

13.13 hrs.

(Interruptions)

ARREST OF MEMBER

[English]

MR. DEPUTY-SPEAKER: I have to inform the House that I have received the following telegram dated 7th April, 1989, from the Commissioner of Police, Madras on 8th April 1989:-

"I have to honour to inform you that Shri A. Jayamohan, M.P., was arrested at about 0800 hours today (7.4.1989) near the residence of the Hon'ble Speaker of Tamil Nadu Legislative Assembly at Greenways Road, Madras-28, in X Station Crime No. 308 of 89 under Section 151 Cr. P.C. when he along with 6 others assembled there to lay siege of the residence of the Hon'ble Speaker. They were removed to City Police Office, Madras-8."

MR. DEPUTY-SPEAKER: We shall adjourn for lunch to re-assemble at 1415 hours.

13.14 hours

*The Lok Sabha adjourned for Lunch till fifteen minutes past fourteen of the clock.*

14.17 hrs.

*The Lok Sabha re-assembled after Lunch at seventeen minutes past Fourteen of the Clock.*

[MR. DEPUTY SPEAKER *in the Chair*]

MOTION RE: INTERIM AND FINAL REPORTS OF THAKKAR COMMISSION

MR. DEPUTY SPEAKER: The House shall now take up the Motion regarding the Interim and Final reports of the Thakkar Commission. Sardar Buta Singhji.....

MR. DEPUTY SPEAKER: I request the Members to let the Minister move the Motion first and then they can raise whatever they want to raise. I have no objection.

SHRI DINESH GOSWAMI (Guwahati): I am on a point of order, Sir.

MR. DEPUTY SPEAKER: Let the Minister move first, then I will come to you.

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH): Sir, I beg to move:

"That this House do consider the Interim and Final Reports of the Thakkar Commission on the assassination of Smt. Indira Gandhi, the late Prime Minister, and the Memorandum of Action Taken thereon, laid on the Table of the House on the 27th March, 1989."

(Interruptions)

MR. DEPUTY SPEAKER: I want to make it very clear. Now the discussion about whether this is a full report or not does not at all arise. Already the chair has given the ruling that this is the full report.

SHRI BASUDEB ACHARIA (Bankura): I am on a point of order, Sir. He has just now said that the Interim and Final reports tabled on 27th March.....(Interruptions)... The report tabled is not the full report.

MR. DEPUTY SPEAKER: Already the Speaker has ruled. There is no point of order.

(Interruptions)

MR. DEPUTY SPEAKER: You cannot go on shouting like this.

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

MR. DEPUTY SPEAKER: What is your point of order?

SHRI S. JAIPAL REDDY: This is truncated report. (*Interruptions*)

MR. DEPUTY SPEAKER: No, no.

SHRI S. JAIPAL REDDY: It is tremendously truncated because quantitatively it represents only 1/10 of the report; qualitatively it represents even less.

MR. DEPUTY SPEAKER: You cannot question the speaker's ruling.

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

MR. DEPUTY SPEAKER: Under what rule? You first quote the rule.

(*Interruptions*)

SHRI S. JAIPAL REDDY: Apart from being truncated, I am of the considered view that this report has been tampered with.

MR. DEPUTY SPEAKER: No. I cannot allow that.

SHRI S. JAIPAL REDDY: I am referring to 141 A. This is an odd page. There is only one page like this in both the reports put together. (*Interruptions*) My charge is, Sir, that the report has been tampered with.

MR. DEPUTY SPEAKER: No. No. Please listen to me. If you want to make any allegation you give a separate notice. No allegation will go on record.

SHRI S. JAIPAL REDDY: It is not an allegation, Sir, I am referring to page 141 A. I am referring to the interesting and shocking manner in which the report has been paginated.

MR. DEPUTY SPEAKER: You can raise all these things when you participate in the discussion.

(*Interruptions*)

SHRI S JAIPAL REDDY: I am referring to page 141 A.

MR. DEPUTY SPEAKER: I do not want details. When you participate in the debate you ask the Minister to reply to your points.

SHRI S. JAIPAL REDDY: The most vital aspect missing is that of the killing of Beant Singh. That is most important. Further we want if the documents are considered confidential let them be shown to the Leaders of the Opposition Groups in the Speaker's Chamber.

MR. DEPUTY SPEAKER: That has already been mentioned.

SHRI S. JAIPAL REDDY: Sir, now that the charge-sheet has been filed there should be no difficulty for the government to make the SIT report public. We want the SIT report to be made public. This has not been covered by the Speaker's ruling. (*Interruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SONTOSH MOHAN DEV): When you participate in the debate you say all these things. There is Speaker's ruling. Speaker has said that it is the final report. (*Interruptions*)

SHRI V. KISHORE CHANDRA S. DEO (Parvathipuram): Mr. Deputy Speaker, Sir, the Hon. Minister for Home has just moved a motion to discuss the interim and final reports of the Thakkar Commission. Interim and the final reports do not constitute the full report. He has virtually conceded that.

MR. DEPUTY SPEAKER: That point I cannot re-open after the speaker's ruling.

SHRI V. KISHORE CHANDRA S. DEO: We are here to discuss the conspiracy which involved the assassination of a Prime Minister. We are not here to discuss the conduct of one individual. Without the interrogation of the assassin who killed the assassins of Mrs. Gandhi, without that vital and crucial information how can we discuss this?

SHRI DINESH GOSWAMI: I raise my point of order under Rules 344 and 345. I gave a notice of amendment to Mr. Buta Singh's motion that without challenging the speaker's ruling that whatever has been placed is the report, I gave a notice of an amendment that all documents submitted by Thakkar including part 1 A and other volumes should be placed on the Table of the House and if the Government feels that certain things are sensitive or against the friendly relations with other countries or against security that may be placed in the Speaker's Chamber to be shown to the Leaders of the Opposition in the manner in which Speaker may decide. I do not know what has happened to my amendment. I have not been informed that my amendment has been rejected. I have also not been told about the fate of my amendment. My submission will be that my amendment should come along with the notice of motion of Shri Buta Singh.

SHRI V. KISHORE CHANDRA S. DEO: I have also written to that effect, Sir.

SHRI DINESH GOSWAMI: I am not challenging the Speaker's ruling. I would like to know as to why my amendment has not been listed.

*(Interruptions)*

SHRI SHANTARAM NAIK: The amendment contradicts the motion.

SHRI DINESH GOSWAMI: No. It does not...*(Interruptions)* I am not challenging the Speaker's ruling. We accept the Report which is placed on the Table of the House as the Report on the basis of the Speaker's ruling. But my amendment is that the Government be called upon to table the other volumes including Part I-A and if the Government feels that certain portion is sensitive, then that should be shown to the Leaders of Opposition in the Speaker's Chamber. Why is this amendment is accepted?

MR. DEPUTY SPEAKER: This cannot

be taken as amendment because an amendment can only be to a substantive motion. This is not a substantive motion. If you give a substantive motion, it can only be considered by the Business Advisory Committee.

*(Interruptions)*

SHRI DINESH GOSWAMI: What is the reason for not being considered as an amendment?

MR. DEPUTY SPEAKER: It is already there in the speaker's ruling.

*(Interruptions)*

SHRI DINESH GOSWAMI: I am not challenging the Speaker's ruling; I accept his ruling.

SHRI S. JAIPAL REDDY: The amendment must be allowed to be moved.

*(Interruptions)*

MR. DEPUTY SPEAKER: Rule 342 states; "A motion that the policy or situation or statement or any other matter be taken into consideration shall not be put to the vote of the House, but the House shall proceed to discuss such matter immediately after the mover has concluded his speech and no further question shall be put at the conclusion of the debate at the appointed hour unless a member moves a substantive motion in appropriate terms to be approved by the Speaker and the vote of the House shall be taken on such motion."

SHRI DINESH GOSWAMI: I am not asking for any question to be put. My amendment has nothing to be put to the vote of the House...*(Interruptions)*...You permit my amendment.

MR. DEPUTY SPEAKER: The amendment can be moved only to a substantive motion.

SHRI DINESH GOSWAMI: There had been amendments to motions under Rule 193. I know that Mr. Pattam Thanu Pillai's amendment to a motion under Rule 193 was permitted.

MR. DEPUTY SPEAKER: This is not a substantive motion. That is why there cannot be an amendment to it.

*(Interruptions)*

SHRI DINESH GOSWAMI: Why not?

MR. DEPUTY SPEAKER: You can move amendments only to a substantive motion.

SHRI DINESH GOSWAMI: Amendments to motions under Rule 193 have been permitted to be moved in the past. This is a motion under Rule 193.

MR. DEPUTY SPEAKER: This is not a substantive motion. You can move an amendment only to a substantive motion.

*(Interruptions)*

SHRI DINESH GOSWAMI: Amendments have been permitted in the past to motions under Rule 193.

MR. DEPUTY SPEAKER: It is not under Rule 193.

SHRI DINESH GOSWAMI: If it is under Rule 184, it is better...*(Interruptions)*

MR. DEPUTY SPEAKER: This motion had been admitted under Rule 342 and not under Rule 193.

SHRI DINESH GOSWAMI: Amendment under Rule 344 is for any motion including motions under Rule 193. *(Interruptions)*

MR. DEPUTY SPEAKER: What you have given will have to be considered by the Business Advisory Committee

SHRI DINESH GOSWAMI: An amendment must be considered along with the main motion. I have given an amendment under Rule 344. I am pointing out that even to a discussion under Rule 193, amendments had been allowed. An amendment to the main motion must be allowed.

MR. DEPUTY SPEAKER: Your amendment has already been ruled out by the Speaker.

*(Interruptions)*

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Will you allow me to answer Mr. Goswami's point of order?...*(Interruptions)*...I want to respond. *(Interruptions)*

SHRI DINESH GOSWAMI: Mr. Deputy Speaker, I have a right under Rule 344 to submit amendments to any motion. We have before us, the Order Paper a motion tabled by Mr. Buta Singh. Under Item No. 8, Mr. Buta Singh is to move 'That this House do consider the Interim and Final Reports of the Thakkar Commission.....' I have given my amendment to the latter part that the House do consider the Interim and Final Reports of the Thakkar Commission and calls upon the Government to place all documents including Part I-A, Volumes 2 and 3 of the Report. If the Government feels that certain portions of that are sensitive to be placed on the Table of the House...*(Interruptions)*.....

MR. DEPUTY-SPEAKER: Rule 343 gives a clear answer.

SHRI DINESH GOSWAMI: It is a very position motion...*(Interruptions)*

SHRI P. CHIDAMBARAM: Sir, I want to make a response and you can then rule.

I am grateful to Shri Goswami for spelling out his amendment. This motion is

admitted under Rule 342. The motion say: that the Home Minister moves that this House do consider the interim and final reports..." We have placed two volumes on the Table of the House and the Speaker has ruled that this is a full report and we are seeking leave of this House to consider these two volumes. Shri Goswami can say.. 'You shall not consider...' (*Interruptions*) He can perhaps say that 'you shall not consider or postpone the consideration'. Kindly read this motion with the amendment. The motion will say then I beg to move that this House do consider the Interim and Final Reports.... and call upon the Government. The Home Minister will call upon the Government to place something on the Table of the House. How can this be an amendment to this motion?... (*interruptions*)

I have not completed. Let me complete my arguments. I may be wrong, but please listen to me.

Rule 344(1) says:

"An amendment shall be relevant to, and within the scope of, the motion to which it is proposed."

He can only move an amendment which falls within the scope of this motion. Then Rule 344 (3) says:

"An amendment on a question shall not be inconsistent with a previous decision on the same question".

You cannot now call upon the Government even assuming that you can word it in some form. According to me, the wording is not correct... (*Interruptions*)

SHRI DINESH GOSWAMI: There is no decision of this House that these papers will not be placed on the table of the House.

SHRI P. CHIDAMBARAM: Please hear my arguments in full. First of all, his amendment is not within the scope of this motion. The way it is worded it is inconsistent with the

language of the motion. Thirdly, assume that he can word it differently, assume that it can be fitted with the language of the motion, you are really asking us to do something which is inconsistent with the previous decision of the Speaker; the previous decision being that the complete report has been tabled and nothing more requires to be placed. How can you have an amendment to this motion?

SHRI DINESH GOSWAMI: I am not questioning the Speaker's ruling. I accept that this is the report. But the House has the power to call upon the Government to place certain additional documents and this is not inconsistent with the main report, and this is not in contravention of the Speaker's ruling. Shri Chidambaram has gone wrong. There has been no decision of the House up till now that other documents would not be placed on the Table of the House. If there has been a decision of the House that the other documents would not be placed, then I would have been out, but there is no decision, and therefore, my amendment is correct. I have got a right to place that amendment for the consideration of the House. It is for the House to accept it or reject it. My submission is that amendment cannot be rejected without this being tabled and without giving me an opportunity to move this amendment.

MR. DEPUTY-SPEAKER: Regarding Shri Goswami's point, first of all, as the Speaker has said already, the full report has been submitted. You are asking for certain relevant documents, it is left to the Government, we cannot see to that at this stage. We cannot discuss. Your amendment has been rejected by the Speaker. That cannot be raised now.

SHRI BASUDEB ACHARIA: Unless he is allowed to move, how can that be rejected?

(*Interruptions*)

MR. DEPUTY SPEAKER: I have called Mr. Chatterjee.

SHRI SOMNATH CHATTERJEE: Sir, apart from the fact that mutilated report has been filed...

MR. DEPUTY SPEAKER: I think you cannot say that.

*(Interruptions)*

SHRI SOMNATH CHATTERJEE: Sir, kindly listen to me. *(Interruptions)*

Now, why are you interrupting me? Sir, while laying these two volumes, what they call complete Report, the Hon. Minister referred to the SIT Report, the investigative Report. Now, Sir, the Minister is obliged to lay that Report under Rule 368 on the Table of the House. He is bound to lay the Report since he referred to it. He referred to the SIT Report which is supposed to have exonerated one individual. Without the SIT Report which is linked up with the Thakkar Commission Report, this discussion cannot take place. Therefore, he must first lay it on the Table of the House and then there can be a discussion.

MR. DEPUTY SPEAKER: I cannot insist on the Government laying SIT Report.

*(Interruptions)*

SHRI S. JAIPAL REDDY: Sir, no ruling by the Speaker has been given on the SIT Report.

*(Interruptions)*

SHRI P. CHIDAMBARAM: Please allow me to respond to Mr. Chatterjee. Sir, may I respond to Mr. Chatterjee? *(Interruptions)*

Mr. Deputy Speaker has called upon me. I want to respond to Mr. Chatterjee. Mr. Chatterjee referred to Rule 368. Let me quote Rule 368. It says:

"If a Minister quotes in the House a despatch or other State paper which has not been presented to

the House, he shall lay the relevant paper on the Table."

We have not quoted from any document and M. Chatterjee is aware...*(Interruptions)*

Let me finish. I am on my legs. I have been called upon to speak by the Deputy Speaker. *(Interruptions)*

MR. DEPUTY SPEAKER: I have called the Minister and he has not yet completed.

SHRI P. CHIDAMBARAM: Let me complete. I have not completed. Sir, I have heard Mr. Chatterjee, now why cannot he hear me?

SHRI BASUDEB ACHARIA: Don't misinterpret.

SHRI P. CHIDAMBARAM: That is for the Chair to decide, he has not become the Speaker.

Rule 368 does not apply because nobody quoted from a despatch or other State paper. It was not used the word 'Refer'. It has referred to 'Quote'.

SHRI BASUDEB ACHARIA: What do you mean by the word 'quote'?

SHRI P. CHIDAMBARAM: I think he has got a problem, Sir. My second argument is...

SHRI S. JAIPAL REDDY: I should be given an opportunity to speak.

SHRI P. CHIDAMBARAM: After I finish.

Mr. Chatterjee is very well aware that the SIT which investigated in the conspiracy has already filed its Report under Section 173(2) in the competent Criminal Court and he is most welcome to go and inspect that document which is in the court. *(Interruptions)*

SHRI S. JAIPAL REDDY: Sir, you allowed the Minister to respond but you don't

allow us to make our submissions.

MR. DEPUTY SPEAKER: I have called Shri Saifuddin Chowdhary.

SHRI SOMNATH CHATTERJEE: Sir, how can he ask us to go to court?

*(Interruptions)*

SHRI BASUDEB ACHARIA: Why should we go to the court? Sir, he is asking us to go to court. *(Interruptions)*

MR. DEPUTY SPEAKER: There is no point of order. Yes, Mr. Chowdhary.

*(Interruptions)*

SHRI SAIFUDDIN CHOWDHARY (Katwa): Sir, what the Minister has quoted from the Rule is that if anybody including the Minister has quoted from a despatch...*(Interruptions)*

MR. DEPUTY SPEAKER: How can you hear him if you keep on interrupting him?

SHRI SAIFUDDIN CHOWDHARY: Sir, the document from which quotations were given by the Minister is a letter of the Secretary of the Thakkar Commission to the Home Secretary in which it was stated that part I (A) pertaining to the final report is not secret. That letter has not been placed on the Table of the House. That is the first thing. Secondly, what are we discussing now? Shri Priya Ranjan Das Munsii, a Minister in the Cabinet had said that the plot to kill Shrimati Indira Gandhi was in the knowledge of Shri Jyoti Basu. What action are they going to take? *(Interruptions)* What is the opinion of the Government? This is a very serious matter...*(Interruptions)*

MR. DEPUTY SPEAKER: No Please. I cannot allow allegations. I cannot allow. You are diverting the attention to some other place.

SHRI SAIFUDDIN CHOWDHARY: The Home Minister has to

clarify..*(Interruptions)*

SHRI BASUDEB ACHARIA: The Home Minister must tell us...

*(Interruptions)*

MR. DEPUTY SPEAKER: Order please. Yes Mr. Madhav Reddi.

SHRI C. MADHAV REDDI (Adilabad): Sir, Mr. Chidambaram has said that this is a motion asking for leave of the House. Under the rules, amendment can be given to any motion asking for the leave of the House. That is why, I think, the amendment given notice of by Shri Goswami is in order. If the House does not want it, you can throw it out. But first let there be a vote on that. The amendment is perfectly in order.

MR. DEPUTY SPEAKER: You can see from Rule 342 that there is no eligibility. There cannot be any amendment. I rule out your point of order.....

*(Interruptions)*

S. BUTA SINGH: How can the House take notice of an amendment which is not permissible under the rule?

MR. DEPUTY SPEAKER: I have already given my ruling that it cannot be admitted. Yes, Mr. Thomas.

SHRI THAMPAN THOMAS: I want to raise two points. First of all, after tabling what is purported to be the report, certain things have appeared in *The Indian Express*. These are not tabled here. Secondly, there is a case which they have now taken up under the SIT. In order to uphold the supremacy of this House, the entire matter should be made clear. First I would like to know whether what has come out in *The Indian Express* subsequent to this, is correct or not. *(Interruptions)*

MR. DEPUTY SPEAKER: No. You cannot raise all these things now. You can find out in the discussion later. Not now. No Please. There is no point of order.

*(Interruptions)*

SHRI THAMPAN THOMAS: Without knowing the details, how can we participate in the discussion? We must know...*(Interruptions)*

MR. DEPUTY SPEAKER: I cannot insist the government on this. We are discussing now only what is already placed on the Table of the House. We cannot discuss other things.

SHRI THAMPAN THOMAS: There is a conspiracy case and subsequently they have charge-sheeted...*(Interruptions)* How can we discuss an incomplete report?

MR. DEPUTY SPEAKER: It cannot be said at this stage whether the report is complete or incomplete. You are only casting aspersions on the ruling of the hon. Speaker who has said that it is a full report. Please sit down. *(Interruptions)*

SHRI E. AYYAPU REDDY (Kurnool). We have to discuss the Thakkar Commission's Report. The report as presented in the House is said to be complete. Let me accept it as a complete report. I assume that it is the full report. Now, the report is based on the evidence recorded by the commission and on the basis of the documents produced before the Commission. To have a useful discussion on the report, either to support it or to rebut it, a member has to make a reference to the data on which the report has been based. Now, without placing the data before the House and without giving an opportunity to the members to know the data, how are we expected to discuss the report? Without having the advantage of going through the relevant data, how is it possible to have a meaningful discussion?

MR. DEPUTY SPEAKER: This point has already been discussed. I am ruling it out.

*(Interruptions)*

SHRI SOMNATH CHATERJEE: He is correct. How can we have a meaningful discussion? *(Interruptions)*

MR. DEPUTY SPEAKER: Order please. I have allowed Mr. Naik. Please sit down. Yes, Mr. Naik.

*(Interruptions)*

SHRI SHANTARAM NAIK (Panaji): Sir, we heard them in silence. I want to be heard in silence. *(Interruptions)*

MR. DEPUTY SPEAKER: What do you want to say?

SHRI SHANTARAM NAIK: A short-while ago Mr. Jaipal Reddy has made a statement that the Report has been tampered with and Mr. Somnath Chatterjee has also made a Statement that the Report is mutilated. All these Statements have gone on record and they should be expunged. I would like them to be expunged.

MR. DEPUTY SPEAKER: Don't bring some other matter here. Why are you bringing those things? Allegations will not go on record.

SHRI E. AYYAPU REDDY: Sir, some other Report which is said to be the SIT's Report, is alleged to have modified or nullified the findings of the Thakkar Commission.

MR. DEPUTY SPEAKER: I don't want to reopen all those things which we have already discussed here.

*(Interruptions)*

MR. DEPUTY SPEAKER: Shri Buta Singh.

*At this stage Shri C. Madhav Reddi and Some other hon. Members left the House*

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH): Sir, the Reports of the Thakkar Commission of Inquiry set up for the purpose of making an inquiry into the assas-



sination of Smt. Indira Gandhi, the late Prime Minister, was laid on the Table of the House of 27th March, 1989. The Report comprised of an Interim Report and a Final Report. On behalf of the Government, I had requested for a discussion in the House on the Report. I am grateful that the House has agreed to take up the Report for discussion. The subject matter of inquiry is of great public interest and importance. The assassination of the Prime Minister is a traumatic experience for any country at any time—for us the trauma was more acute. There were many reasons. The emergence of India as a free country, the growth of influence and stature of the Indian State, the actualisation of strength of the roots of democracy, the maturing of the socio-political system had taken place in the face of many challenges—internal and external. The socio-economic progress that the country has achieved is the envy of many. I need not recall in detail the threats to our stability as a nation in the past through the overt and covert acts both from outside and inside the country. It is enough to remember that the assassination of the late Prime Minister Smt. Indira Gandhi took place at a time when such forces were quite active.

The loss and shock to the country was immense. The challenge it posed was even more so. The question of unity of the country, the strength of the institutions of Government, the question of the country's ability to continue with its progress on the political, social and economic fronts, notwithstanding a shock of this dimension, the question of proving to ourselves and proving to the world the underlying strength and vitality of the Indian State, were all there. The succeeding years have seen the country steer through the difficult times with confidence and courage. They have established without doubt the ability of the country to forge ahead even after calamitous shocks.

My purpose in recalling this background is to place the event as well as the work of the Thakkar Commission in a perspective which may tend to get overlooked in the heat of the discussion. The public interest, I may be

permitted to urge, would require and expect us to debate the Report in its proper context.

I would like now to draw your attention to the broad sequence of matters. Immediately after the assassination, the Government took two simultaneous decisions. One was to appoint a Commission of Inquiry and the other was to constitute a Special Investigation Team to investigate the assassination case.

A Special Investigation Team (SIT) headed by an Officer of the rank of Director General of Police and assisted by one IG, 3 DIGs and 3 SPs etc. was established on 15.11.1984. The investigation of the case had been taken up in the normal course by the Delhi Police and the responsibility for it was transferred to the SIT with its coming into being. The SIT was entrusted with the responsibility of carrying out the criminal investigation into the assassination with encompassed not only the actual perpetrators of the crime but also the conspiracy behind it.

The Thakkar Commission of Inquiry was appointed by the Government on 20.11.1984. The terms of reference of the Commission are reproduced in the Report itself. Broadly speaking there were five terms of reference. These can be summarised as below:-

- (1) Sequence of events leading to and facts relating to the assassination.
- (2) Lapses, if any, on the part of individuals on security duty and others responsible for the security of the prime Minister.
- (3) Deficiencies, if any, in the security system and its process.
- (4) Deficiencies, if any, in the procedures and matters relating to provision of medical attention after the crime and whether there was any lapse or dereliction in that respect.

[S. Buta Singh]

- (5) Whether any persons or agencies were responsible for conceiving preparing and planning the assassination and whether there was any conspiracy.

The Thakkar Commission gave its report in respect of terms of reference mentioned at 2, 3, & 4 above in its Interim Report presented on 19.11.1985. The Report of the Thakkar Commission on the remaining two terms of reference, called the Final Report was presented on 27.2.1986. Both these Reports are before the House. The Memorandum of Action taken on the recommendations contained in the Interim and Final Reports of the Thakkar Commission has also been placed before the House.

It will be recalled that under sub-section (4) of Section 3 of the Commissions of Inquiry Act, 1952, the reports were required to be laid on the Table of the House within a period of six months. The House will note that Justice Thakkar had stated in the Final Report that the contents of the Final Report may not be made public. The reasons for his recommendation are given in para 1.9 of the Final Report. In May 1986 the Commissions of Inquiry Act was amended by an Ordinance which was subsequently made into an Act No. 36 of 1986 dated 20th August, 1986. A Notification was issued on 15th May, 1986 in exercise of the powers conferred by sub-section (5) of Section 3 of the Commissions of Inquiry Act to the effect that it was not considered expedient in the interest of the security of the State and in the public interest to lay before the House of the people the reports submitted to the Government on the 19th November, 1985 and the 27th February, 1986 by Justice Thakkar and further that the said reports shall not be laid before the House of the People. This Notification was approved through a Resolution adopted by the Lok Sabha on 30th July, 1986. In coming to this conclusion, the Government had considered that the Interim and the final Reports could not in reality be seen as distinct and separate since they related to the

same event and consequence of making public the Interim Report withholding the Final Report would be confusing and not in public interest.

It is not necessary for me to recall the circumstances in which the Government decided to make the reports public at this juncture. These are contained in the statement of the Prime Minister in the Parliament on 17th March and my statement of the 27th March while moving a Resolution for seeking approval of the Notification rescinding the earlier Notification of 15th May, 1986.

I would like to draw the attention of the House to a characteristic difference between the Interim Report and the Final Report. The Interim Report had looked into system deficiencies and individual lapses. In appropriate cases, the Commission had issued 'show-cause' notices to individuals, obtained their responses and after such proceedings as the Commission considered necessary, have given findings. The Interim Report insofar as its recommendations are concerned, are based upon the findings of the Commission. This has been made clear in the body of the Report. In the case of the Final Report, the Commission has very clearly brought out that its exercise was in the nature of an exploratory exercise and it has formed certain opinions on the basis of the information collected and analysed by it. The Commission has made it clear, with particular reference to the conspiracy behind the assassination, that the final conclusions have to come out of the criminal investigations then in progress.

The SIT and the Commission had worked in close coordination and the SIT had helped the Commission in its work.

As I have already informed the House on the 27th March, the SIT had continued its investigation into the conspiracy and have since completed their investigation. The SIT has now filed a charge-sheet before the Chief Metropolitan Magistrate, Delhi, on 7th April, 1989, after obtaining government sanction as required under the law.

The completion of the investigation and the identification of persons to be prosecuted for the conspiracy behind the assassination is, the House will agree, a major achievement in the investigation exercise. It is also a vindication of the belief that there was a larger conspiracy behind the event. The Hon'ble Members will agree that working out the conspiracy case is a matter of satisfaction and reflects credit on the part of the senior officers working in SIT who have laboured hard to unravel the conspiracy in this complex case. I will be less than fair to them, if I do not acknowledge the merit of their effort at this juncture.

The SIT has thoroughly investigated the matter pertaining to Shri R.K. Dhawan in the context of which the Commission had formed an opinion about the suspected complicity of Shri Dhawan in the conspiracy and has come to the conclusion that such suspicion has no basis now that is after the completion of investigation and that there is no ground to indicate that Shri Dhawan was in any way involved in the crime or the conspiracy leading to it. The Government considers it unfair to the individual as well as the investigating machinery to prolong the controversy that has been generated and sustained by certain quarters with motives which will not be considered as honourable by any standard.

By a perusal of the Memorandum of Action Taken, the Hon'ble Members will notice that the security system of the Prime Minister and the emergency medical cover procedure have been reviewed and overhauled.

With these few words, I request the House to take up the Thakkar Commission Report for a full discussion.

MR. DEPUTY-SPEAKER: Motion moved:

"That this House do consider the interim and Final Reports of the Thakkar Commission on the assassination of Smt. Indira Gandhi, the late Prime

Minister and the Memorandum of Action Taken thereon laid on the Table of the House on the 27th March, 1989."

SHRI V.N. GADGIL (Pune): Sir, I would like to discuss the Commission's Report in two aspects. First is the Commission's observations about Mr. Dhawan. The observations have only to be stated to be rejected. His supreme loyalty is for me enough evidence of his innocence. Even journalists and editors, who are hostile to Congress, they have also written that he is completely innocent.

The second aspect of this Report, on which I would like to speak more is about the conspiracy. If you look at what happened, how did the assassination take place?

The day was carefully chosen. That was the day, if I remember rightly, the President was out of Delhi, Mr. Rajiv Gandhi was out of Delhi, the No. 2 in the Cabinet Mr. Pranab Mukherjee was out of Delhi, the Defence Minister was out of Delhi, the Home Minister was out of Delhi, the Cabinet Secretary was out of Delhi and the Principal Private Secretary to the Prime Minister was also out of Delhi. So, any one of importance who could have taken quick decisions after the assassination was out of Delhi. So, the day was carefully chosen.

The place was also carefully chosen. It was not a public place, it was not a public meeting, it was not a public function; the place chosen was her own residence. So, the place was carefully chosen.

The time also was carefully chosen. Because, all these persons, VIPs, whom I have mentioned, were expected back in the evening. Therefore, the duty of the assassins was changed from afternoon to morning.

Then, the assassin also was carefully chosen, a man who was with the family, about whom no suspicion can arise. So, the time was carefully chosen, the day was carefully chosen, the place was carefully

[Sh. V.N. Gadgil]

chosen and the assassin was carefully chosen. This was not the work of some ordinary security guard. There was a mastermind working behind this, probably outside India. The whole thing was devised by a mastermind and therefore this aspect of the Report requires to be highlighted.

May things followed after that. This careful choosing and planning gives me the idea that there is some mastermind working. I see a pattern: Allend in Chile, Sheikh Mujib in Bangladesh, Sadat in Egypt and Indira Gandhi in India.

**15.00 hrs.**

You see the pattern. All of them took certain independent position to the dislike of certain outside powers. All of them killed by their own security guards. You see the pattern. Some might say that this is my wild imagination. Fortunately, for us, there is documentation now. I am quoting now from a famous book "Spy Catcher" by Peter Wright. He was MI 15 operator. How did they operate in such things? He says:

MI6- the rival organisation-

"Virtually their entire network in Egypt was founded up and arrested on Nasser's instructions at an early stage in the crisis, and their only contribution was a bungled attempt to assassinate Nasser."

MI6 did make an attempt to kill Nasser. Then we will see in the same book to what extent they go how cruel they can become. He says:

"At the beginning of the Suez Crisis, MI6 developed plan, through the London Station, to assassinate Nasser using nerve gas. Elen initially gave his approval to the operation, but later rescinded it when he got agreement from the French and Israelis to engage in joint military action."

If Israelis and French had not agreed, the plan to assassinate Nasser would have been carried out. And to what extent, they go. This is what he says:

" I told him that after the gas canisters plan fell through, MI6 looked at some new weapons. On one occasion I went down to Porton to see a demonstration of a cigarette packet which had been modified by the Explosives Research and Development Establishment to fire a dart tipped with poison. We solemnly put on white coats and were taken out to one of the animal compounds behind Porton by Dr. Ladell, the scientist there who handled all MI 5 and MI6 work. A sheep on a lead was led into the center of the ring. One flank had been shaved to reveal the coarse pink skin. Ladell's assistant pulled out the cigarette packet and stepped forward. The sheep started, and was restrained by the lead, and I thought perhaps the device had misfired. But then the sheep's knees began to buckle and it started rolling its eyes and frothing at the mouth. Slowly the animal sank to the ground, life draining away, as the white-coated professionals discussed..."

See the cruelty of it. They did not bother what pain it caused to the sheep and the same pain would have been caused to Nasser if this device was used. What did they do? He says:

"..the white coated professionals discussed the advantages of the modern new toxin around the corpse."

To this extent, they go. It is not a wild imagination. I will not take time. There was a reference about the attempt made to kill Castro. Combined CIA and MI 5 operations—the interested parties—When CIA came to MI5 to help them in killing Castro, the reply of MI 5 was, "We are no longer an empire, 'you are a big empire, now you do it.'" This is the kind of cynical political game that is played in international politics.

So no one can say that some kind of wild imagination I have got. I am saying that some foreign power is involved in this.

Mr. Buta Singh and others asked themselves the question that something had appeared in two papers in 1986 i.e. *India Today* and *The Statesman*, why is it that a question was not raised at that time and why is it that it is being raised now? They gave two reasons. One was that the investigation was completed in January or February. That is why, it was raised now. The second was that Mr. Dhawan is reinstated. I think, there is a third sinister reason. And that sinister reason is approach of elections. There is no other issue. They tried many. So they thought that this could be done, so that if this issue is raised, they can capture public mind. That is the object. Again somebody might say that this is my wild imagination. If you see this, you will find how the game is played. What was done in a similar situation when elections were approaching in England? First they did not like Mr. Wilson because Mr. Wilson's Labour party was not favourable.

"After Harold Wilson became Prime Minister in 1964, Angleton made a special trip to England to see F.J. (Head of the organisation) who was then director of counter espionage. Angleton (CIA) came to offer us some very secret information from a source he would not name. This source alleged, according to Angleton, that Wilson was a Soviet agent. He said he would give us more detailed evidence and information if we could guarantee to keep the information inside MI 5 and out of political circles. The accusation was totally incredible (that the Prime Minister was a Soviet agent) but given the fact that Angleton was head of the CIA's Counter Intelligence Division we had no choice but to take it seriously."

Then what happened? A group of industrialists and others, who were hostile to the Labour Government and Wilson, met. This man was told by the leader of the group "We represent a group of people who are

worried about the future of the country. He said they were interested in working to prevent the return of a Labour Government to power. And how do you supposed I can help?" he asked. They said "Give us the information. And what is more? He said"

"Retire early. We can arrange something.!"

Then I am coming to the most important thing.

"Feelings had run high inside MI 5 during 1968. There had been an effort to try to stir up trouble for Wilson then, largely because the Daily Mirror tycoon, Cecil King, who was a long time agent of ours, made it clear that he would publish anything MI5 might care to leak in his direction. It was all part of Cecil King's "coup" which he was convinced would bring down the Labour Government and replace it with a coalition led by Lord Mountbatten."

Now I come to the most important part.

"But the approaching 1974 was altogether more serious. The plan was simple. In the run-up to the election which, given the level of instability in parliament, must be due within a matter of months. MI5 would arrange for selective details of the intelligence about leading Labour Party-figures, but especially Wilson, to be leaked to sympathetic pressmen. Using our contacts in the press and among union officials, word of the material contained in MI 5 files and the fact that Wilson was considered a security risk would be passed around....Facsimile copies of some files were to be made and distributed to overseas newspapers, and the matter was to be raised in Parliament for maximum effect."

Is it not the same pattern? The Commission has said that the timing of the assassination was important. I say that the timing of

[Sh. V.N. Gadgil]

the character assassination was also important. What is the timing? When Parliament is in session. What is the place? Parliament of the country. What is the day? The day on which something appears in Swedish newspapers about Bofors, the same day something appears about Thakkar Report. And who is the character assassin? A newspaper which has an obsession about Rajiv Gandhi. So, in the character assassination also, the time is carefully chosen, the place is carefully chosen, the assassin is also carefully chosen.

Again, behind this, I see a mastermind which has planned all this on the eve of elections. That is why it was not raised in 1986; it is being raised in 1989. See the pattern involved. Leak some information to the Press, then raise an issue in the Parliament and then create an atmosphere of suspicion, of rumour, of gossip, of doubt. Same is the pattern followed here. Leak something to the press, raise it in Parliament, create an atmosphere of suspicion, rumour, gossip, whisper and what not. Therefore, again I submit very humbly that this is not a wild imagination, this has happened. The same pattern is followed in other countries.

Then, Sir, much is made about the record and proceedings being not given to the House. Several instances were quoted by Mr. Chidambaram and others. If I am right, full report of G.V.K. Rao on the land scandal in Karnataka is not laid on the Table of the Karnataka Assembly. The Krishna Rao Commission's Report in Andhra Pradesh has not been laid on the Table of the House, and the same person's Report again laid on the Table of the House. If you look to other countries also, you will find that the practice is not to lay the record and proceedings. For example—I will not deal with all of it but will only mention—the Barlow Committee Report in England never saw the light of the day. Then there is another instance' quoted by Sir Alan Herbert "The Government, I believe, had made up their mind already

what they have intended to do and were not very pleased when I recommended something else. We wrote three different reports: and none of them was published." on grounds of security, etc. Then Fleck Committee Report—only one interim report was published; the rest was not published on the ground of public security. Then Plowden Group Report also was not published. Then there is the Radcliffe Committee's Security Procedure Report also which was not published. So, you can find a number of instances where reports, or full reports are not published. Why? The experience in America is this. There was a feeling at the time of the assassination of Dr. Martin Luther King that the would-be assassins had obtained a wealth of information about the techniques of the law enforcement agencies from the report of the Warren Commission. So, Warren Commission's Report was published. The result was that the assassins of Martin Luther King got all the necessary information to facilitate their plan. Therefore, in public interest it is not necessary to publish certain things, and that is what is done here. There is nothing wrong, even from democratic point of view, if you withhold in the interest of public security certain aspects of the report.

Then, much is made of the fact that in the Cabinet, the Report was not shown. Would you believe, Sir, that in England, the mother of Parliament, where we think that ideal democracy prevails, I can quote many instances? But I will quote only one. The decision to manufacture atom bomb by Attlee was not told even to the Defence Minister. After he retired, he was asked in an interview: "Why did you do it? Why did you not show it to your colleagues?" Apart from the fact that Mr. Churchill who succeeded him congratulated Attlee for not disclosing it to the Cabinet Attlee's reply is very interesting. This is an interview which he gave—by that time he had become lord—on 15th of July 1958. He said "I thought some of them, some of the Ministers, were not fit to be trusted with the secrets of this kind." I am glad that Mr. Rajiv Gandhi did not disclose to those two Ministers who have crossed over. They would have let out the secret. So, there

is nothing wrong if from some certain person the information is withheld. I will give finally two points Again I see this pattern. Whenever in a developing country a foreign power wants to interfere how do they do it? Sir, I am quoting here from a study made in London School of Economics. Barry Bizan worked under Prof. Northedge who was also my Professor when I was in the London School. This is the research. What does it show? He says that there are four stages in which outside power are interfering in developing countries. I quote:

" In such an activity manipulation of public opinion becomes the most important and subtle instrument to get the desired result. The first step is to encourage a sense of self-condemnation in a people, for instance, by actively encouraging corruption at all levels. In this private trade and big cartels may play important role.

The next stage is to create active public opinion at ainst the established order through the formation and growth of interest and pressure groups accompanied by demonstration, petitions, active lobbying, increased publicity through larg amounts of relevant literature for which clandestine finance has to be found. That in its turn is bound to undermine the economy of the target country."

" The third stage can be described as the credible threats of public action. Under this' groups and individuals pledge themselves to withhold taxes, to initiate and support industrial unrest, to disrupt education by encouraging youth revolt and to undertake legal or illegal methods of changing the established Government.

The final stage is the extreme public action through large-scale internal unrest varying from widespread rioting and disobedience to authority to open revolution against the Government."

Sir, what has happened in the last few months? Don't you see the same thing? I think we are at the second stage which he has mentioned there. The third and the fourth stages are going to follow. That is the threat to the unity and integrity of India. Then, it is said: why do you accuse certain political parties of being non-patriotic? The fact remains that there are certain political parties in India whose approach is totally different and again it is not my wide imagination. This is the book of Reminiscences by Escott Reid who was Canadian High Commissioner to India during Nehru's time. This is what he says:

"Similarly, a puzzling call on me by a senior officer of the American Embassy, who may have been the principal C.I.A. representative in India, further clarified the views of those who agreed with the thesis"

I will not read the whole thing. The thesis shortly was that the Third World War must be fought in Asia and for that you require soldiers. Who are the best soldiers? Indians and Pakistanis. About Pakistanis "we have got with us". But Indias "We are not getting them". Why? because Nehru and therefore the thesis was that certain developments would take place which, he says, will stop supplying arms to India and India will be in a corner. These developments will take place.

"These developments would weaken Nehru and the Congress Party and strengthen the right-wing Hindu group, the Jana Sangh, some of whose members were prepared to support a military agreement with the United States."

This is what he says. And lastly, he says:

"The threat which was conveyed to me in this conversation that the United States might cut off essential supplies to India if India refused to enter into a military aid agreement. with them."

[Sh. V.N. Gadgil]

This is the plan. Again, I do not think it is my wild imagination when I say that there are some parties whose approach is totally different.

PROF. N.G. RANGA (Guntur): When was this published?

SHRI V. N. GADGIL: It was published in 1981. (*Interruptions*) Therefore, to sum up, Sir, I see a master mind, a pattern and a well concerted plan behind all this. That is the danger which has been at least partially indicated by the Thakkar Commission.

Sir, the tragedy that took place on that day had affected lives of thousands. But I can only conclude by quoting a great writer. He had written in the *New Statesman* an English weekly, on 15th March 1974 after the assassination of Allende in Chile, and I think this sums up best at least my view about the tragedy:

"The drama took place in Chile, to the greater woe of the Chileans, but it will pass into history as something that has happened to us all, children of this age, and it will remain in our lives forever."

So, what happened on that day? The assassination of Indira Gandhi will remain with us throughout our life. Some body who was there—she was a lady—told me that when she saw a saffron coloured saree smeared with blood, but on the face tremendous serenity, she said, 'I felt that this is not Indira Gandhi, this is Bharat Mata. That image will remain in my life throughout.

SHRI BIPIN PAL DAS (Tezpur): Sir, after a very learned speech of my friend, Mr Gadgil, I don't think I have much to say on the subject and particularly I have become a little discouraged because of the absence of my friends on the other side. It would have been better if we could have spoken on the subject in their presence. But any way we have to go through the debate.

Sir, in my opinion the assassination of Shrimati Indira Gandhi was not just an isolated incident or accident. It was not just the case of a Prime Minister or a distinguished leader being eliminated physically. It was not even a case of two security men committing a crime in a highly emotional state of mind. It was not an act of anger or impulse on the spur of the moment. Nor was it only an attempt at a political coup in the ordinary sense of the term.

The assassination of Shrimati Indira Gandhi was the prime object of a master plan which has come out in the press now, a bigger conspiracy by the forces of destabilisation. It was an attempt not simply to remove from the scene the strongest pillar of national unity and integrity and stability, but essentially to create thereby a situation of chaos and disorder, communal riots and widespread violence so that our country and our political system might be established and our independence, sovereignty and national integrity might be thrown into jeopardy. That was the whole intention of the master-plan and the assassination of Indira Gandhi was only one of these items. The Press has summarised the entire picture of this larger conspiracy in this way:

"To do sensational acts including blowing up of Parliament House, hijacking, disrupting power supply and poisoning drinking water. Kidnap children of VVIPs, including of Rajiv Gandhi."

Seeking foreign intervention for liberation of Sikhs. To establish separate Sikh state by waging war against the Government.

To assassinate Indira Gandhi.

Incite disaffection in police and paramilitary forces in Punjab.

Propagate sedition, illwill and hatred against the Government.

Procure arms, ammunition and explo-



sives for terrorist offences.”

Thus, the press has summarised the whole picture of larger conspiracy, and assassination of Indiraji was only a part of it. The operation of the forces of destabilisation was nothing new. They are now operating in this country ever since our independence, in various forms, all the time trying to divide and weaken the country and even to break it up into pieces so that the forces of imperialism and colonialism may get an upper hand in this particular region. Indira Gandhi stood as a solid rock against these forces and that was why she had to lay down her life at the hands of assassins. Throughout her life, she stood firmly for the cause of secularism and so she was the target of guns held by the forces of communalism and fundamentalism. It is well-known and well established by now who are those external forces which have trained, armed and financed terrorists in our country. The situation has changed in Pakistan and I welcome the restoration of democratic process in that country and wish well the democratically elected government of Pakistan. But we cannot forget what the military dictatorship under Zia-ul-Haq did to encourage and instigate the terrorists in our country. He acted as the chief agent of the forces of destabilisation in this region. I was surprised that two of our prominent Opposition leaders accepted his hospitality in Pakistan and praised Zia-ul-Haq sky high, but did not speak a word to Zia-ul-Haq about Pakistan helping the terrorists in India. Everybody knows who are those outstanding leaders of the Opposition.

SHRI SHANTARAM NAIK (Panaji):  
George Fernandes and Biju Patnaik.

SHRI BIPIN PAL DAS: They are George Fernandes and Biju Patnaik, I confirm. They visited Pakistan and accepted the hospitality of Zia-ul-Haq in early 1984. They praised Zia-ul-Haq sky high but did not speak a word against Pakistan helping the terrorists.

Sir, besides specifically mentioning some officers for their failure in performing

the duties, the Thakkar Commission report has also pointed out some lapses in the security arrangement and medical facilities for the VVIPs. The Commission has made several recommendations and the action-taken report of the Government is also placed on the Table of the House. I do not want to go into those details.

Only on one point, I would like to make my comments. The Commission raised some doubts and suspicions about Shri R.K. Dhawan. They have given some reasons too but, I am sorry to say that I am not at all convinced by what the Commission has said regarding Shri Dhawan's involvement. I know Shri R.K. Dhawan very well for long years. His loyalty and devotion to Indiraji cannot be questioned by anybody. He stood by her during the darkest period of her life, at the most critical times when she was out of power and he could not be lured away by the Janata party although they tried very much to lure away Mr. Dhawan from Indira Gandhi. They failed. It was therefore, not just and fair on the part of the Commission to question Mr. Dhawan's integrity or to suspect his involvement in Indiraji's murder. However, I am happy that the SIT has cleared Mr. Dhawan completely.

But the question is who has leaked a part of the report to the press and why. Mr friend Mr. Gadgil tried to answer it in an indirect way. I will answer it in a direct way. Shri Buta Singhji said that the same part of the report was leaked in some journals in 1986. At that time, the report was in the possession of the then Minister of Internal Security whose name is Mr. Arun Nehru. Everybody knows. Why should you want his name? Everybody knows it. It is, therefore, clear to who might have leaked that report at that time. It is natural to conclude that the same source must have done it this time also. At that time, it was obviously done to harm Mr. Dhawan whose case was still under investigation. But, this time it was done specifically with the sole objective of harming Prime Minister Shri Rajiv Gandhi because the Prime Minister has reinstated Shri Dhawan in his secretariat. That was the

[Sh. Bipin Pal Das]

anger and to put Prime Minister in the wrong, they leaked out the report about Shri Dhawan. But the Prime Minister reinstated Shri Dhawan in his Secretariat only after Shri Dhawan was cleared by the SIT. This time, the target of the leakage was none other than the Prime Minister himself and it was wholly politically motivated. Some of them even recently tried to win over Shri Dhawan to their side. Some names have come out. Some belonging to so-called Jan Morcha of the old days, Mr. Arun Nehru and Mr. V.C. Sukla and one more. They tried to win over Mr. Dhawan to their side but they failed. When they failed, they not only tried to expose Shri Dhawan but also to expose the Prime Minister. That was the main objective of the case. Otherwise, there was no other reason why they should leak it out.

There are some people who are interested in finding fault with the Government and do not appear to be concerned at all with the implications of the larger conspiracy. Petty-minded upstarts take perverted pleasure in putting the Government in embarrassment. I know at least one editor and one advocate for whom any stick is good enough to beat the Government and who will go to any length even to join hands with if necessary, and encourage anti-national and disruptive forces to put the Government in difficulty. They will not mind putting national interests into jeopardy in order to serve their narrow perverted interests. Who does not know that there are persons in the Opposition who openly supported Khalistan or still support Khalistan or who took part in the Bhog ceremony of the assassins of Smt. Indira Gandhi? There are persons in the Opposition. I am surprised that the majority of the Opposition have allowed themselves to be led by these Groups of Opposition who willy-nilly subvert and create conditions of disruption in our Parliamentary Democracy. I am quite surprised. I do not accuse the entire Opposition. But there are certain forces which want to do such things. I am only surprised that the majority of the Oppo-

sition have allowed themselves to be carried away by these forces.

Why did they choose this particular time to leak part of the report? Shri V.N. Gadgil answered the question. It was precisely because the SIT just completed their investigations and was about to chargesheet some persons in a larger conspiracy case. By now, the chargesheet has been framed and all facts have come out in the Press. When the SIT was just at the point of framing the chargesheet they leaked out the report. The whole purpose of the leakage was to create confusions and a cloud of doubts and suspicions so that the due process of law somehow gets defused or derailed. This is also the reason why there is a demand to place all the records and proceedings of the Commission on the Table of the House so that the larger conspiracy case becomes blurred and prejudiced. These are the reasons, in my opinion, why they have done this at this moment.

Sir, the most intriguing part of this whole episode is why this sudden concern of the opposition for Indira-ji's assassination? During her life-time, she was the target of the Opposition attack everyday and for every thing right or wrong. She was harassed and persecuted to the extreme when she was out of power. She was unjustly expelled from the Lok Sabha, she was sent to jail to satisfy their political vendeta.

PROF. N.G.RANGA: She was also imprisoned.

SHRI BIPIN PAL DAS: There were even attempts on her life by crowds instigated by the same Opposition forces. It was again the same newspaper and the same advocate who were the chief advisors of the Opposition in their vicious campaign against Indira-ji. It was again some people who not only rejoiced at the assassination of Indira-ji but also took part in the Bhog ceremony of the assassins after they were hanged. Some of them even went to the extent of questioning the judgement of the law courts in the assassination case. Now they are exhibiting

serious concern about how the assassination took place and what the Commission has to say about it. Who did it? Why was it done so? Why have they done it? Why are they suddenly feeling for the assassination of Indira-ji? Is it really a sign of genuine sympathy for Indira-ji? It is not so.

They know very well one thing. Shri Gadgil did not say one thing and I am going to say about it. They know very well that whatever they might think of Indira-ji, she still, even after her death, rules the hearts of millions not only in this country but throughout the world even today. One of them said the other day that we won the elections in 1984 because of the people's sympathy for Smt. Indira Gandhi. They said that. Now, therefore, it is they who must try to cash in that sympathy in the next election by showing concern about the assassination and by putting all the blame on Shri Rajiv Gandhi. This is their aim and objective. They have failed already in their attempts. This is their objective that by showing sympathy for the assassination of Smt. Indira Gandhi and putting the blame on Shri Rajiv Gandhi, they want to win over the sympathy of the people. Why is this attack on Shri Rajiv Gandhi? It is because he has given shelter to Mr. Dhawan who was suspected by the Commission of involvement in the assassination case. In fact, Shri Buta Singh raised the question on Monday the 27th March, why was the opposition completely silent when the part of the report was leaked out in 1986? And why have they raised it here now and why have they raised this hue and cry about it now? One of them remarked—a Member of the CPM—that that was not the opportune time, the appropriate time. That means, the time has become appropriate and opportune only now because elections are coming. That also means that they are hoping to make use of this issue in the next elections. So the row kicked up by the opposition on Thakkar Commission's Report is nothing but politically *motivated* and they are not at all concerned about what the Commission has said about the security arrangements for the Prime Minister of this country or about the larger conspiracy behind the assassination.

They are not concerned about all these things. They are concerned about how to make use of this in the next election for their interest.

Let me conclude by saying that my friends in the opposition are feeling frustrated to find that neither Bofors nor Fairfax nor Submarine Deal paid them any political dividend. Those issues failed to stick and the people were disgusted. So they are trying now to play the Indira Gandhi card. This is only a sign of their desperativeness. It is indeed an irony that today the persecutors of Indira Gandhi have felt compelled to use the name of Indira Gandhi for their political survival. The people of this country, Sir, are not fools. They may be illiterate; they may not understand politics, they may not know any ism, but they have an X-ray vision and can see through the cloak put on by the opposition to hide their real motive. Hypocrisy and crocodile tears do not win elections. These tactics are no substitute for absence of positive policy and programme.

The opposition is bankrupt. They have no policy or programme. They do not mind wasting the time of the House on non-issues, because they have nothing positive to offer. Their only aim is to somehow win the election by resorting to gimmicks and playing to the gallery. Only a few months to go and they will learn a bitter lesson at the hustings.

[*Translation*]

SHRI SHRIPATI MISHRA (Ma-chhlisahr): Mr. deputy Speaker, Sir, the two speeches I have listened to just now are in a way complete in themselves. Everyday we saw discussions being held on this matter from every possible angle. So much so that there does not seem anything left to say. But I shall take up the discussion from a question that has arisen in my mind. The hon. Minister has also gone on record to say that at that time he was the Minister of Internal Security and it was then that the Report was leaked. But that poor gentleman has already issued a press statement that he has not seen the Report let alone read it. I give him respect

[Sh. Shripati Mishra]

because he has been my colleague at one time. After Shrimati Indira Gandhi's assassination, the Thakkar Commission was constituted to go into the matter. The recommendations of this Commission necessitated the formation of the Ministry of Internal Security. And he was considered the best person to take charge of this Ministry. In other words, he was a doctor responsible for curing the ills affecting the V.I.P security system. He did start this work but stopped short of reading the Report. May I know why? How could he have been unmindful of a Report that clearly mentioned the weaknesses in the security system and suggested remedial measures to overcome them? To have given little importance to reading the Report shows the carelessness and incompetence of the person and a casual approach towards the task he was assigned. Entrusting such an important department of that person was itself a folly.

Another very learned and respected gentleman said that he too had not read the Report. I heard him saying in this very House that it was in national interest not to tackle the Report and that an amendment should be passed. When the Opposition asked as to why the Report should be withheld, a number of reasons were assigned therefor one has not seen the contents of a Report one can hardly pass judgement on whether the report will be damaging to public interest on what stopped him from reading the report. The justification for an amendment was given without even reading the contents.

Another gentleman says that the Report was not shown to him. But why didn't he try to see the report being as he was in such an influential position?

After Shrimati Indira Gandhi's assassination everyone eagerly awaited the cubwebs of the Thakkar Commission. Anyone not interested in the findings would be devoid of all feelings and is not fit to be a human being. He did not even ask the hon. Prime Minister to show him the Report if he

had done so, the report would have been shown to him considering his influential position next only to the Prime Minister.

He resigned from the Chief Ministership of U.P. complaining that people were creating a furore over killings taking place during his tenure. He ran away from the scene. May I ask him whether he had ever two M.L.A.s to support him in the state assembly. But Shrimati Indira Gandhi adjusted him in the Centre. When asked he said that he was unable to manage the state's affairs.

They term it as sacrifice. somebody fled from the cattle field and did not fight at all, and he was called a man of sacrifice. That man of sacrifice betrayed the persons with whom he was associated and betrayed the Cabinet of which he was a part. It was termed as has straight forwardness. Finally, the report was not made available to the person whose betrayal was called frankness and fugitiveness sacrifice. Let us take it for granted that the report was not received by him. When the report was not received by him, why did not the very point strike him that the report was so important and why did not he insist that his going through the report is absolutely necessary. He should have pressed to see it. When the report was so important and necessary why did not he press that the report should be read out and placed before the Cabinet so as to enable him know about the Indira Gandhi assassination case. Why did not the very point rise in his mind as to who was the culprit? He should have demanded for the arrest of the culprit. The report was printed in 1986 and it was leaked out only for a particular person. It was leaked out for that person who rose from a very ordinary position to this respectable position by dint of his diligence, hard work and honesty. He remained with Shrimati Indira Gandhi from 1977 to 1980 when big people used to meet her without disclosing their identity. Whenever I went to see Shrimati Gandhi at 12 Willingdon Crescent, I found a number of big people leaving their cars at Teen Murti chowk before proceeding to meet her to avoid the vigilance people who might recognise them and note their names.

But that person gave up his Government job and remained with her undaunted. When these people came to power they wanted him to make false statements against her so that they could take advantage of his false statements. But he did not relent. He remained firm in his loyalty. He kept mum from 1984 to 1988. Even then, I am plead for him I afraid of the judges who solve the problem of our livelihood. In spite of all this I would, first of all, like to make one thing clear that these people find it easy to mislead the common man. A common man does not know what the Commission of Enquiry is, what is investigation and who is the competent authority.

15.52 hrs.

[MR. SPEAKER *in the Chair*]

He does not understand these things so easily. The only thing he knows is that some incident has taken place and the matter is being investigated. He understands that the Enquiry Officer will probe into the matter and make everything public. He thinks that the enquiry commission is just like a village panchayat. But the Commission has got its jurisdiction and purview which is generally decided by the provision of an Act. It has been entrusted with some powers under the civil procedure code. It can summon the witnesses under these powers. There are various sections in the Act which deal with various aspects of the crime like nature of the incident and prosecution to be followed thereafter. Everything has been well defined in the Act. The Indian Penal Code specifies the kind of cases to be investigated. The Cr. P.C. lays down the procedure of investigation. A person can be convicted only when an enquiry is held under the above Act and a chargesheet is filed thereafter. It cannot be otherwise. In the present case. The Commission was set up to go into the causes of such a tragic incident and the circumstances responsible for this. It was set up also to find out the acts of Omission and Commissions on the part of the persons who were holding responsible positions. The commission was asked to go into all such

details to probe into the whole case. Then only appropriate action will be taken against the culprits.

I have gone through the entire report. The question of whole or part of report was also raised here. But that does not matter because there is none of the opposition members to object to it. In fact they want all the documents of the report to be produced here to get apprised of the entire proceedings of the commission. Though they have stood out of the commission.

[*English*]

You are not taking the place of commission.

[*Translation*]

Instead of knowing the facts of the incident as given in the report, they are going in to the merits and demerits of the report. You are not taking place of the commission for all these things. Actually you should know what enmates from this report and for that you require all the documents in the possession of the commission. Even in the case of that commission it is not certain what they would have done but it was not too late that their term of power was over. Otherwise they would have laid here in this house truck load of papers alongwith the inkpots, ink, rough papers, tables and chairs etc. with which Shah Commission had done its work. It was a good sign that the Commission wound up early, otherwise this august House should have been filled up by these materials. Now a major point has been raised that he changed the time. Then who will change the time? When they are the people who used to fix time for meeting Indiraji who else will change it? Time is fixed daily and changed. To whomsoever it may concern, time of appointment is always changed slightly say in 10 to 25 percent of cases, time is changed. The time was changed for some reasons. Now even with this change they sense a conspiracy and Centre all their doubts on change of time. Thank God that they did not take any other decision and did not award

[Sh. Shripati Mishra]

any punishment. Had they been judges of the Supreme Court, more complications might have been created. They did not award any punishment. Changing of time or change of duties amongst the officers working there was a very ordinary thing. They could have mutually changed their duties. But now this thing has assumed importance because such a serious incident has taken place. Otherwise minor changes in the time of duty, punctuality of duty hours or stay after the usual duty hours was not so note worthy a thing. The most important thing is the motive behind the crime. What could be the motive with which Shri R.K. Dhawan would have taken interest and involved himself in a crime of this nature. The respectable post and status Shri Dhawan was holding is rarely available to any other person at any other place. Even then they accuse him. He was only an ordinary stenographer and had reached that height. He displayed the greatness of his morale. He did not give a chance to any person to raise his finger against him even amidst the adverse circumstances. I have seen it myself. These people who were once very close to the Prime Minister who had elevated them from lower position to the heights of power at the Centre, quit the Government and forgetting all their relations, are now so much annoyed that they are prepared to go to any extent to cause harm to Shri Rajiv Gandhi. Now you compare these relations—one is the relation of blood and the other is relation of a servant and a master. How can these two be compared with each other as they stand poles apart from the loyalty point of view? Now the third thing that I would like to submit is...*(Interruptions)*

SHRI KAMAL NATH: This much is enough. These days people are on a propaganda spree. They claim themselves as Thakurs, Brahmins, Pandits etc. Similarly some how or the other they are being called Nehru. Any how at least he should maintain the grace of this name.....*(Interruptions)*

SHRI SHRIPATI MISHRA: Finally it

was said that the opposition has started this to make political capital out of it. I have no regrets for this if the opposition is doing like that to make political capital out of it. The only thing that pinches me in their foolish manner of starting it. Now there are two things. They wanted to examine Indiraji's culprits. The report was published in 1986. Had they any interest in the protex they could have started this when the case was being tried in the court and the matter was being investigated. The report had already been submitted and they could have held discussions on it. Perhaps truth could have come to light by its and the matter could have been investigated more deeply. Had there been a proposal to send the assassins of Indiraji to jail... It was not done at that time. They have chosen this movement for it. Now who is shedding tears? Only those people are shedding tears who were appealing for clemency to the assassins of Indiraji after they were awarded the capital punishment. Now tears have appeared in their eyes. Now they claim that the report should be placed before them. Even after the award of punishment they stood for clemency. May I know the basis on which clemency was sought for the assassins of Indiraji. However they made the appeal and now they want to create a reverse situation.

16.00 hrs.

Shrimati Indira Gandhi sacrificed herself for the unity of the country. I would like to say that Indiraji was the soul of the nation. Perhaps she left that almost all her family members had gone to jail and made all sorts of sacrifices for the country but none of them could become a martyr. Indiraji became a martyr for this country and they ask for an investigation into her assassination, whereas when terrorism was at its peak they used to participate in the 'Bhog' ceremony of terrorists. When Hon. Prime Minister says that some of our opposition colleagues are extending their support to the Khalistan movement they are against him. What a pity is it that the persons who are supporting an organisation which has taken up the cause of Khalistan and has decided to lend support even for the next 100 years, are now willing

to know about the assassins of Smt. Indira Gandhi. I would like to say in this regard that they are willing to know nothing at all, but want to confuse the public and draw political mileage through this cunning chessboard trick. They would try to twist the facts and say that the report which has been presented in the House is not complete. Everything is there, in that part of the report, which has not been made public. They just want to say that this report is not the real report. It is being said that discussion can not be done unless the complete report is presented in the House. In this connection, I would like to say that there is no need of presenting the complete report because an intelligent and a good lawyer can argue his case on the basis of the judgement alone and he does not deem it necessary to hear or read the witnesses or to go through the whole file of the case. If one has the ability to discuss the matter he can do it without having the complete report, otherwise, he would not be able to discuss it even after getting the whole material. The complete report is present in the House and our colleagues belonging to the opposition parties can discuss it after going through it. If they had raised the issues after participating in the discussion on the report then it might have become clear that the opposition members are serious to know who else were included in the assassination of Smt. Indira Gandhi. But, unfortunately, this did not happen. This is unfortunate for a country like India that its respectable opposition leaders are not taking part in such an important discussion today.

I shall not take more time of the House and will conclude my speech after saying one more thing. This is not the first time that they are acting in this manner. Earlier also, when the matter regarding Bofors was raised in this House, a request was made by our opposition colleagues to constitute a joint parliamentary committee to go into the matter. We were also of the opinion that a joint committee should be appointed. But, Hon. Prime Minister, Shri Rajiv Gandhi offered to get the whole matter investigated by a Supreme Court judge. However, we were

in favour of appointing a joint committee, so that the whole matter is cleared and the truth is made public. We agreed to get the sword hung over our necks. When it was decided that a joint committee would look into the matter, then our colleagues belonging to the opposition parties began to raise another issue. They said that the Chairman of the Committee should belong to the opposition, thereby flouting all rules and regulations. It means that they wanted to file the suit in the court of their own judge. When the joint committee was appointed they boycotted the committee and did not participate in the proceedings of the committee. Now, when the report, whether it is complete or incomplete, we say it is complete—has been presented in the House, one of the hon. Members has come up with a new stunt saying that this report is a tampered one. There is every possibility that our hon. colleagues belonging to the opposition parties may raise another issue tomorrow saying that this is tampered report. This thesis of tamper and distemper will continue like this in the House and there is the possibility that they will bring some other thing later on.

In this connection, I would like to say in the end that I am grateful to you for presenting this report in the House. You wanted to place it in this House after completion of investigations and it has been done at the earliest. But they want to tell the people that it has been presented due to their efforts. Let me presume that it has been presented because of their efforts only, but if it is so then why don't they participate in discussions on it. They have not participated in it. By not doing so they have admitted that there is nothing in this report which goes against the ruling party.

Now all the misgivings have been removed from the minds of the people and if these are still there, then every citizen and the people who sometimes create misunderstandings, should try to remove them.

With these words, I thank you.

[English]

THE PRIME MINISTER (SHRI RAJIV GANDHI): Mr. Speaker, Sir, it is not easy for me to speak on the issues that are at hand because although in a sense they are sterile, in another sense for me they are highly emotive and they take me back to a very difficult period.

Sir, prime Minister, Indira Gandhi was shot in broad daylight on October 31, 1984 by two assassins in front of numerous witnesses.

Three actions became incumbent upon us first, to prosecute those that were responsible; second, to institute a criminal investigation into the assassination and the attendant circumstances; third, to establish a Commission of Inquiry to go into the security lapses, the deficiencies in medical facilities and medical attention, as also the wider ramifications and implications of any conspiracy that might have been there.

This House will appreciate the inter-connection between these three sets of actions. The time frame for their completion could not be co-terminous.

Indiraji's assassination was not just to murder her, it was through that act to kill all that she stood for and fought for.

Indiraji stood for democracy. She was a democratically elected leader of the largest democracy in the world. She was a great believer in democracy and in the people of India. It is the enemies of our democracy who were out to destroy Indiraji, and the democratic foundations of our polity.

Indira Gandhi stood for secularism. She was deeply committed to secularism as the bedrock of our nationhood. The voters of religion in politics were out to eliminate her and in eliminating her to eliminate the secular basis of our nationhood.

Indira Gandhi stood for nationalism.

She was propoundly dedicated to the independence of India. The opponents of our independence were out to finish her and with her to finish our independence, our very existence.

Indiraji stood for self-reliance. She was devoted to a self-reliant India. Those bent on sabotaging our self-reliance were out to end her and our self-reliance.

Indiraji stood for stability. The incessantly drew attention to the nexus between terrorists operating inside India and elements working outside India instigating and assisting them. Those determined to dismember India were out to murder Indiraji and to so fulfil their nefarious purposes.

Indiraji stood for patriotism, Sir. The last drop of her blood was for the motherland for its unity, for its integrity. The enemies of our unity and the foes of our integrity were out to kill her and through that to destroy the unity and integrity of Bharat Mata. The assassination of Indiraji was not only the murder of an individual. Their motive was to break our unity. Their purpose was to sabotage our integrity. Their aim was to wreck our secularism. Their goal was to subvert our self-reliance. Their intent was to destroy our democracy. And their objective was to cut at the roots of our existence as an independent nation.

Sir, it was our duty to ensure that the assassins and their accomplices be brought to book; to ensure that the conspiracy from which crime was hatched be exposed and revealed.

The conspiracy which had spread its net wide both here and abroad had to be unrevealed so that the death of our Prime Minister did not become the death of our democracy, nor the end of our secularism nor the termination of our self-reliance. The conspiracy had to be traced to its farthest reaches to protect the nation from the most serious threat to our integrity, unity and independence since the wresting of our independence, our freedom in 1947.



The assassins were apprehended on the spot. The conspirators remain at large.

The assassin was given every opportunity under the law to defend himself. So were his accomplices. It is worth noting that a seven-man Bench of the Supreme Court passed the final judgement; a judgement given after due deliberation under the prescribed law. And an unprecedented step was taken in giving the accused a second opportunity. It is distressing that the integrity of judges is being impugned even in the precincts of Parliament. Sir, the motivation is not very clear. Obviously it is not the finer points of jurisprudence but ulterior political ends that are the motives.

There is an inalienable right of the accused to secure Defence Counsel and there is the inalienable right of a lawyer to extend his professional services to his clients. But when legal practice becomes a cover to pursue dangerous political pretensions, then it is incumbent upon us to expose the political wolf masquerading in the robes of a legal sheep. It is also incumbent upon us to expose his political accomplices.

If it is for the courts to defend the rights and privileges of the accused and their defence counsel, it is for the Parliament to expose the machinations of errant politicians.

In the aftermath of Indirajī's assassination we established a Special Investigation Team, the SIT, under an experienced police officer with a long track record in criminal investigations. SIT's instructions were clear, to investigate the crime and the attendant circumstances. We established a Commission of Inquiry. To constitute the Commission of Inquiry we selected a judge in consultation with the Chief Justice of India. The chief Justice suggested the name of a distinguished sitting judge, Justice Thakkar. A close linkage was established between the functioning of the SIT and the Commission of Inquiry.

Sir, the learned judge himself asked that his report be kept secret. This recommendation was accepted by Government. Government's decision accepting the learned judge's recommendation to keep the report secret was submitted for approval to this House. And this house endorsed the decision by adopting a Resolution.

This House derives its mandate from the people. The will of the House is the highest expression of our democracy. As Leader of the House, it is my sacred duty to ensure that its will is respected.

Sir, the Congress Party takes its inspiration from an ideology of over a hundred years of service to our Motherland, from principles which brought us our Independence, from ideals that have informed our modern nationhood and from a vision that has transformed humankind. Our inspiration does not come from the pages of some newspaper. We are the party of Mahatma Gandhi, Jawaharlal Nehru and Indira Gandhi. We have no lessons to learn from those who ejet elected in one guise, and then hope from seat to seat in a miasma of shifting loyalties and opportunistic alliances. We have nothing to learn about principles or ideology from those who lack boin.

Sir, the will of this House was flouted by the unauthorised passing of a secret report to unauthorised recipients. What did the Opposition do? Did they condemn the breach of privilege of this House? Were they outraged? Did they give expression to their outrage?

Some one has betrayed the will of Parliament. Someone has breached the trust reposed in him. Someone has violated his oath of secrecy. Someone has been a traitor to his word. The leak has not come frome us. We will institute inquiries to determine the source of the leak.

For the past few weeks, some members of the Opposition have behaved like mariottes of manipulative journalism. This is not surprising. We are used to this spectacle.

[Sh. Rajiv Gandhi]

But what is distressing is the spectacle of responsible opposition parties with an unimpeachable record of nationalism, drifting along with such people, to be drifting along with them in the same boat. Let me caution them: that boat is full of leaks!

Sir, allegations about the contents of the Thakkar Report reached the press three years ago. But no repercussion was heard in this House or elsewhere. Why did this not happen Sir? Was it because the journalists concerned did not instruct the stalking horses of the Opposition on what to do? Or is there a deeper significance to the timing of this latest brouhaha?

The Thakkar Report pointed to a larger conspiracy over and above the crime on the spot. Those in the know of the leaked contents also knew that criminal investigations were drawing to a close. They knew that non-disclosure of the Report was to preclude prejudicing the investigations into conspiracy and the prosecution of the conspirators. Why then the leak now? What was the intention of the accessories of the crime of leaking the nation's secrets at this time and in this manner? Why did they not disclose their hand earlier? Why now?

Some Akali leaders have said that the conspiracy case has been filed because the report was made public. In a sense, the nexus is correct but the cause and effect are wrong.

Sir, the noise was raised because we were on the point of filing charges against the conspirators. The Thakkar Report led to a line of investigation which exposed the conspiracy. So the friends of the conspirators acted to forestall the conspiracy being revealed. They knew the net was drawing to a close. They knew after Atinder Pal Singh was picked up late last year that the Investigation Team was close on their heels. They knew that it was only loose ends that had to be tied up. They knew that only charge sheets were to be filed. They knew once the

case was in the Courts, the Thakkar Report would inevitably have been made public.

So, they chose a diversionary tactic on the eve of filing of the chargesheets. They thought up this exercise of reviving what was an old thing. The friends of the conspirators could, if they had wished, have leaked the portions of the Report relating to the conspiracy because if we believe what they say—they say they have the full Report—why then only a selective leakage pointing in one direction? Why not a complete leakage? Why were they trying to protect the conspirators? Was it not a ruse to divert the attention of the nation? If it was not, why was the leak a selective leak? And if not, why now and not earlier?

We do not have definitive answers to these questions. What we do have is a stackful of needles quivering on the magnetic field of suspicion that point to the conspirators, that point to their political peers, that point to their friends, that point to their accomplices.

The political conspiracy was with a criminal purpose and treacherous intent. Criminal because its means were assassination and anarchy. Treacherous because, it was aimed at wrecking our independence, our unity, our integrity, our very existence.

The conspiracy relied on detonating the explosive mixture of religion and politics. The last time that mixture was detonated, it led to partition. Never again will we allow our country to be partitioned or divided. Never again will another Resolution whether moved at Lahore in 1940 by the Muslim League or moved in Anandpur Sahib in 1978 by the Akali Dal be allowed to break our unity or compromise our integrity. We are one nation. We are one people of many religions but of a composite culture. Our unity allows for diversity, but there is no room for sectarianism, violence or secession. As Justice Sarkaria has observed of the Anandpur Sahib Resolution "The country cannot survive as one integrated nation if the Anandpur Sahib Resolution is accepted."

Yet there is an MP, who is not a member of the Akali Dal or of its many factions, who has overtly supported the core of the Resolution. When he first espoused this ignoble cause he was not a member of any political party. Then he was deliberately adopted by the Janata Dal and made their candidate for the Rajya Sabha. Why did the Janata Dal go out of their way to select such a man unless it was that they shared his views?

I concede, of course, that the Janata Dal are such a confused lot that they did not know or did not care to find out what this gentleman was up to or what he was doing behind their back. But now it is over a month since Parliament was made aware of his nefarious activities. Has his Party done anything to throw him out of their ranks?

And what are the responsible nationalist parties of the Opposition, those that are part of the National Front, those that are part of the Janta Dal? Have they demanded his ouster? No, they have not, No, they have not done so. In effect, they have acquiesced in this national affront. Indeed, their silence is inadvertently aiding and abetting those dangerous wayward elements who seek to destroy our country. By default they are giving encouragement to the terrorists. There are sins of commission and sins of omission. I appeal to all responsible nationalist opposition parties to distance themselves publicly and clearly from these elements. Let the people of the country see the Opposition repudiate them. Let the terrorists see the nationalist parties of the Opposition's repudiation.

When the Thakkar Commission Report was tabled, a wholly unnecessary controversy was raised on what constitutes a "Report".

I would like to note that, in tabling the report in the manner it was done, no departure had been made from any precedent. As in the past, so on this occasion, the Report was tabled, but the proceedings were kept in Government archives. Never before was

this procedure challenged. Why challenge it now?

It was challenged now because of the desperate desire to vitiate the conspiracy case by portraying the observation about Dhawan as an indictment of Dhawan. There is a world of difference between observation and indictment. Justice Thakkar's job was to point every needle he could find. The needles are in the Report. The proceedings are the haystack. We were not required to table the haystack.

For four years, the SIT went into the activities of Shri Dhawan in great detail; they went into the minutiae of justice Thakkar's observations. During these years, Dhawan was kept distant from the affairs of Government. During these years, he was subjected to enquiry, interrogation and investigation more severe even than by the Commissions of Inquiry set up by the Hon. members of the Opposition who have decided to be absent today.

The SIT established that there were no grounds to convert those observations into an indictment. So, no basis remains to keep him away from the affairs of Government. We are a prudent Government. We are also a fair Government. Now that he has been exonerated, why should his integrity be doubted?

We will not allow ourselves to be diverted. We shall press on with prosecution of those not exonerated. We shall press charges against those we believe guilty of conspiring against the nation. We shall not waste time of this nation of this House as the friends opposite are doing in drawing red herrings or in the calumniation of an innocent person.

The Congress Party and the Congress Government take their responsibilities very seriously. Whenever a *prima facie* case of nepotism or corruption has been established or a Court indictment handed down, a Congressman holding high office, be he a Chief Minister or a Union Minister or a Governor.

[Sh. Rajiv Gandhi]

has always had to step down until the charges have been cleared.

We do not have in our ranks a Chief Minister indicted by a High Court on seven charges of corruption and nepotism but who sticks to his office like a limpet.

Sir, we do not have in our ranks a Chief Minister held guilty by a High Court of "flagrant violation of the rule of law"—and that High Court judgment was later supported by a Supreme Court judgment. Yet, he continued to cling to office till he was caught out on another charge and could not continue any more.

We do not have in our ranks a Chief Minister who shields his family members from criminal investigations and prosecution in crimes against women.

Sir, the Congress Party is an honourable party. We run an honourable Government.

Mr. Speaker, Sir, I am Leader of this House. It is my bounden duty to ensure respect for the will of the House and its rights and privileges.

Mr. Speaker, Sir, I am also the Prime Minister. It is my bounden duty to see that criminals are prosecuted and conspirators are foiled. This, I have done. I have been true to the sacred trust reposed in me. Sir, the nation is safe in our hands. We have guaranteed its independence. We have reinforced its unity. We have upheld its integrity.

But, Mr. Speaker, Sir, I am also the only surviving son of an assassinated mother. It takes a peculiarly sick mentality to insinuate that I could betray the love and affection that she showered upon me by restoring to the bureaucracy a suspected accomplice in her assassination. What manner of men are these who make such accusations! Their low insinuations are not a reflection on me, or on our Government, but on them, on their

thought processes, on the functioning of their minds, on the murky depths at which they function.

As the House is aware, I had no love for politics. I treasured the privacy of my happy family life. My mother respected both these sentiments.

Then my brother, Sanjay was killed in the prime of his life. It broke a mother's heart. It did not break a Prime Minister's will. Without even a day's break for grief, she carried on her noble task single-minded in fulfilling her pledge to her people.

There is a loneliness that only a bereaved mother can know. There is a unique loneliness that only a bereaved woman Prime Minister can know. That Prime Minister was my mother.

She called to me in her loneliness. I went to her side. At her instance, I left my love for flying. At her instance I sacrificed my family life. At her instance I joined her as a political aide. From her I learnt my first political lessons. It was she who urged me to respond to the insistent demand from the constituency and the Party to take my brother's place as Member of Parliament for Amethi. With her blessings I was made General Secretary of my Party. It was her sudden death that led to my Party asking me to accept the challenge of stepping into her shoes.

In accepting the challenge I fulfilled a national duty and a filial duty, the duty of a son to a mother.

That son stands before this House today. My private grief is my own. My memories of my mother belong to me.

Mr. Speaker, Sir, Indiraji was also the Leader of this House. She was the Prime Minister of this country and I will not stand idly by while her memory is slandered, her ideals transgressed, a vision of the India for which she lived and died is still to be fully realised. I will not stand by idly when her

tragic death is made a political play thing by irresponsible politicians of low calibre and malicious intent.

I give them my answer now. I am not going to be deflected from my purpose by the campaign of whisper and malice that has been unleashed against me, my family and my associates.

Sir, if there was one lesson I learnt from my mother Indiraji, it was to press on regardless, *Ekla chalo re*, she used to say.

Sir, chargesheets have been filed against the conspirators. The objective of the conspiracy was clearly a "Khalistan." The means to be employed was the assassination of the Prime Minister to create chaos, confusion and anarchy.

From the start of terrorism in Punjab, the purpose of the killing has been to fire a communal reaction. For the maximum reaction, they chose to kill the Prime Minister. To the conspirators, it did not matter that thousands might be killed, thousands of innocent Sikhs, thousands of innocent Hindus, thousands of other communities, nor that their aim could only be achieved by drowning the country in rivers of blood. The conspirators' intent was to promote communal fratricide, the conspirators' intent was to climb to their objective on mounting corpses of innocent men, women and children. Through a holocaust, they wanted the country to break so that on one of its pieces they could establish their fascist fundamentalist rule. It was in this atmosphere that Indiraji was gunned down in cold blood. It was in this atmosphere that an orgy of violence was unleashed against our Sikh brethren in Delhi, Kanpur and elsewhere.

I had just taken over as Prime Minister. For me there was no time for mourning, only time for action. I threw myself into restoring confidence, restoring security, restoring friendship and brotherhood between communities that have lived together for centuries.

Sir, the terrible bloodbath of November 1984 was a carnage which will rest for ever on the conscience of all decent Indians. It happened in the cusp of a traumatic transition. That is not an extenuating circumstance. We cannot forgive ourselves. It should never have happened. But let me say in all humility, Sir, we have prevented any recurrence of mass killings of Sikhs in the capital or elsewhere. Repeatedly agents provocateurs have sought to provoke horrors to fulfil their nefarious purposes. Repeatedly we have thwarted them. I am pledged to a life of honour for every Sikh in India. I would not be my mother's son if I were not.

Within a fortnight of assuming office in 1984 I decided to go to the polls to let the people determine which party they wanted, whom they wanted. That decision was a reflection of my commitment to democracy, another lesson that I had learnt from my mother.

There were those who counselled postponement of the polls as the nation was in the throes of a terrible trauma. I did not listen because I put my trust in the people. Indiraji taught me to trust our people.

The results of that election are reflected in the composition of this House. Because the people apprehended that the country might not hold together, the people held together.

Our mandate was clear. Our first task was to ensure the unity and integrity of the country. It was to assure the independence of the country. It was to reinforce our secularism and our democracy.

Over these four years, our endeavours have been attended with remarkable success. There was an agitation in Assam which was started when the Janata Government was crumbling to its conclusion. It has been brought to an end by us through an agreement. The erstwhile agitators are today full-fledged democrats entrusted by the people with responsibility for tending to that State.

[Sh. Rajiv G andhi]

In Mizoram, an insurgency of 20 years standing has been brought to an end again by agreement. The former insurgents, whether in office or out of office, are pledged to the unity of the country and unwavering adherence to democracy.

In Tripura, within months of assuming office, the Congress Governments in the State and at the Centre negotiated an agreement ending years of violence and opening the way to the resolution of differences peacefully and democratically.

In Nagaland and Manipur residuary insurgencies are edging to a conclusion.

In the Darjeeling Hills, an ethnic agitation rocked the State as the political parties geared up for the polls. It would have been the easiest thing to have done and to have taken a populist view and gone the populist way of stoking the majority sentiment against an ethnic minority. But that is not the way that Gandhiji taught us or Panditji taught us or Indiraji taught us. With only months to go before the West Bengal Assembly election, I affirmed that the agitation was not anti-national. I insisted that the Darjeeling Gorkhas had real problems requiring real solutions. The Congress may have lost the election but we won the people of Darjeeling for West Bengal and for the country. What would have become a very serious insurgency was avoided. The Congress way, as always with the Congress, as always with Indiraji, is the country before party, the people's interests before our own.

Sir, even in Punjab, there has been substantial progress. We have moved towards restoring peace and tranquility. Last year, there was no terrorist killing reported from nearly half the police stations of Punjab. Operation Black Thunder established for all to see the sacrilege perpetrated by the terrorists at the holiest of holy shrines. Since then all Gurdwaras have been cleared of murderers and criminals. The murderers and criminals that were polluting the pre-

cincts and abusing the sanctity are no more allowed in. The granthis and sewadars no longer work under the shadow of terrorists rifles. Once again, the scriptures are being recited for spiritual salvation and not as tools of political propaganda. Sir, the terrorists have been exposed. Little sympathy for the terrorists remains. Only small sections of the people still support them. Their general support has virtually dried up. There are perhaps only one or two small terrorist groups with a vestige of ideological motivation. The rest are indistinguishable from common criminals, smugglers, drug traffickers, gun runners. The people of Punjab—Sikhs, Hindus, Muslims and of all other communities—have stood rock-like together with the country. The fundamentalists have not been able to break their communal amity. The secessionists have not been able to suborn their national loyalty. The terrorists have not been able to terrorise them. The people of Punjab have prevailed. Once more, as so often before, the people of Punjab have saved the country.

But violence continues. There are two reasons basic and fundamental.

One is the succour and support which the Punjab terrorists have been receiving from across the border and from abroad. We have taken a range of action against this. We are hopeful that the change over in Pakistan from a military rule to democratic rule will lead to the complete cessation of all support to terrorists from across the border. Some signs are visible and we are hopeful that this will be fully realised. In Pakistan, those recognising such action could destabilise the region, including their country, are now beginning to assert themselves.

The second basic reason for our not overcoming it in Punjab has been our inability as a country to present a unified front against terrorism.

The fault does not lie with the people. The people of the country, more especially the people of Punjab, have stood firm against the vilest of terrorism. They have

refused to be shaken from centuries of communal amity. They have refused to betray their country. They have refused to be untrue to the message of their Gurus.

The fault lies with some political parties. There are some parties, steadfast in struggle against communalism, terrorism and secession. We welcome their support, we honour their courage, we honour their strength of conviction. Terrorists may be a miniscule minority but they draw comfort from what some politicians and some political parties say and do. They also draw comfort from those who stay silent, those who do not denounce the dangerous pronouncements and nefarious actions of others.

During the debate on the President's Address, the Opposition disowned the views of a Member as expressed in a pamphlet, in whose publication he had connived. Yet, he continues to be their honoured and much-vaunted colleague. I do not understand and I cannot understand how they can disown him when he is not in Parliament and then applaud him when he speaks. He has not withdrawn from his position of support to the Anandpur Sahib Resolution. He has affirmed on the floor of Parliament that he still supports the Resolution. He is able to be a Member of Parliament only because one Opposition party inducted him and elected him. What does that party say now? Are they ready now at least to withdraw from him their benevolent patronage?

Double standards led to his election. He is widely known to have participated in a United States television programme sponsored by a third country to preach hatred and disaffection against the unity of India. He did not have a word to speak against terrorism even on that programme. Can his party not find anyone more worthy to festoon with their ticket? Or is this what to expect of a party whose two representatives visited a neighbouring country in so critical a time as March, 1984 and there lavished praise on the hospitality of a military dictator but did not utter a word against the support of their hosts to

terrorists, secessionists and traitors? And what of the other Members of the Opposition?

Are they prepared now at least to denounce the Member, dissociate themselves from his Party, keep aloof from his Front? Are they prepared now at least to tell the country where they stand? Do they stand with this one man and the Anandpur Sahib Resolution or do they stand with the people of this country?

Secularism is the key to the strength of India. The protagonists of Khalistan will be broken only on the rock of secularism. The only hope of the secessionists is to suborn our innate secularism, to suborn the innate secularism of our people. They hope by terror to divide community from community. They want to fan the flames of communal hatred so that India is destroyed in a communal conflagration from the ashes of which their 'Khalistan' will emerge. They are out to destroy centuries of the closest bonds between Hindus and Sikhs. They are out to smash to smithereens our composite Punjab. They want to smash the Punjab that is equally a home for the Sikhs and the Muslims and the Hindus and the Christians and many others. They tried to convert the shrines into fortresses. They failed. They tried to convert the canons of Sikhism into the cannons of war. They failed. The people of Punjab and the people of this country refused to let Hindu fight Sikh and Sikh fight Hindu. The people of Punjab and the people of this country remembered the tolerance and compassion that has been preached by all the Gurus. They remembered our composite culture which is our greatness. They remembered our secularism which is inborn in every Indian.

I put the insistent question, therefore, and there is no escaping the question. I ask it again of every Member of this House. Are you with those who stand with the core of the Anandpur Sahib Resolutions?

SEVERAL HON. MEMBERS: No.

**SHRI RAJIV GANDHI:** Are you with these who stand for communalism?

**SEVERAL HON. MEMBERS:** No.

**SHRI RAJIV GANDHI:** Or, are you ready to stand and fight against communalism, for secularism?

**SEVERAL HON. MEMBERS:** Yes.

**SHRI RAJIV GANDHI:** And you must remember a recent judgement, a very important judgement of the Bombay High Court which has unseated a Member for using a communal slogan in his election. It is needless for me to mention who the lawyer fighting for communalism against secularism was. It could only have been one Member of Parliament who could take up such a case. The question that we have to ask that member is: Are you with the people of India? Are you with the heritage of India and the glory of India? Or are you out to suborn that and to destroy us? And the question I would like to ask all the Opposition parties is: Are you with that Member supporting these values or are you going to stand up and stand for the unity and integrity and glory of India? I have a plea to the Opposition, Sir. I say to the Opposition: Purge your ranks of these vile bodies and join the vast majority of our people in the struggle against communalism and against terrorism.

Sir, we will bring the terrorists to their knees. But if the Opposition prefers to consort with people of this ilk, so be it. We shall carry on the struggle ourselves single-handedly with firm determination. May I add that this was another lesson that I was taught by my mother, Indiraji?

Sir, the S.I.T. has completed its work. The chargesheets have been filed. The law will take its own course. But the designs of the conspirators against the people of this country will not be terminated in the courts of law. That battle has to be fought in the political arena. We have supporters in different sections of the House. We must all close

ranks. Those who prefer the company of conspirators and the friends of conspirators are welcome to stay away. They will stand exposed in the eyes of the people. For the rest of us, the path is clear. We shall relentlessly press on with the struggle against violence. We shall consolidate the support of the people of Punjab. We shall entrust them power and responsibility commencing with the Panchayat elections. We will talk to those who eschew violence and respect our Constitution. We shall return tranquility to Punjab.

Sir, were not those who are shouting the loudest today amongst the frontline of Indiraji's detractors? Today they are shedding crocodile tears. What love did they have for Indiraji? Was it not they who poured calumny over her? Was it not they who hounded her day in and day out? Was it not they who trampled democracy under foot when they debarred her from sitting in Parliament after the people of Chikmagalur had voted her in?

Those responsible for resorting to devious means to eliminate her from the country's public life are today posing as her champions and as her defenders now that she has been physically eliminated from our midst. Sir, this House is not misled by such posturing. Nor is the country.

Sir, in conclusion I would like to say that I have felt Indiraji's presence beside me as I have been speaking today and during these past traumatic days. I have felt her benediction in the actions that we have taken to keep the country strong and united. That is my comfort, Sir, that is my reward.

Thank you.

**PROF. N.G. RANGA:** I have to thank the son of Indiraji—Indiraji who rose to be the mother of India.

**SHRI RAJIV GANDHI:** Sir, I made a mistake. It was a three-man Bench, not a seven-man Bench.



SHRI ASUTOSH LAW (Dum Dum): Mr. Speaker, Sir, today, after hearing our beloved Prime Minister's very sentimental statement and speech, I feel also moved when I make my comments regarding Thakkar Commission's report and the attitude that has been shown by the Opposition by not joining the House today.

Sir, it is an established fact that the assassination of late Prime Minister, Mrs. Indira Gandhi, was a part of the larger conspiracy to destabilise India.

16.58 hrs.

[SHRI SHARAD DIGHE *in the Chair*]

Sir, if we trace out the history and the background of the assassination of late Prime Minister, Mrs. Gandhi, we will find that it is not a conspiracy within the four corners of any office, it is not a conspiracy of some of the officers and individuals. It is a part of the larger conspiracy which started right from the month of June, 1984.

Sir, we have learnt from history as to who had made an attempt to bring any radical changes to speak something against the reactionary force, those who reacted and tried to assassinate her. Jesus Christ was crucified by the said reactionaries and in the recent times, Mahatma Gandhi was assassinated by the said reactionaries because they were afraid of him. The assassination of Shrimati Indira Gandhi, the late Prime Minister of India was not an exception.

17.00 hrs.

Sir, the report of the present Commission was headed by Justice Thakkar, whose nomination was made in consultation with the Chief Justice of Supreme Court. I seek your indulgence to quote a few lines from the final report where from it will appear that the conspiracy was large. The real cause is the larger conspiracy, although it has been stated or indicated in the report that the needle of suspicion has been aimed at Mr. R.K. Dhawan. But surprisingly in the report

itself, it appears, there was no motive which could have been found against R.K. Dhawan. Sir, no assassination can be made, no killing can be made, without motivation. On the contrary, I will show you from the report itself that there was a motive of the foreign agency and there could have been the motive of the foreign agency and same has been considered in the report.

Regarding motive, I would draw your attention to page 141 of the final report, under the heading "Reflections". I am quoting only a few lines:

"While there are significant indicators as regards the possible involvement of Shri R.K. Dhawan, the then Special Assistant to the late PM, the motive which operated on his mind has not become sufficiently evident from the material which has come to light so far."

This is the finding of the report. At page 141 of the final report, it has been stated that the Commission is of the view that there is no material or substance to support any such theory. Therefore, my submission is that it was not the case of any conspiracy within the four corners of the office. Unnecessarily emphasis has been given to Mr. R.K. Dhawan in this report. Without any prejudice, I may humbly submit that in this report, special emphasis, special importance could have been given and needle of suspicion could have been aimed at the foreign agency. I am sorry to make such a comment as I know that—I should not be very critical about the report. But, Sir, this is a fact, which I find from the report itself. In this report, the Commission has dealt with Mr. R.K. Dhawan and other officers from pages 8 to 127.

The total scope of the Commission should not have been reduced to such narrow area whereas the actual real cause, that is, note of the foreign agencies, that aspect of the matter has been dealt with in eight pages. What has the Commission said? I take you to p. 138 of the final report.

"Whether any foreign agency has

[Sh. Asutosh Law]

helped those who were engaged in destabilising India from within, is not a matter covered by the terms of reference. A great deal of material has been covered by the investigating agency which tends to show that a foreign agency has, in fact, played such a role *inter alia* by inspiring, encouraging, assisting and training the terrorists."

In the report itself, when the Commission was dealing with foreign agency's role, it has been stated very candidly:-

"Unless those who are directly involved in the assassination make a clean breast of the things, it would not be possible to identify the agency which pulled the string from behind the curtains and motivated the assailants or instigated them, extended or promised financial rewards."

It is on this ground that the real cause of the conspiracy has been neglected and proper projection within the proper perspective has not been made, if I am permitted to say. Proper projection should have been made as to what is the role played by the foreign agency. I am giving a few instances which will prove conclusively that murder of Mrs. Indira Gandhi or assassination of Mrs. Indira Gandhi, was committed with the definite motive to destabilise our country. SIT found that on 7th September at Nagpur a plot was made to assassinate Prime Minister Mrs. Indira Gandhi. But, fortunately, the date of the meeting was shifted from 7th to 13th and on 13th they could not promptly take any step to assassinate her.

Subsequently, various attempts were made to destabilise the country by hijacking planes and creating tension in the country. Communal tension was created. The motive was to create chaos in the country and to create tension between the various regions, to destabilise the entire financial structure and to give a great shock to the country. That

was the only intention of the foreign agencies who were behind the plot.

In the final report, most part of the report of the Thakkar Commission has dealt with various persons including Shri Dhawan who was the then Special Assistant of Shrimati Indira Gandhi. The point is that the Commission itself laid down the rules and procedures and also deviated from that procedure. Therefore, it is not the case of a smaller conspiracy. The assassination of Shrimati Indira Gandhi is a part of larger conspiracy which had escaped the proper attention of the Commission. The needle of suspicion has been aimed at Shri R.K. Dhawan based on totally flimsy grounds. If I place a few pages of the report and if I am permitted to submit, I would like to say that there are certain contradictions also. There are five major reasons which have been laid down or stated in this report which prompted the Commission to aim the needle of suspicion at Shri R.K. Dhawan. What are those reasons? One of the reason is the timing of the TV interview. Shri Beant Singh and Shri Satwant Singh were posted there right from 7.30 A.M. By changing or shifting the time from 8.30 am. to 9.00 a.m, what better result could have been achieved? I want to ask this question. Further, the second major ground of suspicion is about the deployment of Sikh security personnel. When this decision was taken in June, 1984, it was not the decision of a single person. Right from top to bottom, all the officers were aware of this fact and this decision. I am sorry to make the statement that unfortunately again the needle of suspicion has been baselessly elessly aimed at only one person that is Shri R.K. Dhawan. Another reason that has been shown in the report is this that at the time of actual assassination, it has been stated that Shri R.K. Dhawan was standing two ft. behind Smt. Gandhi. It was stated that when Smt. Indira Gandhi was assassinated, Shri R.K. Dhawan was looking down. That is the statement made in the report. I would like to ask one question here. Supposing I am a conspirator and I am within the conspiracy ring, will I myself remain there? In such a situation, is anybody a fool—who is playing a part in the

conspiracy—to make his presence there? So, what I would like to state is that a detailed inquiry should have been made and more detailed probe should have been conducted to find out the real materials which are not there within the periphery of this report in connection with the role played by foreign motive.

I do not understand one thing. With great humiliation, I state that in the Chapter where the Commission has dealt with foreign agency, they have categorically stated that there are motives, there are good reasons to destabilise this country and foreign agencies could have their fingers. But for want of sufficient evidence, the Commission could not come to any conclusions. Whereas, if I take you to pages 27 and 29, it is totally contradictory. When he is dealing with Shri R.K. Dhawan on page 27 of the Final Report in the Exploration by the Commission, it is said:

“The Commission on its part, has in the course of its exploratory exercise gathered certain material and on the basis thereof formed the opinion that there are reasonable grounds to suspect the involvement of Shri R.K. Dhawan, the then Special Assistant to the late PM, in the crime.”

Kindly mark the words and the language chosen: “on the basis thereof formed the opinion.” What is the basis? The basis is the exploratory exercise which gathered certain materials. Who has gathered this material *sue motu*? The Commission itself has gathered. On page 29, in continuation of the same Chapter, in paragraph 2.3, it is said:

“As discussed earlier in Chapter I the Commission cannot hold a parallel trial. This report recording its conclusion is based on the pre-inquiry investigative exercise.”

I do not understand this. I fail to understand the Report itself. On page 27, a positive commitment has been made that in order to come to such conclusion, there is sufficient

reason to suspect Shri Dhawan and certain exercise was made. The Commission itself made the exercise.

And on Page 29, the Commission has said that the Commission is not in a position to make such exercise. Furthermore, the last few lines make it absolutely clear as to what is the status of the Commission. In fact, the Commission did not have the status to go into the matter. It is said here and I quote:

“For, the Commission strongly feels that the role of the Commission is over in the sense that the Commission with the constraints and limitations inherent in its office, can do no more. The rest has to be done by the investigating agency.”

If that is so, if that is the conclusion, then we shall fall upon the investigative agency. What is their Report? They have exonerated him.

I am not here, and nor should I be permitted, to sit in appeal. I cannot criticise. But if I find contradiction on the face of the Report, definitely, I have the right to make my comments. Many things have been said. It is a matter of great regret, pity and shame on our part that when the assassination of Mrs. Indira Gandhi who was considered by the entire India as ‘Mother India’, has taken place some people are trying to make or achieve political mileage out of this report and out of this tragic incident which will remain as one of the tragic mile-stone in the history of India. The opposition is not here. When they found that in the Report, there was nothing, they left the House. They want something to malign the present Government, particularly to put stigma to an honest person who is making an honest attempt to solve the problems of the country.

In this august House we are all here. The Opposition also have come to this august House. Millions of people are waiting outside who have sent all of us here with high hopes. But we are wasting the time by witch-hunting. We have been misled by the Oppo-

[Sh. Asutosh Law]

sition about what was the real indicator of this report and which part we should have probed properly.

Before I conclude, I just like to remind my Opposition friends that no individual Whoever he may be, can rise above the party like no party, whichever it may be, can go above the country. It is a question of our country. The 1984 assassination of Mrs. Indira Gandhi was a question of the existence of one India or not, whether India will be stable or not. So, we should have discharged our duties for the coming generation. And without discharging our duties imposed upon us nobody should try to make political profit out of it which should go down in the history and the records of this House as a dereliction of our duties.

With these words, I conclude.

SHRI SHANTARAM NAIK (Panaji): Mr. Chairman Sir, at the outset I would like to state that for about one hour or so when our Prime Minister was addressing this House with a very emotionally packed speech—for rightly so because it was a question of the mother of Shri Rajiv Gandhi—it is sad that in that hour of grief the Hon. Members of the Opposition parties were not there to share the grief of the Leader of the House.

It is very sad because in a democracy there are no doubt walk-outs and boycotts which do take place; but these are the occasions when the Opposition should have thought twice whether they should share the grief that we are in while we are discussing this Report or whether they should politicise the issue.

Since we are discussing this Report, I would like to go straightway to the basic contents of the Report. The scope of the Commissions of Inquiry Act 1952 was a sort of pre-investigation, fact finding mission given to a body. The subsequent job is for the investigating agencies under IPC or CRPC. But in the larger public interest a fact finding

body is commissioned to go into this matter. It is precisely with this objective that the Law Commission has propounded the theory of Commissions. In the last several years, we have found useful purposes for the Commissions of Inquiry Act so that subsequently the law of the country could take its course. However, there is one aspect which has to be seen that many a time commissions effect the prosecutions in the sense that an incident takes place and subsequently the prosecution machinery also has to work while at the same time the commission also work. When the prosecution machinery files charge-sheet or take up a part of the matter in the Commission of Inquiry is stalled in that respect. Therefore, in this particular case the Commission of Inquiry was restricted to certain aspects and even did not touch some of the major aspects with respect to which prosecutions were launched.

Whatever it is, one thing I would like to say with all humility is that in this matter the very loose manner in which evidence was collected and meaning given to it is very sad. The manner in which the Commission just took loose ends of some facts to make a serious accusation against Mr. R.K. Dhawan is not convincing. I have gone through the entire part which relates to Mr. R.K. Dhawan. Just because in the diary of Mr. Dhawan the word 'CIA' was written; just because timings were changed and just because Mr. Dhawan inquired about Beant Singh, the Commission went directly to the extent of implicating Mr. R.K. Dhawan in this conspiracy. The question here is, if the Commission was gathering facts, its job should have been limited to that extent. The Commission cannot say after that "I have not come to the conclusion. It is for the investigating agency to come to the conclusion. On the other hand the Commission has not just gone on collecting facts but the Commission has concluded on certain facts. Perhaps the Commission was feeling that way and that is why Commission said that the Report should not be disclosed. But now because the Report has been disclosed and these conclusions which were wrongly arrived at and which had no base were made public the loyalty of a

person stands exposed in a bad manner. I may respectfully say this could not have been the objective behind establishing a commission of inquiry. So in this aspect the Commission has gone very much wrong because it has not done the job of fact finding mission but it has collected some loose ends here and there and sort of framed charges and then saying SIT should do job is not becoming of a Commission under the Commission of Inquiry Act.

The question whether the report is complete or incomplete is not relevant at this stage. In fact, if for the purpose of analysing various aspects in the Report the Opposition had said: Well we accept this report but we would like to go through the annexures because we would like to see how far the conclusions arrived at by the Commissions were right. If they had said this then their contention could have been understood because in that case they would have admitted this is a complete report but still they would like to go through the evidence. But saying that the entire annexures form part of the Report is a bad proposition. Tomorrow they will say that while the Commission was conducting the inquiry, the Commission must have thrown certain papers in the waste paper basket and they may collect those papers and lay them on the Table of the House. This is as bad as saying that. In any case, those things were not relevant. Supposing I had an evidence before me, apart from this Report, no doubt, I could have arrived at a different conclusion, different from the Commission's conclusion. In fact, there would have been three or four conclusions ultimately. No objective would have been served. It has been rightly said that nobody could take the place of the Commission. At the most the report could be analysed. But, you can not analyse the purpose of the Commission now. As far as this aspect is concerned, I must say that the Commission has failed in its duty. There is problem of lie detector. Lie detector is a sophisticated equipment. The Commission wanted that Mr. Dhawan should go through the lie detector test. This is as far as the lie detector is concerned. But when Mr. Dhawan sought to

know as to what is this lie detector, the various aspects of lie detector, its working and how far it would be reliable—I have read the detailed letter written by Mr. Dhawan, when this clarification was sought by Mr. Dhawan, nothing came out and the matter ended there itself. Then, somebody saying and charging that Mr. Dhawan refused to go through the lie detector is not correct because it is a new scientific equipment. What we see today perhaps, Mr. Dhawan must have sensed at that time itself. It appears that for some reason or the other, the Commission was just aiming at Mr. Dhawan, trying to find out some loose end. At this stage, Mr. Dhawan was correct in questioning and trying to know about this sophisticated equipment.

Another point is about the foreign hand. Mr. Gadgil has also referred this. Opposition will never agree to this point that there was a foreign hand. They said that Congress (I) people or the party in Government have tried to build up the story of foreign hand but no man in his reasonable senses would justify this theory—It is because of the 'Operation Bluestar' that the sad security guards must have got irritated and must have fired. They might have done this in 8 days time or 15 days time since that anger would have been there. They would not have waited for such a long time if that was the reason. No doubt they had a feeling of their own but some forces have sought to take help or benefit from these feeling. At one stage, it was known that Mr. Beant Singh was insisting on Mr. Satwant Singh that they have to accomplish the act by 31st October, 1984. If that was mere action of killing the Prime Minister, a day here and there or a month here and there would not have mattered. But Mr. Beant Singh was insisting on Mr. Satwant Singh that they have to accomplish this before the 31st. These observations are there. That means that some foreign force has given this deadline to these people for some reason or the other. Hence, these instructions were there. Therefore, Mr. Beant Singh was very much keen on this. The President of our country was in Zambia on tour. The timings were changed. Here I

[Sh. Shantram Naik]

agree with the Commission that some cut out agency has been employed in the matter of this assassination. Indirectly, using these forces, the book which we have talked about, was written at the instance of some Government to study as to what would happen if the Prime Minister of India is eliminated. It is not that the author had manipulated. The author has made his own study. But this material and what has been observed in that book and what would be the consequences was utilised by some foreign agency for the purpose of assassinating Shrimati Indira Gandhi. They always laugh at our destabilization theory. We never talk of it out of our imagination. They have been indulging in this destabilization on several occasions. In the past three-four years, we have seen that. We have got a vast majority this side. To demand resignation of the Prime Minister is what if not an attempt to destabilize. Whenever we have passed or introduced any legislation to curb terrorism, or issued ordinances opposing these Bills or ordinances is what, if not an attempt to destabilize this country? To doubt the quality of Bofors gun and make it public and known to the world, that we do not have a proper gun to defend our country, what is this if this is not an attempt to destabilize our country? Marching to the Swedish Embassy and handing over a memorandum to a Clerk in the Embassy when we have got Parliament, Supreme Court and other institutions, what is this, if not an attempt to destabilize our country? They have, therefore, played this game of destabilization all through. They have never contributed positively in this House. They have never supported the Government at any stage, in any Bill which has been introduced by the Government in the national interest. You see the proceedings. Every Bill, every measure, every Resolution that has been introduced by the Government in this House in the interest of the country, has always been opposed on some ground or the other. At least there could have been twenty or twenty-five per cent of the Business which the opposition should have welcomed, but they have not done that.

As for their colleagues, Shri George Fernandes and Shri Biju Patnaik, we know very well that they had gone at the instance of Zia to Pakistan, they had discussed a lot, but they never attempted to make any statement against the terrorists. Not only this, Shri Jethmalani gave an interview to a privately-owned television network in the United States. This network in the United States was directly financed by Zia at a time. To this network, Shri Jethmalani gave an interview and spoke against the sovereignty and integrity of this country. Not only that, immediately after the interview another person came on the same television network, who was considered to be an astrologer. That astrologer said: "I am predicting that this time the attempt to assassinate the Prime Minister will be successful". This is the prediction made by the astrologer in an interview immediately after Shri Jethmalani's interview. These are the things which have been going on. When the Prime Minister challenged and asked the opposition to make known their stand, nobody except Prof. Madhu Dandavate said that they were not for Khalistan, and that they were not extending their support. So far, no action has been taken to keep that particular person away from their party, association or group. Therefore, Sir, these things have been going on.

They are very much making a noise about the Commission's report: "They wanted to see the report. It has not been made available to them". We have seen that whenever we wanted to institute a Commission of Inquiry, they never placed any trust in that inquiry. They would say what a single-judge would do, let there be a Parliamentary Committee. Whenever there was a Parliamentary Committee, they used to say: "You will decide everything by brute majority in the Committee and that will not work, we want a Commission of Inquiry." So, at no stage they have placed any faith either in the Commission of Inquiry or in the parliamentary committees. Even in the Joint Parliamentary Committee which we had appointed, they did not participate. So, if we go through the records of the House we will see that in

neither of these institutions which we had established they have put their faith. Had they any faith in these institutions, we would have said that since they have faith in this institution let us make available the entire findings of this institution to them. Therefore, Sir, this is a very sad and pitiable thing. I would say, let us on our part discuss the Report because it involves the assassination of our Prime Minister, the leader of the nation. We would like to know each and every aspect of it. She was the mother of our country. She was our mother and we as Members of the Congress Party are interested to know the details. Sir, I am sure, whosoever yesterday voted for the Opposition members will be with us today and they will feel that their representative had done wrong by not associating themselves with the discussion in respect of this Report. At this hour, the voters who had voted for the Opposition members would be with us.

Sir, at the end, I would like to touch upon two aspects which have been mentioned by the Thakkar Report. It appears that after the assassination when Mrs. Gandhi was taken to the hospital no attempts were made to communicate with the hospital authorities. In today's system things move very fast. As has been rightly pointed out by the Commission, wireless sets were there and in a minute or two things could have been communicated to the All India Medical Institute where Mrs. Gandhi was brought in an injured state and things would have been settled. When Mrs. Gandhi reached the hospital, nobody knew where to take her. She was just taken to the Casualty Ward. After 8 or 10 minutes doctors came. So, this is really a thing which hurts us. A Prime Minister of our country who has been injured has not been provided with the minimum medical facilities.

The Prime Minister, Shri Rajiv Gandhi, was just now speaking in the House. Throughout his speech, he felt as if his mother was by his side. I would say that, as social workers or as politicians whatever we will do, we will be inspired by Madam Gandhi and Shri Rajiv Gandhi and that inspiration will take us to the peak of the glory and

towards the development of this country.

SHRI VIJAY N. PATIL (Erandol): Mr. Chairman, Sir, since the last 12 years I have been in the Parliament. I have never seen a Budget Session during which we start discussing the demands for grants relating to various Ministries in the mid of the Session. We are so late in our discussion on various demands for grants for various Ministries. Why are we so late? Was there any Emergency in this country? Was there any other very very important issue which was discussed earlier? The answer is 'No'. It was only the adamant attitude of the Opposition which made the Speaker to adjourn the House several times and the proceedings were thus delayed. What we see in the end? The Opposition Members asked for a discussion on the Thakkar Commission's Report and asked for the report to be laid on the Table of the House. But in the end today they have disappeared and walked out in protest against the Report. The Speaker was kind enough and keeping the Opposition also in view, he allotted eleven hours for discussion in this Thakkar Commission's Report. They could have raised their doubts in this regard and the Ruling Party would have been glad to explain things and clarify their doubts. But they do not have any real doubts. This was only one of the gimmicks to raise some suspicion against the Ruling Party in the minds of the people of India in general. This is the main reason for raising the issue of Bofors, Fair fax and such other things. Outside, it is generally believed that the Opposition people right from the second year of Shri Rajivji's Prime Ministership have started thinking that if Mr. Rajiv Gandhi establishes himself firmly in his position, then he may continue to be the Prime Minister with the blessings of the Indian people for a long time to come and they may not get power. So, they started such types of gimmicks. They talked loudly about corruption while discussing the Bofors. But as pointed out by our Prime Minister, they do not want their Chief Minister to be removed even when the High Courts give judgements regarding the corrupt practices of the Chief Ministers of the Opposition parties.

[Sh. Vijay N. Patil]

Mr. Chairman, Sir, we can very well see the bankruptcy of the Opposition's thinking. There is no cohesion in the Opposition. There are so many microscopic parties in the Opposition. Never was there such an Opposition in this Parliament! On the one side, there is the vast majority of the Ruling Party members and, on the other side, there are 17 or 18 microscopic parties comprising very few members. They do not have one opinion on any issue. That is why they resort to walk outs, adjournment motions without proper reason and such other gimmicks.

Mr. Chairman, when the Janata Party was in power during 1977-1980, I saw even a seasoned politician like Shri Morarji Desai being waylaid by an advocate who was a member of this House at that time. It is on the record of the House. Whenever he used to misguide the then Prime Minister Shri Morarji Desai, I used to shout and ask him from that side not to tell lies. Outside in the Lobby, he used to tell me that we two were advocates and I should use proper language while speaking to him. I used to tell him: "Yes, we two are advocates. But there is a vast difference between you and me. I am an advocate for the poor people of my area. I am a convener of legal aid Committee. But you are the advocate of rich industrialists. Not only that, you are an advocate of very rich people, 80 per cent of whom happen to be persons accused of smuggling. That is the difference between you and me."

Then there was the Shah Commission to persecute Shrimati Indira Gandhi. Then, with his guidance, the ruling Janata Party at that time evicted Madam Gandhi from this House. They were not satisfied with cancelling her membership. They jailed her also. Of course, they had paid a heavy price for that. Those people had decided to jail Shrimati Indira Gandhi. What right have they got to shed crocodile tears now at this stage and demand fruitless discussions on the Thakkar Commission's Report? They could have demanded this discussion three years ago. But at that time, there were some other

issues in their mind. This is a specific time chosen by them. It is not because they are interested in finding out the real culprits behind the conspiracy but to just raise suspicion in the minds of the people of India.

Mr. Chairman, Sir, our opening speaker Mr. Gadgil has given illustrations and has tried to prove that there is proper reason to believe that there is also foreign hand behind the assassination of late Prime Minister Madam Gandhi. We will not go into all those details. But when he mentioned about one Paper in England, being utilised by people for trying to destabilise the ruling Party or the Government there, here also, our friends from the Opposition are unfortunately guided by one Paper, one Journalist and one Advocate for doing the something. Again, the same Advocate—who was mentioned by our hon. Prime Minister just now—has lost the case of Ville Parle byelection. He was an Advocate of the Opposite side. What for he stands? Who is this Journalist? And what is this Paper? A lot of things have been discussed about that. But they should not be guided by those people who use their own thinking and so on and discuss it in the Parliament.

Regarding Mr. R.K. Dhawan, we all know about this integrity and his loyalty towards Madam Gandhi. We know—during the Janata Party regime—how much was he offered for the post? When he did not yield, he was arrested. Not only that. His persons were also arrested. He was harassed for not joining hands with the Janata Party. It is all because of his loyalty towards Mrs. Gandhi.

If I know that Madam Prime Minister is going to be killed by the assassins who will be firing from the opposite side, I will not walk behind Madam because I will be afraid if some bullet, if the aim is missed, may hit me also. Mr. Dhawan was walking behind Madam. There are so many other reasons. That is why the Special Investigating Team has exonerated Mr. Dhawan. And the changing of time or enquiring about the killers does not mean that there was some *mala fide* intention behind it. On the contrary,



if Soniaji asks Mr. Dhawan to enquire about the killers—because the children were there in the House and if the killer is there, he may kill the children also—that does not mean that he has done something. If because of the instructions from somebody, Mr. Dhawan enquires about the killer, that does not mean that Mr. Dhawan was interested in their survival. But, unfortunately, the Thakkar-Natarajan Commission has failed to take these things into account. That is why in the preliminary investigations, some suspicion was shown. But subsequently all these are cleared.

Regarding Sikh security men also I want to mention something. As compared to some other colleagues—not all colleagues in Parliament and outside—had the opportunity of being very close to Madam as I was the Deputy Minister for six months. I used to go to her house during *Janata Raj* also for three years. I knew the nature of Madam. That is why I am telling you that she must have insisted on keeping the Sikh security men continuing their duties in her house.

We need not blame Mr. Dhawan; we need not blame the other Security Officers for this omission. I do not want to come on record like this. But some other persons also advised Madamji to discontinue the Security Officer belonging to the Sikh community in the premises of the Prime Minister, but she refused to do it; she said that they would continue to do their duties here. The unfortunate incident has taken place. Why have the members from the Opposition done this thing? Why has the leakage of the Report taken place this time again? The first time it was done in 1986 when it was reported in the *India Today* and *The Statesman*. It was done just to raise doubts in the mind of our hon. Prime Minister that somebody from the Ruling Party, some Minister, might be involved in leaking the Report of the Thakkar Commission; they are creating doubts in his mind so that he may be doubtful about S. Buta Singh, Mr. M.L. Fotedar, Shrimati Sheila Dikshit and other persons. After the reinstatement of Mr. Dhawan, they wanted to divide the House; but they miserably failed

in doing so; and as they miserably failed in doing so, they were interested in punishing Mr. Dhawan. They knew it well that his integrity could not be questioned because the Prime Minister had taken him back with full confidence and information. But by raising a controversy over the leakage of the Report in the Parliament, by making the position of the Prime Minister awkward whether to continue with Mr. Dhawan or not, and by creating a doubt in his mind about the leakage of the Report, they tried to play a foul game; but they could not succeed in it. It was well-known as to who was the internal Security Officer at that time and the Government also found it. I am glad and I must thank the Government that the Prime Minister has mentioned that they will investigate about the leakage of the Report as it is a very serious thing.

After listening to the hon. Prime Minister, I have not much to say about this. But, what I personally felt about it I wanted to speak about that here. I do not want to take much time of the House; I know that the time of the House is very valuable; that is why I only like to mention that a very serious matter like this, where the assassination of a great personality is involved, is being treated very casually. The Report, which has been tabled in the House, is not being discussed by the Opposition; and they staged a walk out. I do not know with what gimmicks they will come to the House tomorrow. While staging a walk out, one member casually mentioned that the Report had been tampered. These are wild allegations which are not called upon from a member who can be called a responsible person.

PROF. N.G. RANGA: Absolutely, these are irresponsible allegations.

[*Translation*]

SHRI RAMESHWAR NEEKHRA (Hoshangabad): Mr. Chairman, Sir, I am pained to note that the opposition has boycotted the discussion on such an important report which they had been demanding for the last so many days. Had they some moral courage or desire to know the truth.....