has an acceptability, who has an approach to the hearts of the people. Such an individual is there.

Now, if you want to destabilize the country, you destabilize the Government; if you want to destabilize the Government, you destabilize the party; if you want to destabilize the party, you destabilize the leadership, you disrepute him and then finally even after he has been defamed, comes back to the power, remove him from power. Has it happened to Mrs. Indira Gandhi and Shri Rajiv Gandhi or not? Is it not a conspiracy? Can we not learn something from this kind of conspiracy? Can we not, take this side or that side, and do something to see that this does not happen? If life of a leader from this side is threatened or a life of a leader from that side is threatened, we do not want that thing to happen. We do not want the reputation of any of the leaders to be unnecessarily and unjustly maligned and sullied. We want that it should be intact. Now, this is also happening and more than that.

There is one more thing. You take into consideration South Asia. Have we realised that the leaders in the South Asian countries have died? The leaders, the Prime Ministers and the Presidents have died, have been killed, have been assassinated in Pakistan, in India, in Bangladesh and in Sri Lanka. They have died and the number of leaders who have been assassinated in South Asia is much more than the number of people who were assassinated in other parts of the world. Why is this happening? Probably, this is happening because something is wrong with ourselves. Because we are blaming each other without any limitations and without any restriction, it has become impossible for us to be the victims and the targets of those who want to kill us. It is becoming possible because somebody from outside this region wants that this region, which is a very naturally resource-filled region, which is a very powerful area of the part of the world, has to progress slowly and go not with us but probably follow us. If something of this kind is happening in the world, is it not necessary for us to look into this matter? I think, the assassinations which have taken place, have taken place because of bad blood between ourselves also. That also has to be understood. This is the area of the foreign policy which we shall have to consider it.

These facts cannot be just neglected. This is not only a legal matter. If it were a legal matter, it could be discussed in the Special Court or in a District Court or in the Additional Sessions Judges Court or in the High Court or in the Supreme Court. It has political implications also. More than that it has some historical implications also. These implications have to be understood.

Having said this much about the conspiracy, now the question is what is it that we can do, what is it that we expect the Government to do? Well ATR is given. Our Members have spoken on the ATR. Some people have criticized it and said that it is not satisfactory. I am not going to say that it is fully unsatisfactory, this, that and all those things. Maybe there are certain points on which they would like to differ.

My request to the Government is to act on all the findings which are given by this Report. We expect the Government to act on them. I am very happy to see when Shri Advani got up to speak and in a brief statement, full of meanings, said that they intended to act on the findings. He did say that if there are any other suggestions they would take them into consideration and if it is necessary and if he could take action, they would like to act upon it. Now, this is a very acceptable approach and we think that the spirit of the approach would be kept intact and the Government would act on the findings which are given here.

Shri Shiv Shanker spoke at length. He spoke and gave many facts and figures and legal aspects of this case were explained by him. But the end of

his speech he made certain suggestions. He did say that on these points something more was required to be done. Probably, the ATR does not contain those points and we would expect Government to act upon them. Our request to the Government is to take into consideration suggestions given by Shri Shiv Shanker, who was the main spokesperson from Congress Party. It is not only Shri Shiv Shanker who gave the suggestions, there are suggestions given by many other also. We would expect the Government to consider those suggestions also.

Some theories have been propounded, the theory about which I spoke and one of the theories came from the Member sitting on the other side also. The hon. Home Minister should cull out the suggestions which are given by the Members and consider them and act upon them, if it is possible for him to act upon them. If it is not possible for him to act upon them, we would expect a courtesy from the Government for discussion on those points. Either the Government convinces the Member or the Member convinces the Government and then the action can be taken on that. Now, we expect that this thing would be done.

The third point that I would say is that the expenditure on providing the security had become a big issue in the country. People were saying that so many crores were spent on this, so many crores were spent on that and it was very difficult for a person to accept the security provided to him because he felt very guilty. But, at the moment, some times we have lost so many leaders. A Chief Minister is killed, a leader of religious community has been killed, two Prime Minister — one former Prime Minister and one sitting Prime Minister — were done to death. And so many leaders of other parties were also killed, from BJP and from other parties also.

We would expect the Government *suo motu* to find out what kind of security is required to those persons and without their even asking for it to provide it. We would provide this security because we do not want that the world should come to the conclusion that we do not have the capacity to protect our own leaders.

I know that some people will say that 'No, we do not want any security, you just do not bother.' We shall have to force that security on them, if it is necessary and if the Home Ministry comes to the conclusion, the security has to be provided. Because it is not his life, but it is the confidence which is very important. So, my fourth point is on the action to be taken.

13.29 hrs.

[SHRI P.M. SAYEED *in the Chair*]

I will make two points and then take my seat, Sir. One point is on delays. Delays are some times very very agonising. Soniaji also had spoken about the

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delays. Probably, she felt that a life is lost and yet the justice is not done. She spoken about the delays. Delays are really very agonising. Delays destroy the evidence also. If the justice is not done in time, then it becomes fruitless also.

There is a dictum in law which says that justice delayed is justice denied. But there is also a dictum which says that justice hurried is justice buried. We do not want these two extremes to be adopted. There should not be inordinate delays and there should not be extraordinary hurry so that the justice is not done at all also. So, we shall have to see that the delays are avoided. At the same time, proper justice is done to them.

Now, let me come to Multi-Disciplinary Monitoring Agency. On this issue, Shri Shiv Shanker had asked you to create an independent agency and it will be helpful to you and, very rightly, I think, on behalf of the Government, it was said that to investigate, there has to be a statutory authority and unless there is a police force, that statutory authority cannot be enjoined and used by any private person, a person appointed by the Government like that. My suggestion in this respect is that you can create, constitute an agency for this purpose. But let the members of this agency be the persons about whom all will have confidence and faith. This, I think, can be achieved by discussion with the concerned persons and all other parties also. Now, as to how it can be done, it is not necessary to go into all these details and I leave it to the Government to look into it. In conclusion, I do say that it is not possible for any report to satisfy all the Members. But according to me, it is a report which is acceptable, not only acceptable but also implementable. So, this Report should be implemented.

There are points on which, probably, more evidence would be required. Let us collect more evidence and let us act on them. In conclusion, the last point that I would like to say with respect to this is that the expenditure incurred by the Government of India on security or the defence of the country is not useless. If we do not defend our country, all progress is useless. If we are not able to protect the leaders or the persons or the human beings all the human beings should also be protected — that is also useless. This is an area in which we shall have to evolve some kind of approach, some kind of theories, some kind of philosophy and that could be useful.

MR. CHAIRMAN : Please be brief.

PROF. SAIFUDDIN SOZ (Baramulla) : I will try to be brief. I will not repeat what has already been said. Mr. Chairman, I heard the initial three or four speeches yesterday and I enjoyed those speeches and for once, I thought that we had become the House of Commons. Yes, the House of Commons

has something in it because the House of Commons is the Mother of Parliaments of the world. I have the privilege of going and listening to the debate there.

To a very comprehensive and good speech by Shri Shiv Shanker, the response from Shri Ram Jethmalani was so heartening. In fact, I wish that he should have been here. Yet I would pay tribute to him. This is how we must react to situations in the interest of the nation. It was so heartening to me personally to listen how he called Rajiv Gandhi, a great man. The response was so warm. In fact, Shri Ram Jethmalani carried the level of the debate very high. It had already been said by Shri Shiv Shanker and Comrade Indrajit Gupta. I heard Dr. Subramanian Swamy's speech. I heard just now Shri Shivraj Patil's speech. So, I have expressed my great satisfaction on the level of the debate of this House. The Jain Commission Report on the assassination of Shri Rajiv Gandhi has not thrown much light because I saw the First Report very minutely, because I wanted to contribute since I was at that time in the Cabinet. I have total disagreement with the generalisation and seething remarks about Shri V.P. Singh, Shri Chandra Shekhar and others. That had saddened me.

I have to say something about judiciary. It has gone wrong in many, many ways. This House is not rising to the occasion. It should rise to the occasion because the Lok Sabha is the last hope for the people of India.

We are not doing any spectacular duty in that regard. I am not a student of law but I have a lot of interest in judicial reforms.

This Jain Commission has given me an opportunity to pay homage to the memory of Rajiv Gandhi, that rising star of Asia. In his own right he was a leader of the Third World and for us he was a man of a vision of future. He was to lead us to the Twenty-first Century with his brilliant ideas on Science and Technology. Sometimes I see in these serials the characters emitting a lot of fire through their nose, through their ears, through their mouths and I pity the younger generation in schools how they will grow in a world of Science and Technology with this kind of a situation, with the television being there. Rajiv Gandhi had the correct kind of vision to acquaint the whole nation with Science and Technology and as Shri Ram Jethmalani said, it was a great tragedy for this nation, not only an assassination of a leader but we had been humbled through a conspiracy which had also been done meticulously. I cannot go into the details because a lot has been said on that.

The hon. Home Minister's response also hottoned me, because he said and assured this House and I hope that he would fulfill his promise. He said that, definitely, he would place the facts before this august House and that he would try on behalf of the Government to reach the truth. That is what Shri Shiv Shanker had asked for. He had earlier said that this

Government was trying to reach the truth. I expect that statement, that assurance to be honest and genuine.

Now, about the Jain Commission, I am not going into the details. I have a couple of suggestions. But that Interim Report was totally sweeping and it had saddened my heart how some Judges could go, their Lordships. This retired Judge had no basis for the generalisations and he clubbed so many personalities for whom we have tremendous respect and when that Judge saw the powerful reaction of this nation he has now corrected himself in the second Report. That was not the correct thing for that Judge to have corrected himself that way because he responded to the urges of prominent people of this country in half measures. I will come to them very shortly.

But alongside I wanted to mention Justice Verma because I saw his Report. And I knew that Judge, the hon. Judge, *in absentia* and also we met later. I hold him in high esteem and it is going on the record of this Parliament that he gave sufficient proof to the countrymen of his integrity, unimpeachable integrity and his Report was very relevant. And this is a question mark for this House why these suggestions were not accepted and implemented.

Now coming very briefly to Shri Shiv Shanker's introduction, that comprehensive speech, he has made a couple of points which the hon. Home Minister must have taken notice of. Some more people have to be arraigned. I am completing in two or three minutes.

Some people have to be arraigned. He gave the list and hon. Shri Murali Maran also mentioned their names. There is a lot of substance in that. I am not going to waste your time. That should be done and Shri Ram Jethmalani, while responding to the suggestions by Shri Shiv Shanker, had said that we should not go back to the past. Yes, we should not always go to the past. The past should not become fetters in our feet. But the past should show us light for future. So, I do not want to go back into the past and go witch hunting. I will even not say that Shri Zafar Salfullah's remarks about Mosad and CIA also being in touch with some personality may not be relevant. But, certainly, I will urge the hon. Home Minister to kindly respond to the question of the missing file. That file must be important. How can it happen to the records in the Prime Minister's office in the Home Minister's office? That file must be traced. The hon. Home Minister should tell us the mechanism to reach the truth.

MR. CHAIRMAN : Please conclude now.

PROF. SAIFUDDIN SOZ : Some people are saying so many things about the CBI. I cannot particularly say anything about that organisation. But the hon. Minister must explain to us very lucidly what is the mechanism to reach the truth.

Sir, retired Justice Jain has made so many sweeping remarks about so many people. He has corrected himself in half way. If he had studied the whole process of some judges revising and reviewing their own judgements and apologising, in America, in Australia and elsewhere, he should have apologised for branding all Tamilians as militants. That would have enhanced his dignity. He has not apologised.

MR. CHAIRMAN : Now please conclude, Prof. Soz.

PROF. SAIFUDDIN SOZ : Sir, I want to implore this House that since Justice Jain has not apologised for calling all Tamilians as militants, this House must express its displeasure against him for making sweeping remarks and then withdrawing them, and for calling all Tamilians as militants. He said, he never meant that but he has said that. This is on record.

MR. CHAIRMAN : Please conclude, Prof. Soz. There are three more speakers and we have to conclude the debate at two o'clock.

PROF. SAIFUDDIN SOZ : Sir, I have some important points but anyway I shall close with a couplet. I have no animosity with Justice Jain. I have not known him.

[Translation]

I want to say that if they have such feelings ... (Interruptions) first they will pass a remark ... (Interruptions)

[English]

MR. CHAIRMAN : Prof. Soz, yesterday when your name was called, you were absent. But even then the Chair has given you time to speak. You will have to conclude now.

PROF. SAIFUDDIN SOZ (Baramulla) : Sir, I am not against Justice Jain. I have respect for him. Can I offer a couplet?

[Translation]

Phool ki Patti se kat sakta hai hire ka zigar  
Marde Nanda Kalame Narmo Najuk Besar.

DR. SHAKEEL AHMAD (Madhubani) : It is for whom?

PROF. SAIFUDDIN SOZ (Baramulla) : It is for the people outside.

[Translation]

SHRI MOHAN RAWALE (Mumbai-South West) : Mr. Chairman, Sir, hon'ble Shri Shankerji, Shri Shivraj Patil, Shri Jogiji and Shri Pilot ji have expressed



[Shri Mohan Rawale]

concern while speaking in this House. The wanted to know the veracity of truth. I would like to know from my congress friends that if their heart bleeds for them, then why they didn't hand over those documents to the Jain commission? The council of AICC had also demanded so. At that time the Congress Government was in power from 1991 to 1996. Why did not they give those documents when they were in the power? Justice Jain had stated that 'I have not had access of 1/10th of the documents demanded.' Right now Shri Mulayam Singhji was saying that the documents were removed by the Government. The Government should find out as to who is behind this? I feel that this is an interim report and not a final report. There is a provision in the enquiry Act, 1952 that all documents which are demanded should be made available. Jain Commission has also stated so. I want to read it out.

[English]

This is the Final Report of the Commission of Inquiry, headed by Justice M.C. Jain. On page 9 of the report, he has said :

The Commission also clarified in its letter some of the aspects on which the summary is silent and pointed out that it is essential for the Commission to examine these aspects if dealt with in the files so that a clear picture may emerge of the thinking at different levels. The Commission, therefore, told the Government to produce the requisite files for its perusal at the earliest possible.

[Translation]

They have yet to hand over the files. Why didn't they give? The Congress is making a lot of hue and cry today and yesterday Shri Ajit Jogiji was shouting in deep anguish. Had it been so why did not they make those documents available...(Interruptions)

[English]

SHRI BHUBANESWAR KALITA (Guwahati) : Sir, please ask the member to address the Chair.

MR. CHAIRMAN : Shri Rawale, do not address him, you address the Chair.

[Translation]

SHRI MOHAN RAWALE : Even Shri Devegowda's Government which was on the crutches of Congress did not give those documents...(Interruptions).. When Shri Indra Kumar Gujral came to know that his Government was likely to go, he wrote to the Jain Commission.

[English]

"The Ministry of External Affairs furnished information concerning that Ministry on 10.12.1997, the Ministry of Commerce on 15.12.1997, the Ministry of Home Affairs on 22.12.97, the Enforcement Directorate on 11.12.1997, the Central Board of Direct Taxes (Department of Revenue) on 19.12.1997, the CBI on 13.12.1997, the Cabinet Secretariat on 17.12.1997, the PMO on 23.1.1998, and the I.B. on 5.1.1998."

[Translation]

I am telling all this because they did not give those files. Later on when a caretaker Government of Indra Kumar Gujral came in...(Interruptions) I want to raise two issues which were not discussed here...(Interruptions)

MR. CHAIRMAN : Please address the Chair.

(Interruptions)

SHRI MOHAN RAWALE : First we supported the LTTE and provided training to them...(Interruptions)

MR. CHAIRMAN : First tell us your two points.

SHRI MOHAN RAWALE : That is what I am telling. I am speaking on the Rajiv Gandhi's murder. Jain Commission in its report has mentioned the name of 'Mosed' and I.S.I. but it has no mention in this report...(Interruptions) I want to tell the House that the America, which is imposing sanctions on us today, had faced a war with the Iraq in the leadership of Saddam Hussain and Rajiv Gandhi tried to make a consensus against attack on Iraq...(Interruptions) It definitely has a foreign hand...(Interruptions) There are also chances of I.S.I. involvement in it. Who had financed the L.T.T.E's technology?...(Interruptions) The role played by H.A.M. operators in Rajiv's murder is also under cloud. Rajiv Gandhi himself was an H.A.M. operator. Such type of reports did publish in the newspapers and special investigation team of C.B.I. also discussed this aspect...(Interruptions) As per the reports appeared in the newspapers many HAM operators used to go to Rajiv Gandhi's meeting by breaking the security rule book...(Interruptions) LTTE with the help of operators...(Interruptions) There is severe difference of opinion in regard to the role played by the operator Suri in Hyderabad to bring operators under pressure to do this work...(Interruptions) Jain Commission had stated that he will enquire into this aspect but there's no mention of it...(Interruptions)

[English]

MR. CHAIRMAN : Nothing will go on record.

(Interruptions)\*

\* Not Recorded.

MR. CHAIRMAN : Dr. S. Venugopalachary we have to conclude the debate at two o'clock, Shri Mohan Rawale, please resume your seat.

*(Interruptions)*

*[Translation]*

SHRI MOHAN RAWALE : Sir, how did Sivarasan and Dhannu entered and not a single leader of Tamil Congress was killed? Shri Mufti Mohammed Syed had stated that once Mrs. Sonia Gandhi had said that this Government was in power due to murder of her husband.

*[English]*

MR. CHAIRMAN : Shri Rawale, please conclude.

*[Translation]*

SHRI MOHAN RAWALE : Sir, it seems that some Congress people have hand in the murder of Rajivji.

*[English]*

MR. CHAIRMAN : Shri Rawale, you will have to resume your seat now. Nothing, will go on record.

*(Interruptions)\**

MR. CHAIRMAN : We will have to conclude the debate at two o'clock.

*[Translation]*

SHRI MOHAN RAWALE : ISI has even plotted to kill Atal Bihari Vajpayee, George Fernandes, Lal Krishna Advani, Farookh Abdullah and Bala Saheb Thackarey.

*[English]*

MR. CHAIRMAN : No, I will not allow you to speak any more.

*(Interruptions)\**

MR. CHAIRMAN : Dr. Venugopalachary. Nothing will go on record.

*(Interruptions)\**

MR. CHAIRMAN : Dr. Venugopalachary, your name was called yesterday and you were absent. Now, you will have to take only five minutes.

DR. S. VENUGOPALACHARY (Adilabad) : Sir, I will take only twenty minutes.

MR. CHAIRMAN : No, You will have to take only five minutes. We will have to conclude the debate at

two o'clock. The hon. Minister will be replying at two o'clock.

DR. S. VENUGOPALACHARY (Adilabad) : Sir, Shri Rajiv Gandhi was killed in a dastardly manner. Since yesterday, almost all political parties and their leaders are discussing this issue. Even though the Commission took seven years, nothing could be revealed. Hon. Shivraj Patil has rightly said that it has made some general observations about improvement in the area of intelligence and also to put some officers and improvement of technologies for decoding the language. Except general observations about the conspiracy or the conspirators, Jain Commission Report has revealed nothing.

I would say that a number of Commissions are appointed in our country to look into various matters. When a Commission is set up, it takes nearly seven or eight years. This delay also destroys the evidence. When such a great leader like Shri Rajiv Gandhi is killed or there occurs some untoward thing, if the Government wants to set up a Commission, it has to bound to be with concrete evidence, with commitment, with concrete opinion and with a fixed time for completion of its job.

Regarding Jain Commission, one more disturbing aspect is relating to the publication of some important documents because they were given by the Government to Jain Commission on the understanding that their contents would not be made public, but all the important documents have appeared in the Press. This has an adverse impact on the Indo-Nepalese relations also.

Since yesterday many questions have been raised and reiterated about Dhanu. When Dhanu entered India, who gave shelter to her? How did she get closer to Rajiv Gandhi in public meeting? Who got the group to God forsaken place? Who changed the tour programme of later Shri Rajiv Gandhi at the last moment (minutes)? About this aspect, no inquiry has been conducted.

I agree that it is an emotional issue. Since yesterday all political leaders are blaming each other, which is not good. Whenever a national leader is assassinated, there are also others who die. In this particular instance, many security officers have also lost their lives.

The primary concern of the Indian people is to get to the bottom of the conspiracy and identification of the conspirators who were really involved. Instead of building pressure, all Parties are engaged in using this Report to gain political mileage. This is unfair. This is what I have been observing.

Sir, yesterday Shri Ajit Jogi talked about the withdrawal of support by the Congress Party to the United Front Government. They had withdrawn the support to the United Front Government on this issue

[Dr. S. Venugopalachary]

only. Though Shri Ajit Jogi mentioned the reasons for the withdrawal of support, I would like to say that they had withdrawn the support without waiting for the Final Report of the Jain Commission and it caused a loss of nearly Rs. 700 crores to the country as well as economic instability which has not yet subsided.

In addition to that, who actually supported the LTE for a long time, this is also recorded in the Jain Commission Report. 'The Economic Times' dated 11.11.1997 says :

"The greatest blame lies with those who themselves became victims and killed by the violence they stoked."

All the politicians have to learn a lesson from this incident. With these few words, I thank you very much for giving me the opportunity to participate in this debate.

[Translation]

SHRI SHAKUNI CHOUDHARY (Khagaria) : Mr. Chairman, Sir, the whole House has expressed its views on the assassination of Late Shri Rajiv Gandhi. All hold the unanimous view that the curtain may soon be raised from the assassination of Shri Rajiv Gandhi. I only want to mention two or three things in this House. Rajiv Gandhi was the Prime Minister of our country and he was an eminent personality. It is a matter of shame for our country and the Security Agencies or the commissions that they took seven years to solve the assassination of such an eminent leader as Shri Rajiv Gandhi. The reasons for the assassination should be brought to light. Assassinations always have the two motives. First it has to be seen that who is getting the benefit after the murder and secondly, if the motive behind the murder is revenge then the reasons for the revenge have to be made out. At first a commission was set up to put some light on the security arrangements and then it took seven years' long time to throw light on the reasons behind the assassination and to investigate and pinpoint the assassins. I want to say that at first it should be found out as to who has been benefitted with the assassination. The person who has been benefitted in this case, has not taken any sound steps to nab the assassins of Rajiv Gandhi, due to which the commission just got into nothing and not even a single proof was being presented. Who was holding the strings of the Government at that time. It was in their hands only. After that came the Government of Shri Gujral. He too virtually did nothing. I can say with confidence in the House that we have full faith in the actions taken by Shri Atal Bihari Vajpayee ji and the Home Minister in this regard. Rajiv Gandhi was a great personality not only in India but in the entire world. That is why I would like to appeal to the hon'ble Prime Minister and the whole Cabinet to adopt whatever measures

they want in order to find out who the assassin is, who are the people who had plotted such a conspiracy of assassination. I think something about it is reflected in the Jain Commission Report also and if it is not clearly reflected then it should be found out by taking necessary actions against the people who fall under suspicion so that we could get to the reasons for the assassination.

14.00 hrs.

Believe me, if the action is not taken against the people who had plotted the conspiracy, against the people who are the assassins, then in the days to come someone else might become the victim of yet another conspiracy. This is a matter of deep concern. I would like to request, particularly, the Home Minister that the Motive behind the assassination of Rajiv Gandhi is very clear. Culprits should be punished, irrespective of the fact whether he is a former Prime Minister.

The Commission has mentioned one good thing that no Prime Minister can ever cause such a thing to be done. Today, the people are brutally killed for promotion and for politics. People like Chandra Swamy were used as a means to become the Prime Minister. No investigation was made into the purpose for which Chandra Swamy went to America. It has been said that this aspect would be probed later on. The needle of suspicion is clearly promoting to the assassins and the conspirators. The Home Minister should see to it that they are punished. This is all I want to say.

SHRI BHAJAN LAL (Karnal) : Respected Mr. Chairman, Sir, since the last two days we are having a debate on an important and a very serious matter. Assassination of Shri Rajiv Gandhi is not a trivial thing. He was an institution in himself. He was the light of the future. He became the victim of a conspiracy. Nothing else is more condemnable in this world than the fact that his assassination was the outcome of a well-planned conspiracy. 21 May, will be referred to as the black day in our history. Many an eminent Members have put forward their views regarding the circumstances in which he was assassinated. They said many things about it. Yesterday, my friend Shiv Shanker ji spoke for more than one and a half hours. He mentioned the whole report by giving references page by page. He referred to each page by describing what is written on which page. He expressed his concern on all the things. I will not go in details. I knew the time is short. I am sorry, I will take 15 minutes' time. A note worthy issue is that what should be done to build a strong future for the country. Rajiv Gandhi's assassination was planned under a big conspiracy. Why was he killed? He made India proud in this world. Pakistan was trying to dominate. We broke it into two. We paved the way for peace in India. Pakistan ruined the conditions in Punjab by starting terrorist activities there and it resulted in the

assassination of Mrs. Indira Gandhi. Mr. Chairman, Sir, Home Minister is sitting here. Many other respectable leaders are also present here. All the parties should rise above narrow politics and consider as to how a person who is ruling this country can survive and how can we run our country smoothly. You know that the ruling party has to take many decisions for the good of the nation, which might disturb many people. These decisions could not be avoided they are so important to make the country move forward on the path to progress. You all know, the conditions in which Rajiv Gandhi safeguarded the nation. As I said in the beginning, he was a great Man and great thinker. The more he is appreciated the less it would be.

Mr. Chairman, Sir, after the assassination of Shri Rajiv Gandhi, the two commissions — Jain Commission and Verma Commission were set up. Of these, the Verma Commission had a very restricted scope for investigations. It had to investigate the reasons of assassination, how could it be prevented, what were the loopholes in the security. I would say that Jain Commission and Verma Commission should have reached a conclusion jointly. And then only it should have been investigated by an independent agency or commission whether there were any lapses. In the past the criminals were openly hanged at cross roads, whenever any such crime or injustice was done. In this case too we should also do the same thing at any cost. The assassination of Rajiv ji is not a trivial thing. It is the assassination of democracy in our country. A grave injustice has been done to our country.

Mr. Chairman, Sir, you know that our Prime Minister had gone to attend the Colombo Conference. I would like to ask him did he talk in terms of bringing Prabhakaran to our country? When he was aware of the laying of the report of Jain commission and ATR on the table of the House and he also knew that it has to be discussed; what did he think about it? This is a very serious matter. We are not interested in the cover ups in the ATR. It may happen to anyone. Whether one is an eminent persons or a common man, if he is involved in this heinous crime, he must be punished. There is no question of any concession. Nothing could be done till an independent commission is constituted. The House should make the nature of enquiry very clear. Whether the person conducting the enquiry is a sitting judge of the Supreme Court or it is some other agency, it should have the same powers which are given to other Government agencies.

So, the Parliament is a Supreme Body. It should decide a time frame for conducting the enquiry. The previous commission took seven years for this purpose. Therefore I would like to request that time frame may kindly be fixed for the purpose. I think it should not be more than six months. But the independent agency should be constituted only when

all agree to it and the agency should submit its report within the period of six months. Within this period whenever there is a session of Parliament, the progress made till date regarding the enquiry should be intimated to the House. If the time is extended it creates problems. It would be better if a sitting judge of the Supreme Court is appointed for enquiry or an independent agency with the consent of all is created to enquire into all these things. You have prepared the ATR which would not be of any help to us. You have told that some other agency like CBI would go into the matter but CBI can not complete any enquiry. I can quote many cases of CBI but it would take a lot of time. It has many cases pending with it for years...(Interruptions)

SHRI MOHAN SINGH : All the cases should be withdrawn from CBI.

SHRI BHAJAN LAL : I cannot say that all the cases should be withdrawn from CBI but this particular case should be given to some independent agency so that stern action against the culprits could be taken and no such heinous crime takes place in the country in the future. Keeping in view the shortage of time, I conclude with these words.

SHRI BUTA SINGH (Jalore) : Mr. Chairman, Sir, I think I am the last speaker. Therefore, I would not take much time. Hon'ble Home Minister is waiting to speak for quite a long time. I think all of us have well been represented through the views expressed by Shri Shivraj Patil. Shri Rajiv Gandhi had the most important place in international as well as National Politics. He was the ray of hope for the younger generation. All these things have well been said by Shri Patil. I would conclude after making two or three points regarding interim and final reports of Jain Commission.

Mr. Chairman, Sir, you would remember that when Verma Commission was at work only the Members of Congress Party could realise that Verma Commission would give its report only about the incident and would help in punishing the culprits. But the aspect that was linked with it and the reasons behind it or the conspiracy which led to the assassination or the political organisations or the persons or tendencies leading to the incident were also required to be investigated. The historic role played by Rajiv Gandhi was itself responsible for the incident. Because the people did expect a lot from him. Only Rajiv Gandhi was such a leader who inspite of being out of power would involve himself in critical issues. The House would recall that during the period when the Gulf War was going on, Rajiv Gandhi was nor a Prime Minister, but he was the only Leader of the world who went physically there. He went to Moscow, he went to Iran, it was not just a coincidence, that the day when Rajiv Gandhi landed in Iran the war stopped. He was such a popular world Leader.

I was submitting that when the Verma Commission was functioning, the Members of

[Shri Buta Singh]

Congress realised that it won't do full justice and that it would be a partial justice. At that time it was realised that a commission should be appointed to go into the details of the case such as, the conspiracy behind the assassination of Shri Rajiv Gandhi, the powers behind it and the intentions of those powers, what did they want to get and then Jain Commission was constituted. But it is unfortunate that the commission constituted with inspiration and at the request of the members of Congress became an eye sore for the Government. Today, I would like to ask the members of Congress and the hon'ble leaders whether they have ever seen the report which they have very proudly accepted. Their Government had decided in the Cabinet that the Jain Commission should be wound up. The President of the Congress and the then Prime Minister called the advocate of the Congress and clearly told him not to ask for a particular document.

Mr. Chairman, Sir, the members from the Congress say that justice Jain took seven years to submit the report. I would like to ask them whether they have forgotten that it took two and a half years' time to take the witness of an officer of a high rank of SBI. He had to be requested a number of times and notices had to be sent to him a number of times ..(Interruptions)

SHRI DATTA MEGHE (Varsha) : What were you doing at that time?

[English]

MR. CHAIRMAN : Please do not disturb him. Shri Buta Singh, kindly conclude now.

(Interruptions)

PROF. P.J. KURIEN : Shri Buta Singh, we have made our position very clear that whosoever's name is mentioned in the Jain Commission Report, that case should be inquired into. We do not take it as a political issue. Whether one belongs to our side or your side or that side, whosoever's name is mentioned in the report, it should be inquired into. So, we have never said that if anybody is involved in our side, he should be protected. That is not our case.

[Translation]

SHRI BUTA SINGH : Mr. Chairman, Sir, I am sorry that...(Interruptions)

[English]

MR. CHAIRMAN : Please do not interrupt him. Already, we are short of time.

[Translation]

SHRI BUTA SINGH : Mr. Chairman, Sir, I didn't mean to say that and neither I am commenting upon it. I am reminding the people belonging to the Congress that when Sonia ji said these words that, assassination was done, but the justice was not done, I think you can well imagine the pain she had gone through, the suffering and the burden that was there on her heart. I was expressing that only.

Mr. Chairman, Sir, I got an opportunity to come in contact with Shri Rajiv Gandhi as a humble servant or as a colleague. I had an opportunity of performing certain function and doing certain things in his company. I have kept all these things to myself and whenever I get an opportunity, I will tell about them. But in the case of killing of Rajiv ji, I... (Interruptions)

[English]

MR. CHAIRMAN : Shri Buta Singh, please conclude now. I will have to call the hon. Home Minister to give reply.

[Translation]

SHRI BUTA SINGH : Mr. Chairman, Sir, Justice Jain and Justice Sinha were harassed, they were compelled to close their office. They were made to face a CBI inquiry. Their officers were harassed and their record was burnt. Why Shri R.N. Mittal, a leader of the Congress party, who was appointed by the AICC to pursue the case was changed? Another advocate was appointed in his place. I would like to mention that Shri Mittal pursued the case for seven years. In spite of the opposition from the then Prime Minister, investigative agencies and the cabinet he pursued the case and enable Justice Jain to present a report regarding assassination of Rajiv Gandhi.

Mr. Chairman, Sir, the Government have gone through the Jain Commission report. The Government cannot comment on the report because neither Rajiv Gandhi was assassinated nor the probe took place during the rule of the present Government. Jain commission submitted its enquiry report to the present Government. The Government has laid the report alongwith Action Taken Report on the table of the House.

Mr. Chairman, Sir, the unsolved questions left by Justice Jain in his report seek answers from us. One question is that 2 months before the assassination of Shri Rajiv Gandhi i.e. on 21 March, a message was intercepted which talked about the place Rajiv Gandhi should be killed, and after 60 days he was assassinated. Justice Sinha, Justice Verma and even the Government have not given any reply to this question. I have written seven questions of this kind. Due to paucity of time I would not like to ask those questions here. I will write all these question to the

Home Minister. I would urge the Home Minister that he should give reply to these questions.

You have constituted M.D.M.A., But it is not mentioned what will be its identity, what legal powers it will have and what will be its jurisdiction. I urge the hon. Home Minister that he should mention this thing in his oral reply...*(Interruptions)*

*[English]*

MR. CHAIRMAN : Please conclude now. These are all matters which have already been stated by many hon. Members. Now, the hon. Home Minister has to reply.

*[Translation]*

SHRI BUTA SINGH : Where will M.D.M.A. lead us to? What will it achieve for the country. All these points need to be replied to.

*[English]*

MR. CHAIRMAN : Shri Advani to speak.

*(Interruptions)*

SHRI VARKALA RADHAKRISHNAN : Sir, I have a point...*(Interruptions)*

MR. CHAIRMAN : I have already called Shri Advani. You have already spoken yesterday.

*(Interruptions)*

SHRI VARKALA RADHAKRISHNAN : I would not talk about the Report...*(Interruptions)*

MR. CHAIRMAN : Now you have not to talk anything.

*(Interruptions)*

MR. CHAIRMAN : I will not allow you. I have already called the hon. Minister.

14.21 hrs.

*[Mr. SPEAKER in the Chair]*

*[Translation]*

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI) : Mr. Speaker, Sir, yesterday and today debate has been held in the House on the Jain Commission report and its ATR for more than fourteen hours. It can be termed as a good debate because it does not depict any party politics and the purpose for which the debate was held has been kept in mind. It is natural that every party have its own views and the members express their views accordingly. Sometimes it leads to verbal clashes but from whatever I have heard in these fourteen hours, it seems that I have been helped in completing my work.

First, I would like to say that there was a lot of difference in expression between the Congressmen and the other Members whether they were from our party or other parties from that side. If any body have heard the speech of Shiv Raj Patil today or heard the speech of Shiv Shanker, Ajit Jogi yesterday, then he will clearly see that they were not expressing their views on the basis of logic alone. Good arguments are given in every debate. Opening batsmen from this side and opening batsmen from that side have given good arguments but there is a difference between both.

I think that assassination of Rajiv Gandhi was a national tragedy for the whole country. It was not only a tragedy but a traumatic experience for the congressmen especially for those who thought that Rajiv Gandhi was the future of the country and congress party. I am mentioning this thing because I have faced two traumatic experiences in my political life since 1951 when Dr. Shyama Prasad Mukherjee founded Jan Sangh. Either it may be Vajpayee ji or my numerous friends who are active in Bharatiya Jan Sangh even today, have this experience. When Dr. Shyama Prasad Mukherjee died or Pandit Deen Dayal Upadhyay was killed, we felt that everything had come to end, nothing remained.

I, therefore, think that Congressmen are shocked by the assassination of Rajiv Gandhi because they thought that the country would make progress and their party would march forward under the leadership of Rajiv Gandhi. Due to this experience some leaders of Congress party came to meet me two days back when the debate had started in the Rajya Sabha. I told them that Government could be so dispassionate in this matter as our Government was and, therefore, we had no hesitation to accept their suggestions if they were within the purview of the law and precedents. This Government is as eager to find out the truth as the congressmen are. Listening to the debate in the Upper House on that day and the debate for two subsequent days in this House I do feel that there was no attempt from any side to score debating points and that all of us wish that something must come out of it.

I admit that anybody can say that Jain Commission report is useless. Only those people express this view who cannot identify the subtle difference which Shivraj ji has expressed in an impressive manner. Mulayam ji has said that the commission have not drawn any conclusion. Shivraj ji has rightly said that there is a difference between enquiry and investigation. S.I.T. was an investigating body. Being an investigating body it identified that these 41 people were culprits and later on they were prosecuted. Enquiry agency does not act in this manner. It is not the first commission; many commissions have been appointed earlier also. If we go through the reports of all these commissions, they will also be of the same kind. They will not tell what is to be done. As Shivraj ji has rightly said that

[Shri L.K. Advani]

the commission will only suggest a direction. But the final decision in this regard will be of the Government. When we perused the report of the commission, the Government accepted the finding of the Commission that only 41 people of LTTE were not the culprits, there is

[English]

'sins of commission and omission by others'

[Translation]

Conspiracy may be wider. The roots of the conspiracy may be within the country or outside the country. We also agree with the broad conclusion. Yesterday Jethmalani ji said that it is not the assassination of an individual, former Prime Minister or President of the largest party, it is the humiliation of the whole country that any outsider comes in the country and goes back after committing such an act and we could not get to the bottom of the truth. It is humiliating. It has been rightly said that with the passage of time it becomes difficult to get to the bottom of the thing. Earlier we do it, the better it is.

I agree that first report of the Jain commission should not be mentioned as interim report. On the basis of the interim report final report should have been placed in the House. There is vast difference between interim and final. There is no need to pay more attention to the interim report. But if anybody happens to read he will understand that when it is mentioned as interim report, he was giving report on one term of reference and when it is mentioned as final report, he was giving report on other term of reference.

It is quite natural for Soz Sahib to be unhappy with this first report. Soz Sahib is not present in the House. He has left the House. Perhaps he was a member of the cabinet at that time. We too were astonished and yesterday Shivshanker ji criticized it and said that why we had mentioned about it in this ATR and that why we had shown contradiction in the A.T.R. Because I felt as to what was the basis of taking a decision. We could not digest the views expressed about Shri V.P. Singh or Chandershekhar ji in the report

[English]

I could not digest it.

[Translation]

That is why we mentioned as to what he had written in the earlier report and what he has written in the final report. There was no need to comment on the first report. The previous Government had commented on it. But yesterday Jethmalani ji in his preliminary speech said that the commission expressed its view

that so and so people are innocent. They have nothing to do with it. We said that we accept it. Now, what are the facts on the basis of which the Government have formulated the A.T.R. We agree with the approach of the commission that there may be other people beside 41 people who have been prosecuted by the S.I.T. or CBI in the designated court, who played a part in this conspiracy.

Second fact is that we will not write any such thing in the A.T.R. by which the person held guilty by the court could get a benefit. We consider the finding of the designated court as correct. Third point which we accepted was that the Jain commission in its final report has said that so and so are not guilty, we accept that they are not guilty. We as a rule believe that the enquiry should be conducted against the persons against whom needle of suspicion is pointed and the commission feels that they are guilty. Further enquiry against the persons on whom suspicion is raised, even though commission has not stated that

[English]

'further probe is necessary'

[Translation]

will be handed over to an agency which will be constituted later on. It does mean that we are not closing this chapter. We will ask the agency to enquire and do its best and suggest action to be taken. These are certain broad principles which we accepted and on the basis of which we prepared this memoranda of A.T.R.

SHRI BHAJAN LAL : Advani ji, excuse me, it is mentioned in the A.T.R. that enquiry should be conducted against 21 persons. You have said that enquiry would be conducted against 2 persons, what is the logic for leaving out those 19 persons?

SHRI L.K. ADVANI : I will tell. You have asked a good question. I had placed the answer to this question before a famous lawyer associated with your party whose name was mentioned by Shri Buta Singh right now. I said that I was not a legal expert. I have studied law, and being in politics I can understand constitutional law. You have knowledge of criminal law but I have not. I have said the same thing to Jethmalani ji, Kapil Sibbal ji and Mittal ji. Therefore, I said that I have resolved that any action on the part of the Government should not affect the decision of the designated court. Even if this appeal is of no help, I have been told that the Jain Commission has made an observation about all these suspects that they should be re-examined. Some of them have given evidence in the court and on the basis of their evidence, punishment has been meted out. If I were to say today that I was re-examining all of them, what would be the result. At this, everyone realised that this argument carries weight. Even then, I stated that in this case

[English]

this Government is not inflexible. This Government wants to reach the truth and it is as keen as you are to arrive at the truth

[Translation]

as to who are the culprits. That is why I had not gone through the complete report of Jain Commission earlier but when I heard the issue of naval intercepts being raised during the debate, I immediately intervened to say that the M.D.M.A. will look into it as to what has happened and how it has happened. About the intercepts received earlier, the decoding of which was delayed, we have already written and as the Jain Commission has observed that we should have the modern gadgetry to avoid delay in decoding and we have accepted this recommendation. But what were the reasons for the delay earlier? Was it due to lack of gadgetry or any other reason? I believe that this matter will definitely be examined. All this information and all the facts have emanated from this discussion. Regarding all the points that have come up during the discussion, emphasis was being laid time and again on the same point in this regard as to who should handle such and such work and what should be the role of such and such agency. As I had mentioned in my statement prior to the initiation of this discussion that nobody will suggest the constitution of another commission on a commission already in existence. However some of the members did suggest that today. Today Shri Mulayam Singh also stated that a commission comprising of sitting judges of Supreme Court having three years of service left should be constituted. Had he been present here, he would have been impressed by the point made by Shri Shivraj Patil that this is not the time to conduct an enquiry, now we should have this objective of conducting investigation on the basis of enquiry held so far and if anyone is proved guilty in this regard and necessary evidence or let us say, judicially admissible evidence can be collected against them, it should be used as a ground to prosecute the guilty. Hence the investigation will not be done by any judicial body. Investigation can be undertaken by an investigative body alone. It should be such a body which should have a legal authority to conduct investigation, i.e. if it summons a person and that person does not present himself before it, it may take legal action against him. I do not have any attachment for C.B.I. We may criticise it and I might have done so at some point of time.

[English]

The CBI is the highest investigative and the best investigative agency that we have today.

[Translation]

There is no doubt about it. But it should be statutorily empowered. If it is not a statutory investigative body,

It will not be of any use. Keeping all such considerations in mind, a multi-disciplinary monitoring agency was envisaged. That is because the report of Jain Commission running into 12,000 pages is not related merely to crime investigation, rather one can see that it is an investigation into revenue intelligence also. It looks into such matters which encompass banking issues also. That is why we have thought that when such an agency is set up, we will take the services of those expert and having experience in handling criminal investigation besides.

[English]

Directorate of Revenue Intelligence, Central Board of Direct Taxes, Department of Banking, Ministry of Law and our Intelligence agencies also.

SHRI BUTA SINGH : Does it include defence intelligence also?

SHRI L.K. ADVANI : When I say Intelligence agencies, I am not referring merely to the MHA's intelligence alone. I am referring to all the intelligence agencies that we have.

[Translation]

As we have merged them, that is why the term 'multidisciplinary monitoring agency' has been used. After setting up this agency we would like it to thoroughly investigate this heinous crime and apprise the Government of the facts. I fully agree that we have not taken any biased decision to give it prominence.

[English]

We would be willing to accept any suggestion given by you. We would like to see that this Agency that we create does command the confidence of a wide section of people, and particularly, of the Congress Party because they are more directly involved in this than perhaps anyone else.

[Translation]

I would like to say in this case, I have always tried to remain in touch with and consult the Congress leaders and arrive at the truth on these grounds because arriving at truth is not only vital with regard to this case alone. Slowly our country and the Government have turned into a soft state. People all over the world are under the impression that they can get away with anything. The incidents that have occurred recently reflect not merely the internal issues, rather some foreign element appears to be involved therein. That is why, when Jain Commission observed that foreign hand appears to be involved, some people asked us as to what are we going to do about it? They have their own assumption but by and large, owing to the conclusion that the Jain Commission has reached, many people



[Shri L.K. Advani]

treat it lightly but I agree that in some cases, it is on the basis of certain statements made and as Shri Shiv Shanker termed it as extravagant phraseology yesterday. It will give rise to strange consequences. I do not go through it but the last time when a comment was made regarding Shri V.P. Singh or Shri Chandra Shekhar, I found it very strange. It is true that he has tried to compensate for his comments made regarding Tamilnadu or Sikhs last time. It is good that he attempted to clarify his observation made regarding Tamilnadu in his final report. It would have been even better if he had made a comment regarding Sikhs also. But Shri Shiv Shanker was saying that we have tried to belittle it and by introducing both the interim and the final report.

[English]

You have tried to belittle the credibility of the Jain Commission. No, not at all.

[Translation]

If my intention were to belittle it, it is prominently mentioned in A.T.R. that the commission has made a recommendation to further it and I have accepted this recommendation. Some people might be displeased with the Jain commission but not with the A.T.R. If some Hon'ble Member displeased with the Jain Commission, states his intention to oppose it by approaching the Supreme Court, I have no objection to it. If the Jain Commission has observed that this aspect needs to be examined or that this is what they apprehend, and on this very basis, we have tried to avoid any negligence at least on the part of the Government to arrive at truth. Such an effort is quite evident in the A.T.R. Although we are being cautious to avoid giving any such statement in writing which may affect the findings of the designated court and which may benefit the criminals who have actually committed the crime and those who have appealed. This was the inhibition under which I have taken this action. Once again, I would like to assure the House that the Government has taken up this matter and it will be totally impartial but candid and bold in this case and it will be prepared to take all the required steps to arrive at the truth and you will be duly consulted.

[English]

It is always welcome from all sections of the House.

MR. SPEAKER : No, please. If the House agrees,

(Interruptions)

PROF. P.J. KURIEN : Sir, I have one question to ask...(Interruptions)

[Translation]

SHRI DATTA MEGHE : Mr. Speaker, Sir, Jain Commission has observed...(Interruptions)

[English]

MR. SPEAKER : How can two hon. Members of your party ask a clarification at a time? How can you do that?

PROF. P.J. KURIEN : The hon. Home Minister said that MDMA is an investigating agency in itself comprising of persons from various Departments. If I understood him correctly, this is what he said. When that is the case, why was the name 'monitoring' given to it? The nomenclature is creating a lot of problem. When you call it a monitoring agency, it implies that it is not an investigating agency. So, I am confused.

SHRI P. SHIV SHANKER (Tenali) : I understood you that you are open-minded. We can discuss these matters.

SHRI L.K. ADVANI : But when we say 'MDMA in the CBI', we are also pointing out the statutory authority. The phraseology is 'MDMA in the CBI' and that phraseology is also to meet your point...(Interruptions)

I would like to make clear one more point. All the other aspects are to be referred to the MDMA except the question of foreign hand. In that case, the ATR has said that it is the Ministry of External Affairs, the Ministry of Home Affairs and our Intelligence Agencies which will pursue that problem.

[Translation]

SHRI DATTA MEGHE : Mr. Speaker, Sir, I wish to make only one point that the previous Governments did not submit certain documents and the Cabinet discussed it find out the truth. What action does the Government propose to take in this regard? What was hidden by the previous Governments should be brought out.

SHRI L.K. ADVANI : Sir, I think that MDMA might be having sufficient powers. Where it seems that it is not a futile probe some truth will emanate therefrom. Some facts have come up that one vital file is missing. In this House it was said publicly during discussion by a former minister that this file should not be shown either to Home Minister or Law Minister. The former Minister has disclosed this. All these things will be considered.

SHRI MOTI LAL VORA : Mr. Speaker, Sir, Advanji has said that a comprehensive discussion has taken place on Jain Commission Report. Everyone is

pained over it. On this occasion, I would like to read few lines of poem written by Dushyant —

*"Peer Parvat ho gaya hai ab pighalna chahiye  
Is himalaya se phir koi ganga nikalni chahiye."*

Everyone is angulish over it. I just want to say this to you.

[English]

MR. SPEAKER : If the House agrees, Matters Under Rule 377 meant for today may be laid on the Table of the House.

SEVERAL HON. MEMBERS : Yes.

14.47 hrs.

#### MATTERS UNDER RULE 377\*

- (i) **Need to upgrade Jawahar Navodaya Vidyalaya, Sirmour, Rewa in Madhya Pradesh upto 12th Standard**

[Translation]

SHRI CHANDRAMANI TRIPATHI (Rewa) : Sir, Jawahar Navodaya Vidyalaya is the only school for rural talented students of district Rewa, Madhya Pradesh. But there is no arrangement for the matric passed students for getting admission in class 11th. The students who have cleared matric exam from this school are forced to seek admission in far away places. The school has sufficient place and staff. There are no financial implications for starting the 11th class. Navodaya Vidyalayas were established only for the rural talented students of poor families and wherever these schools are functioning, they are imparting education upto 12th standard. But it is unfortunate that this backward district has no such facility.

I forcefully demand the Minister of Human Resource Development that by giving instruction to start class 11th in Jawahar Navodaya Vidyalaya, Sirmour, Rewa in Madhya Pradesh, he should take an initiative in the direction of improving the future of rural talented students.

- (ii) **Need to ensure early completion of Pancham Nagar Irrigation Project in Damoh District, Madhya Pradesh**

DR. RAMKRISHNA KUSMARIA (Damoh) : Sir, Pancham Nagar Irrigation Project was approved in

\* Treated as Laid on the Table.

the Damoh district of Madhya Pradesh in the year 1979-80. There was a provision to irrigate around 6 lakh acres of land of Damoh Panna Sagar district and an amount of Rs. 6 billion was provided for this purpose.

Out of that amount, Rs. 5 crores have been spent on this project also but even then this project is pending. No work is being done there. Therefore, I request the Minister of Water Resources that the work of this project may be started as early as possible.

- (iii) **Need to provide financial assistance to State Government of U.P. for construction of dams on river Yamuna at Javer and Yakudpur of Khurja Parliamentary Constituency**

SHRI ASHOK PRADHAN (Khurja) : Mr. Speaker, Sir, every year widespread destruction takes place due to devastating flood in river Yamuna in Javer and Yakudpur area of my parliamentary constituency Khurja. Last year grave situation had arisen in my Parliamentary constituency and after drawing the attention of this House and Government, I was assured that proper measures will be taken to prevent flood and dam will be constructed immediately.

But I am pained to draw the attention of this House that no effective steps has been taken so far to construct the dam at Javer and Yakudpur, though monsoon season has arrived. If immediate steps are not taken to construct dam at Yakudpur and Javer then the same situation like previous years can arise there at the time of monsoon.

Therefore, I request the Central Government to take appropriate steps for construction of dam at Yakudpur and Javer of Khurja Parliamentary Constituency. For this purpose, appropriate fund should be released to State Government of Uttar Pradesh.

- (iv) **Need to include Unnao and Gangaghat under Ganga Action Plan**

SHRI DEVI BUX SINGH (Unnao) : Mr. Speaker, Sir, I would like to draw the attention of the Union Minister for Environment towards the Pollution in river Ganga. The areas which were included under Ganga Action Plan especially in Uttar Pradesh are still in the grip of pollution. The effluents of tanneries of Gangaghat and Unnao of my Unnao District are flowing into River Ganga and as a result of which ganga water has become so polluted that the babies born here are physically handicapped. People of this area are suffering from many diseases. The water is not fit for drinking. State Government's attention was drawn towards this but no action was taken.

[Shri Devi Bux Singh]

I request the Government to include the Unnao and Gangaghat under Ganga Action Plan and a Central team should be sent there to conduct a survey regarding the pollution to ascertain the situation on the spot so that the necessary steps could be taken to save the life of the people of this area.

**(v) Need to provide more Railway facilities in Rajasthan particularly in Churu Parliamentary Constituency**

SHRI NARENDRA BUDANIA (Churu) : Sir, adequate attention has not been paid for the development of railways in Rajasthan especially in my Parliamentary Constituency Churu. No scheme has been included in this year's Budget for the development of such an important area of the country. I would like to make a request to the Hon'ble Minister on the following issues :

While presenting the Railway Budget Estimates of last year, Government had given approval for the gauge conversion of Rewari-Sadulpur railway line. However, there is no mention of this sanctioned scheme in this year's Budget. I request to initiate the Project as early as possible.

Similarly, there was a mention to bring a proposal in this year's Budget for the gauge conversion of Hissar-Bikaner via Sadulpur-Churu-Ratangarh-Degana railway line, but the same has not been included. The work may be started at the earliest.

The project to convert meter gauge railway track between Ratangarh and Degana into a broadgauge was approved in last year's Budget. But the same has also not been included in this year's Budget. This gauge conversion work may be started without any further delay.

Churu-Jaipur Inter-city Express may be introduced.

Ticket booking at Churu railway station should be computerised.

A.C. coaches should be attached in Delhi-Bikaner Express and Link City Bikaner-Delhi trains.

Reservation quota at Churu Sadulpur, Sardar Shahar, Ratangarh, Bikaner railway stations be increased in the interest of the lakhs of people of Churu region residing in different parts of the country.

There are two trains from Bikaner to Delhi. There is no reservation quota in A.C. coach from Churu region and people have to face difficulties due to this. So, I request to provide the reservation quota for AC coach in these trains.

Delhi-Jodhpur Mail which has been cancelled should be re-introduced.

**(vi) Need to restore the rebate scheme for Khadi and Village Industry**

[English]

SHRI MULLAPPALLY RAMACHANDRAN (Cannanore) : Sir, Khadi and Village Industry provide employment to five million rural artisans in the country. Women and weaker sections of the Society are mostly employed in this sector. It is estimated that about fourteen lakhs workers are employed in the khadi sector alone. For the removal of rural unemployment, the Father of our Nation had made earnest efforts to propagate the use of khadi, which is the symbol of self-reliance.

It is sad to note that the Government of India has decided to drop the rebate scheme for khadi. This decision of the Government is going to cripple the Khadi and Village Industry, with the result that lakhs are going to be rendered jobless.

If there are any reports on the misuse of the rebate on khadi by unscrupulous elements the Government ought to take stringent action against them. Withdrawal of the rebate is no solution to the problem. It will only aggravate the rural unemployment to a greater extent.

I, therefore, request the Union Government to restore the rebate on khadi without any delay.

**(vii) Need to provide better Railway facilities to the people of Guntur**

SHRI R. SAMBASIVA RAO (Guntur) : Mr. Speaker, Sir, I would like to draw the attention of the hon. Minister of Railways, regarding the long standing demands of the people of Guntur on the following railway works.

1. Construction of office building for new Railway Division at Guntur and posting of personnel in Guntur Railway Division.
2. Doubling of rail line between Nallapadu and Nadikudi.
3. Electrification of railway track between Nallapadu-Pagidipalli in South Central Railway.

As regards the construction of office building for new Railway Division at Guntur, foundation stone was laid by the then Railway Minister on 5th July, 1997. While inaugurating, he has also promised to provide funds for the survey of the above projects.

Sir, I have been drawing the attention of the Minister since then, but I am getting the same reply that the survey is being conducted and as soon as the results of the survey are available, action will be taken.

Sir, more than one year has passed, but the report of the survey has not been received. I would

further urge the hon. Minister to kindly appraise me as to why there is so much delay in getting the survey report.

Sir, the electrification project between Guntur and Nadikudi Railway line and the sanction for double line between Guntur and Nadikudi are long overdue and the people are agitated over this issue. The Railway Ministry should have provided funds in its Budget for 1998-99, but I regret that there is no mention about this project.

I urge upon the Government to do the needful.

**(viii) Need to direct Eastern Coalfields Limited to reopen closed Mines**

DR. RAM CHANDRA DOME (Birbhum) : Sir, I draw the attention of the House to an alarming situation in Eastern Coalfields Limited, a subsidiary of Coal India, who have closed down six collieries, namely, Natundanga, Samla, Kankortola, Sripur, Pure Searsole and Sangramgarh Collieries in spite of reserves therein. Further, the management transferred the workmen and kept them idle.

At the intervention of Hon. Labour Minister of West Bengal, a meeting was held at Calcutta where the issues were discussed in the presence of the Chairman of Coal India Limited, Managing Director and Director (Personnel) of Eastern Coalfields Limited, and on the Union side, the General Secretary and Vice President of Colliery Mazdoor Sabha of India were present. It was agreed that steps would be taken to reopen the closed mines, to continue operation of Sitarampur Area Office, to make full payment of wages and salaries to the workmen transferred with retrospective effect and to form a joint monitoring team for each colliery, comprising the Management and the Union to ensure Mines Safety and assess manpower and supply of materials for attaining 10 to 15 per cent enhancement in production.

I urge upon the Government to direct the Management to initiate actions immediately, as agreed upon.

**(ix) Need to formulate concrete Plan to solve acute drinking water problem in Jalesar Parliamentary Constituency (U.P.)**

[Translation]

PROF. S.P. SINGH BAGHEL (Jalesar) : Sir, through this House, I would like to draw the attention of the Union Government towards the acute shortage of drinking water in Arral, Razapur, Mahapur, Chilasani, Nallapur, Meelnagar, Sikanderpur, Shahpur, Tiprua, Gizoli, Hazipur, Khera villages of Jalesar region. The water available here is polluted and saline. Even people died in the past after

drinking this contaminated water. This water is so contaminated that people loose their teeth even at the age of 40 years and they have to defecate 4-5 times a day. Women of these villages have to spend most of their life in fetching drinking water. It has become difficult to marry off the boys of this area due to scarcity of water. Moral values are being degraded and illicit relations are flourishing due to such situation.

Central team may be sent there to get the quality of water tested and to formulate a proper scheme to solve the drinking water crisis in this region.

**(x) Need to provide a Link Road between Papanasam in Tamil Nadu and Trivandrum, Kerala**

[English]

SHRI S. MURUGESAN (Tenkasi) : There is a long pending demand from the people of Tankasi constituency in particular and the people of Tirunelveli district in general especially from the merchant community and various other social organisations to provide a link road between Papanasam and Trivandrum via Nagercoil is 165 kms. The distance via Shengottah is 234 kms. But the distance so covered via Papanasam will be 110 kms. This will bring down the distance to be travelled by saving the time and fuel to a great extent. Tuticorin is a port city and Trivandrum is already in the International Aviation Map. These two commercial destinations could be better linked via Papanasam. The agricultural products from Kadayam, Alangulam, Pavoorchathiram and other areas are either marked at Kollam or exported from Trivandrum. The agriculturists of these rural areas in my constituency would be greatly benefited by this link road.

In this proposed road a new road need to be laid only for a length of 6 to 11 kms. That too will be on a grossly valley in the hilly areas neither the forest nor the environment will be affected. The remaining 32 kms. of traditional road would require more widening. According to survey conducted in the year 1998 an expenditure of rupees three crore was estimated. A second survey conducted recently states that Rs. 15 crore would be required now. I urge upon the Union Government to give the clearance. I also request the Union Government and the Ministry of Surface to take up this with Tamil Nadu and Kerala Governments on a priority basis extending possible assistance from the Centre.

**(xi) Need to take measures to check deaths due to malnutrition in tribal belt of Melghat in Amravati District, Maharashtra**

SHRI R.S. GAVAI (Amravati) : In Melghat a thickly tribal belt in Amravati District, about 3297 deaths

[Shri R.S. Gaval]

occurred because of malnutrition from 1994 to 1997. This year also till the end of June about 122 deaths occurred because of malnutrition. This is because of lack of infrastructure such as communication, tribal villages are not connected with the main road, lack of medicines, lack of medical facilities, drinking water, insufficient health centres, etc., which lead towards death due to malnutrition. Despite of this Government of Maharashtra has not provided sufficient funds either for public basic amenities or for the required infrastructure. Accumulation of all these factors in all likelihood may lead to more deaths because of malnutrition. This is matter of great concern and I urge upon Government of India to intervene and see that precautionary measures ought to be taken to avoid further deaths.

**(xii) Need to ensure availability of Potable water to the people residing along the bank of Palar River in Vellore Parliamentary Constituency, Tamil Nadu**

SHRI N.T. SHANMUGAM (Vellore) : For many years, Palar river is supplying water to lakhs of people those who were living near the banks of the river. In addition to that water for irrigation purposes is also supplied in the area from this source.

There are number of tanneries on the bank of Palar river from Vaniyambadi to Wallafa. Those tanneries have not been treating and disposing of its effluents as per the norms laid down by the Pollution Control Board. The effluents of tanneries have contaminated the sub-soil water in that area. Vaniyambadi, Ambur, Madhanoor Pallikonda, Vellore, Visharan, Arcot, Ranipet and Wallafa people are drinking the salted and contaminated water. Due to this they are also affected by the T.B., cancer and skin diseases etc. Acres of land are also affected by it.

There is no safe potable drinking water in that area. Some organisations filed case in the High Court and Supreme Court and also got rulings on it. Even then the situation is continuing. The Government has to order the Pollution Control Board to watch the tanneries in Tamil Nadu whether they were treating the effluents properly and to allow them to charge them according to norms laid down by the Board.

**(xiii) Need to withdraw order issued by Department of Personnel and Training adversely affecting interest of SC/ST people seeking entry and promotion in Government Jobs**

PROF. JOGENDRA KAWADE (Chimur) : By misinterpreting the Supreme Court's ruling, the Department of Personnel and Training, Ministry of Personnel, Public Grievances and Pension. Issued

Office Memoranda against the welfare and interest of SC/ST communities vide its O.M. dated 30.1.97, 2.7.97, 22.7.97, 13.8.97 and 29.8.97 to all Ministries directing them - (i) that general candidates promoted later regains his seniority over SC/ST candidates promoted earlier; (ii) changing roster for SC/ST to stop recruitment where less vacancies are available; (iii) withdrawal of relaxation/concession in qualifying marks/evaluation for SC/ST; (iv) to stop reservation for SC/ST in promotions; and (v) to stop filling up backlog vacancies by special recruitment.

On the one hand, the Government of India is committed to continue the reservation benefits to SC/ST but on the other hand there is move to stop SC/ST people to enter in Government Services and to stop their promotions. The advocate who appeared on behalf of the Union of India had not pleaded the cases in right spirit in light of the 77th Amendment Act, 1995 and Article 16 (4A) of the Constitution of India which provides the State for making any provision for the reservation in promotion for any class or classes of posts in favour of SCs/STs which in the opinion of the State, is not adequately represented in the services under the State. I am surprised to note that the Department of Personnel and Training has not so far issued O.M. on the Supreme Court verdicts given in favour of SC/ST communities in the cases of Jagdish Lal and others v/s. State of Haryana (28.5.1997), Ashok Kumar Gupta vs. State of U.P. (1997) and Post Graduate Institute of Medical Education and Research vs. K.L. Narasimhan. In the light of the submission, I demand for immediate withdrawal of O.M. dated 30.1.97, 2.7.97, 22.7.97, 13.8.97 and 29.8.97 issued by Department of Personnel and Training.

14.48 hrs.

**HOMAGE TO VICTIMS OF FIRST ATOMIC BOMB DROPPED ON HIROSHIMA AND NAGASAKI**

[English]

MR. SPEAKER : Hon. Minister, today is Hiroshima Day. On this day, 1945, atom bomb was exploded on Hiroshima in Japan, taking an incredible human toll in terms of immediate termination of life of thousands and debilitating living death for many. On this black day of human history, let us pay homage to the victims of atomic bombing in Hiroshima as well as victims of atomic bombing in Nagasaki. Let us, on this occasion, renew our call to the international community to bring about total time-bound and non-discriminatory nuclear disarmament.

This House may also observe a moment's silence in memory of Hiroshima and Nagasaki victims.

SHRI MOHAN SINGH (Deoria) : We may pledge that we will never explode a bomb.

14.48½ hrs.

*The Members then stood in silence for a short while.*

14.49 hrs.

## VALEDICTORY REFERENCES

[English]

MR. SPEAKER : Hon. Members, the second Session of the Twelfth Lok Sabha which commenced on 27th May, 1998 is coming to a close today. In all, as many as 38 sitting lasting for about 280 hours were held. The House had a break from 13th June, 1998 to 2nd July, 1998 to enable to Departmentally Related Standing Committees to consider the Demands for Grants of Union Ministries and Departments and submit their reports to the House. The Standing Committees of Lok Sabha submitted 31 Reports on Demands for Grants.

During the Session, the House transacted many important items of financial, legislative and other business.

The General Budget and the Railway Budget were debated for 54 hours and passed with full cooperation of the entire House.

The House passed 22 Bills including the Prasar Bharati (Amendment) Bill, 1998. The hon. Prime Minister introduced the historic Lok Pal Bill in this session.

The House had long and fruitful debates lasting 78 hours on ten important matters of urgent public importance under rule 193. These debates, which were very well participated, were on recent nuclear tests in Pokhran, suicides committed by farmers in various parts of the country, rise in prices of essential commodities, Maruti Udyog Limited, floods in various parts of the country, increasing atrocities on women, situation in North-Eastern Region due to insurgency, recent development affecting India's foreign policy, problems of Scheduled Castes and Scheduled Tribes and deportation of certain people by Government of Maharashtra. A discussion on the Government motion regarding final Report of the Jain Commission, which has just been concluded, was held for nearly 16 hours.

Four important matters were raised by way of Calling Attention in response to which the concerned Ministers made statements. In addition, as many as 36 statements were made by the Ministers on various other important subjects.

As regards Private Members' Business, as many as 57 Private Members' Bills were introduced. One Bill seeking to amend the Constitution to provide that political parties and candidates should not seek votes in the name of religion or by inciting religious feelings during elections was discussed and later on withdrawn with leave of the House while discussion on another Bill seeking to amend the Constitution remained inconclusive.

A Private Member's Resolution urging the Government to formulate a national housing policy received unanimous support from all sections of the House before it was withdrawn. Later on, the national housing policy was laid on the Table of the House.

During the session, 621 starred questions were listed, out of which only 97 questions could be answered orally. Thus, on an average, just about three questions could be answered per day. In addition, two Half-an-Hour discussions were raised and written replies to 6,229 unstarred questions were given.

Hon. Members raised 355 matters under rule 377. Besides, nearly 576 Members raised matters of urgent public importance during the 'Zero Hour'.

I take this opportunity to thank all the hon. Members for the kind cooperation extended to me and my colleagues in the Panel of Chairmen in the completion of business of the House. I am extremely grateful to the Leader of the House, the Leader of Opposition, the Leaders of various parties and groups as well as the Chief Whips and Whips for their unstinted cooperation and courtesy extended to me. I would also like to thank, on behalf of all of you, the Press and the Media who extended utmost cooperation and sat with us though late hours. I also thank the officers and staff of the Lok Sabha Secretariat, CPWD and other allied agencies for their assistance.

Now, I request the hon. Prime Minister to speak.

[Translation]

THE PRIME MINISTER (SHRI ATAL BIHARI VAJPAYEE) : Mr. Speaker, Sir, this session of the Parliament is going to conclude. Though it was a difficult session but under your leadership we successfully overcome those difficulties and accomplished many important tasks. However, some work is still left which is to be done in future. Efforts would have to be made in future to run the proceedings of the House smoothly, without any untoward incident. It has been the special feature of this session that even after the happening of such an incident, normalcy was immediately restored. It indicates the strength of Indian democracy.

Mr. Speaker, Sir, the credit of all this goes to you. You are 'Yogi' by name. The way you remain neutral and even ignore certain things while occupying the Chair, requires a lot of patience and Yogic Sadhna is essential for it.

[Shri Atal Bihari Vajpayee]

I am also grateful to all the Members who have contributed in making this session successful. We also express our gratitude to the staff and officials of Lok Sabha Secretariat who work hard and helped in successful completion of the session.

[English]

SHRI P. SHIV SHANKER (Tenal) : Mr. Speaker, Sir, we have reached yet another milestone in our Parliamentary career. The first Session of the Twelfth Lok Sabha which is ending today has, no doubt, been presenting certain commotions and problems. But our culture had been such that notwithstanding the differences that we had; notwithstanding the commotions that we faced and the problems that confronted in running this House, we have the intrinsic worth and capacity. Our dynamism is such that at a given time we have always been able to pull together. This had been our unique quality and I would not be far wrong to say that it had been our unique distinction also. This had been our national legacy which we have, I would say, successfully carried even in the conduct of the business of the House in this Session.

Quite a bit of work has come to a fruition. It had been successful notwithstanding some difficulties that the Opposition and the Treasury Benches faced from time to time. But the fact remains that we have practically discussed all the important subjects, which you were so kind to enumerate, which were necessary to be discussed.

I am particularly grateful to the entire House that on an issue which is highly touching and emotional to us, we have discussed the same rising about Party lines, notwithstanding slight differences here and there, we have been able to discuss it rising above Party lines. This is a reflection on our representation and in my view this is what we have inherited not only in the last couple of years but also in our parliamentary career and I would not be far wrong to say that it has matured itself.

Sir, above all, in fact to be frank, when you took over that seat we were slightly worried, particularly the people from Andhra Pradesh were very much worried, but I may tell you without any exaggeration and modest in expression of this type that you have quitted yourself so wonderfully well that we people, particularly from Andhra Pradesh raise our heads aloft.

15.00 hrs.

The nation is proud of you and I am sure you will go down in the history as one of the best Speakers of this House.

Sir, I must compliment the Prime Minister and his team that notwithstanding the little bit of problems that we faced with them, I should say that they have

always tried to rise above the ordinary levels. They have helped us and the House in seeing through the business being carried out in a normal fashion. I must particularly compliment the Home Minister for this. On certain issues where we were finding some difficulty, he had been coming to our rescue. Whenever we wanted to get over the Home Minister, we always approached the Prime Minister. He was so kind to help us out. This shows that we have become nature in our Parliamentary career, notwithstanding what others would say.

Of course, my friends remind me about the Minister of Parliamentary Affairs. He is as dynamic as ever. Equally, he is as vocal as ever and he has dealt the conduct of the House in the best of traditions for which he deserves our compliments.

I must say that notwithstanding a few skirmishes that we had, the entire catena of hon. Members has by and large acquitted themselves very well. I have often seen the British Parliament and shall I say, Sir, that on most occasions I found that House to be much worse than what we are. That is a Parliament which claims that it has pristine glory. This shows that this is inherent in our very blood. This is what we have received by way of legacy from our forefathers. It is this culture which I hope will permeate throughout the nation in due course of time.

While complimenting all the Members for seeing that the Business of the House is carried out in the best manner, Sir, we could not have discharged our duties so efficiently unless the Secretariat staff had day-in-and-day-out worked and helped us out to see that we do our work in an efficient manner. They came to our rescue whenever we demanded. In fact, when we — either from this side or that side — sometimes wanted to quote some rules, they guided us. This shows that they have without any favour fearlessly carried out their job and they deserve all our compliments.

Once again I thank you and the Treasury Benches, equally all the Members sitting here who have been able to see that we command respect, that respect which is our rightful place in the comity of nations.

15.03 hrs.

## NATIONAL SONG

(The National Song was played)

MR. SPEAKER : The House stands adjourned *sine die*.

15.05 hrs.

The Lok Sabha then adjourned *sine die*.