

[Translation]

(viii) **Need to develop Kolaishwari hills in Hazaribagh District of Bihar as a Tourist Resort**

**SHRI YOGESHWAR PRASAD YOGESH (Chatra):** Mr. Deputy-speaker, Sir, I would like to raise this important issue here under rule 377:-

Kolaishwari hills at Hatarganj block of Hazaribagh district of Bihar is very important place from religious, cultural and secular point of view. The temple of Kolaishwari Devi, which is situated in the captivating hilly region of Chhota Nagpur is very attractive and rare place of tourist significance. Kolaishwari Devi finds a mention in the Puranas.

The temple of Kolaishwari Devi is built in a single piece of rock on the hills at the height of 2000 to 25000 feet and generally attracts thousands of devotees of devotees everyday. These hilly ranges have been the place of meditation of prime significance not only for great Hindu devotees but also for the Jain Tirthankars and Buddhist monks. In these hills there is a big water reservoir which is perennial source of water. Every year, thousands of Jain and Buddhist pilgrims visit this place. But it is a matter of regret that there is no proper approach roads to reach these hills from the main road near Chatra or from the G.T. Road. And because of it, the pilgrims have to face a lot of difficulties to reach this place. This attractive and rare place of scenic beauty amidst the hills may be converted in to an attractive tourist spot. I, therefore, urge upon the Government to develop Kolaishwari hills as a tourist resort.

14.17 hrs.

**MOTION RE: INTERIM AND FINAL REPORTS OF THAKKAR COMMISSION-  
CONTD.**

[English]

**MR. DEPUTY-SPEAKER:** The House shall now take up further discussion on the following motion moved by Shri Buta Singh, on the 10th April, 1989, namely:-

"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 Rameshwar Neekhra to continue his speech.

[Translation]

**SHRI RAMESHWAR NEEKHRA (Hos-hangabad):** Mr. Deputy Speaker, Sir, I am continuing my speech today as the proceedings of the House were adjourned yesterday. I am pained to note that the opposition has resorted to a walk out at the time of such an important discussion in this House, which is considered the highest temple of democracy and where elected representatives of people sit and such important discussions are held. When we go out, people ask us the reasons for wasting a lot of time of the House. Why do you ask us to present a report on which you are not prepared to have a discussion. why do you resort to walk out when the report has already been presented in the House.

Mr. Deputy-Speaker, Sir, this is not the first time, but for the last nine years that I have been observing it in the House that whenever there is a discussion on an important issue, opposition finds nothing to say on it. Then they stage a walk out from the House as they have no argument to support them. A few days back, it was demanded in the House that in Bofors case an enquiry should be made by a Parliamentary Committee and when the Government agreed to it they demanded the Chairmanship of the committee for them. The opposition again staged a walk out at the time of discussion on the report of the Parliamentary Committee. They refused to take part in the discussion when they saw that there is no ground for them to make allegations-counter allegations on the basis of report and the masses also do not believe them. They did the same

thing when reports of other Commissions came. Even today they demanded to present the report of the Thakkar Commission which has already been leaked in the newspapers. But after announcement regarding the presentation of report they started levelling charges that the actual report will be tampered with. When the actual and whole report was presented in the House, they are boycotting the House on the pretext that complete report has not been presented. Now it has become clear to the masses that it is the complete report and the opposition is wrong, because our Hon. Prime Minister has discussed both the issues in the House deftly yesterday. For the last 3 years, the opposition has been bent up on character assassination and now they say that they will not discuss the report, but will bring it to the masses. I would like to submit that they should first understand the mentality of the country. The whole country knows about your feelings towards late Shrimati Indira Gandhi and how you had levelled allegations against her when she was alive. How many commissions you had instituted against her when you came to power and she had to appear before a number of commissions. Even this fact is before the people of this country that though she was voted to power by the people of Chikmagloor, you did not honour the verdict of the people and chose to send her behind the bars. You take the issue anywhere, but the people know it very well that you are raising all the hue and cry in the public meetings only in view of the coming elections. You were unable to raise any valid issue within these five years. You had raised such an issue just before the election so that no one can ask it what you had done in the interest of the poor or have you prepared any memoranda or do you have any policy. They have tried to tarnish the image of the Congress Party and that of Shri Rajiv Gandhi. Their only aim to raise the issue of this report was to create an atmosphere of doubt among the masses by separating the Congress Party of Shri Rajiv Gandhi from the Congress Party of Shrimati Indira Gandhi. When they saw that there is nothing beneficial for them in the report, they said that Shri

Thakkar has levelled charges against Shri Dhavan and has pointed towards him a needle of suspicion. Mere for argument sake, I may agree to their point, but Shri Thakkar has himself mentioned in the report that to clear the suspicion about Shri Dhavan, I recommend that the Government can get it investigated by any agency it wants. Anand Ram Committee was constituted on that recommendation. The report of that committee has cleared Shri Dhavan of all the suspicion. On one hand, the opposition accepts that Shri Thakkar has cast suspicion of Shri Dhavan but on the other hand, they do not accept that Shri Thakkar himself had recommended an independent committee. They do not accept the report of that committee and only try to create an atmosphere of doubt among the masses. They are spreading rumours so that the common man, who is the base of democracy in this country, may start suspecting. They didn't participate in the yesterday's discussion in the House and instead discussed it out-side the House. The Government would have given a reply if they have indicated the fault of the Government. But they did not have any point to discuss. Some of our friends, who were with us earlier, now have crossed over to the opposition on the pretext of morality. They all were in the cabinet upto 1986 and when the Report was submitted by Shri Thakkar, he had recommended not to present it in the House in the national interest. While in cabinet they had brought an amendment in the Parliament by taking decision on the report and that amendment was passed in both the Houses of the Parliament. At that time, none of these friends said anything of morality, who have now crossed over to opposition. After a lapse of three years, now they want to level charges on the basis of the report on moral grounds. They want to level allegations against that leader, with whom they worked as a member of the cabinet. I ask these people who are talking of morality that if you had the slightest tinge of morality, you should have demanded in 1986 itself that the report should be presented. Even in 1986, it was leaked and published in 'India Today' and it was printed even in the 'Statesmen'. But at that time they didn't raise the issue,

[Sh. Rameshwar Neekhra]

because they knew that they will gain nothing from it. But now they think that something can be gained out of it at the time of elections. It was painful to note the statement of the President of a big party some two-three days back. He has stated that Shri Rajiv Gandhi wants to make a political capital out of it in the election. But it was you who had demanded the report to be presented, only you had made it an issue and demanded discussion on it, you yourself had levelled false allegations and now when Shri Gandhi has given a fitting reply, you have started saying that he is talking like that for political gain in the elections. People of this country very well know the person who had advocated the case of assasis of Shrimati Indira Gandhi and had filed mercy petition after the judgement recommending the death punishment for the culprits was given the supreme court. The people of this country will never believe them, because they know their affection for Shrimati Gandhi. I would request the hon. Minister of Home Affairs through you that the point of involvement of a foreign hand should also be investigated. May be that these people who are staging walk-outs might have conspired with the foreigners in this murder and now they are afraid that their one or two friends will come under suspicion, because it is known to the whole House that the leaders of Janta Dal, Shri Biju Pattnaik and Shri George Fernandes were entertained as guests by General Zia in Pakistan, who was a symbol of dictatorship and military rule. His feelings about India are well known to all. The entire House knows this thing that both of them went there as their guests and they praised their hospitality. One of the leaders of their party Shri Subramanyam Swami had also been to Harmandir Saheb prior to the operation blue star and stayed there and after returning from there he said that no weapons and arsenal had been stored in Harmandir Saheb. But after the Operation Blue Star, large quantity of arms and ammunition were recovered from there. To-day perhaps they are not participating in the discussion with the fear that the needle of

suspicion might turn towards them. What I want to say is that these people always them indulged in double talks. The report of the Thakkar-Natarajan Commission which enquired into the Fairfax affairs was laid on the table of the House. The Thakkar-Natarajan Commission comprised of two sitting judges of the Supreme Court, Shri Thakkar and Shri Natarajan and the report was submitted by that commission. But these people refused to accept the findings of the report. They said that the report deserved to be thrown into the dust bin. It was alleged in the report that by appointing the Fairfax, efforts were made to sell the security of the nation and national security was endangered. The opposition parties did not accept such a serious report and demanded to throw the same into dustbins. When the same Justice Thakkar submitted his second report, these people are now talking all these things about it. They demanded that the report should be placed at the table of the House. When the report was placed they are not participating in the discussion. They talk so many things about it outside the House. From the prevailing state of affairs, it appears that there is none among them who thinks about the country. There was none earlier and there will be on one in future. They wasted the precious time of the House by pressing for the submission of the report. When the report was submitted they did not participate in the debate. In this way they throttled democracy in this country. They have threatened that they will take this issue to roads and streets. In reply, I would like to tell this much that we are the people who belong to the party nurtured by Mahatma Gandhi and Shri Nehru and we are the people who tread on the path shown by Shrimati Indira Gandhi. We will also give reply to their charges on the roads, in the fields and in the streets. We know that in Indian Culture no one can succeed in isolating the son from his mother. They will not succeed in the isolating the Congressmen from Shrimati Indira Gandhi.

[English]

PROF. SAIFUDDIN SOZ (Baramulla):

Mr. Deputy Speaker Sir, first of all, I must welcome hon. Prime Minister's statement which he made yesterday in the House informing us that his Government has decided to inquire into the leakage of the Thakkar Commission Report through a newspaper. I welcome that statement because what has appeared in the Press has been agitating my mind all these days and I feel concerned about this leakage. In fact, there was no compulsion for me to participate in the discussion but after going through these two volumes, namely, the Interim Report and the Final Report of the Thakkar Commission, my conscience pricked me that I must express my views on the subject.

Prime Minister's statement has assumed great significance because all people wondered as to how there was a particular timing for the leak and how the leak could be organised in this way. This leak has already taken a very great toll of the time of the House. I feel very happy that the Prime Minister has come forward to institute an inquiry.

I heard Mr. Gadgil's speech and also his arguments as to why it was not necessary for the Government to place the proceedings of the Commission on the Table of the House. I am in agreement with Mr. Gadgil to a large extent. There is another reason as to why I feel very sad that the Opposition did not participate in the discussion. They fought a battle with the Speaker that the entire Report, as they say full report including the proceedings, should be placed here. But after the Speaker had given his ruling, they should have honoured that and should have been here. I had the privilege of reading this Report. I feel that some of the recommendations of the Thakkar Commission are very intriguing I have been applying my mind towards the recommendations made by the Thakkar Commission. I can say some recommendations as positive recommendations but in these positive recommendations also, there are negative elements and those negative elements have perturbed me. I feel that Justice Thakkar had been working under great pressure. He has not been able

to come to right conclusions. From the very beginning under which the Thakkar Commission had been working under pressure that is writ large in the Report. Since I said that these recommendations are positive ones I feel that the Government of India has already taken action on them. In fact, one of the issues relating to Mr. Dhawan has been gone into by the SIT. So, action has been taken. I call the recommendations which are listed in Page 146, 3.1 to 3.5 as positive recommendations, giving directions to the Government do this and that. There are other but I feel that there are negative elements in these recommendations. Why? It is because the Commission has been obsessed from the very beginning with Mr. Dhawan.

Mr. Deputy-speaker, Sir, I have not known Shri R K Dhawan at all because in 1983-84, I was not much known in Delhi and he was not accessible. Only a couple of days ago somebody pointed to him and told me that he is Shri Dhawan. But when I located Shri Dhawan in the report, I felt I could locate Commission's obsession with Shri Dhawan in the report itself.

You will be surprised that on page 146, when the Commission makes a set of recommendations, the Commission puts Shri Dhawan in the first paragraph, and here he says:

"it is recommended that the Central Government should seriously consider the question of appropriate agencies to investigate the matter as regards the involvement of Shri R K Dhawan, the then Special Assistant to the late PM in the perspective presented in the report."

Then, there is note and then come other recommendations.

The second recommendations is:

"that the Central government may seriously consider the question as to the course to be adopted in re-

[Prof. Saifuddin Soz]

gard to the matter pertaining to Shri Mark Tully..."

Then, there is another recommendation relating to the question of so called "Republic of Khalistan". Then, comes paragraph 3.4—that the Central Government may give due consideration to the matter regarding terrorist training schools.

Why should the Commission put Shri Dhawan first? If the government had to look in to the terrorist activities, into the question whether any foreign country was involved in the assassination of Shrimati Indira Gandhi and if it had to look to so many other important things, why Shri Dhawan should precede all these recommendations? The Commission focussed attention on Shri R K Dhawan before anything else. There are so many pages; Dhawan here and Dhawan there.

There are only two allegations which the Commission has listed against Shri Dhawan for which he was implicated. I must say it is not indeliberate, because the Commission, in my opinion was working under pressure and to that I will come later. This is very unfortunate. An eminent judge had accepted the responsibility. I have gone on record in this House earlier that their lordships have to be very responsible. We show respect to the Supreme Court, we show respect to all the judges. But whenever they go wrong, it is this House alone which can raise questions. I feel, Justice Thakkar has been working under great pressure, or maybe he was motivated. From the very beginning, Shri Dhawan seems to have been introduced to the commission and the Commission could not come out of that situation.

Finally, the Commission says that the needle points to Shri R K Dhawan. I can imagine that if you put a magnetic road in your hands and even if you cover the needle with a glass, still the needle will move wherever you move the magnet. The Prime Min-

ister has assured us yesterday that he would institute a Commission it is a welcome announcement and then we would see where the needle will move naturally, but the needle that was moving with the Commission and pointing to Shri R K Dhawan, I do think that somebody had a magnetic road and the needle was responding to the magnet, and the kind of pressure and persuasion with which the Commission was going about, the needle could not but point to Mr. Dhawan.

Now, Shri Dhawan has been implicated for two things; one that he had in June 1984 directed DCP and SSP in the name of Prime Minister to redeploy Sikh security persons to strategic positions. This is not correct. I have gone through the report. Shri R K Dhawan could speak in the name of the Prime Minister. He was working as Special Assistant. You cannot ask a Prime Minister or a Minister to give in writing every order that he or she has to issue to his or her personal assistant. In this report, it is not proved that Shri R K Dhawan redeployed Sikh gentlemen in security at the strategic positions. But Shri Dhawan seems to have given a broad instruction in the name of Prime Minister that Sikh gentlemen should be available and present in the security positions. On that fateful day, which was designed by the conspirators to be a particular day, it is not that the Beant Singh and Satwant Singh changed their positions under the orders of Shri R.K. Dhawan. The Commission does not say this. They had changed their duties in consultation with the superior officers working in the security. But why did Shri Dhawan give instructions that the sikh gentlemen should be there. I think that Smt. Indira Gandhi was a very bold person. She wanted to run the country according to certain norms. Her faith in secularism was very great. So, she did not remove Sikhs from the security force. My conscience tells me that she might have passed the orders not directly to the security men but to Shri Dhawan that since she could not see Sikh gentlemen around, they should be posted there. I challenge Mr. Thakkar's saying that Shri R.K. Dhawan put them on the strategic positions.

That assertion is totally wrong. Mr. Thakkar is still the Chairman of the Law Commission. I wish he comes forward to resign from that post. I challenge Mr. Thakkar to prove that Shri R.K. Dhawan gave instructions for putting Sikh security men, Beant Singh and Satwant Singh at those strategic positions. The broader instruction given by the Prime Minister could have been that she wanted Sikh gentlemen in the security network. Therefore, it is untenable and we just cannot agree with the Thakkar Commission that Mr. Dhawan should be implicated because he had given instructions of that kind. Secondly, even if it is true that he gave instructions one cannot implicate Mr. Dhawan because the Commission should have sufficient evidence to prove facts.

The Commission has taken two very flimsy grounds to implicate Shri Dhawan that he decided and he got Sikh security men redeployed at strategic positions is not proved. Second is that he changed the timing for the Irish T.V. interview. Here I feel that the Commission was under some terrible pressure that Dhawan has to be out. The point is that so far as these interviews are concerned, a Minister or the Prime Minister can change the timings fixed for these interviews. You have certain circumstances under which you can postpone or prepone any programme. A Minister is not bound by what his P.A. says. He gives instructions on his own. The Irish team had to come at 8.30 A.M. It was delayed and then the timing was changed to 9.00 A.M. Even if this was done by Mr. Dhawan, it was part of duty. Where is the proof that Indiraji did not tell Mr. Dhawan as to what should be the time for the interview? Where is the proof before the commission to say as to what did he talk to the then Prime Minister when he was coming from the Palam Airport? The Commission has no substantial evidence to implicate Mr. Dhawan on these points. Even if it is true that Mr. Dhawan changed the time for the interview, it was between Mr. Dhawan and Indiraji. There is no proof that the Prime Minister did not agree to change the time. Whatever it is the changing of time is no ground for implicating Mr. Dhawan. He could change time

even under the verbal orders of the then Prime Minister. The Prime Minister does not keep on giving in writing everything to do this and to do that. So, did that change in the time of the interview alter the situation? Beant Singh and Satwant Singh were there from 7.00 A.M. Had Indiraji passed from there at 8.30 A.M. the same would have been the situation because it was decided by the conspirators to be the day of her murder. So, the Commission has no ground to implicate Mr. Dhawan. My conscience tells me that he is an innocent person and I have risen here only to say something about that innocent man out of the prick of my conscience.

Now, I come to page 141. This is the paragraph which must go on record, just to prove how much the Commission was obsessed with Mr. Dhawan and how it wanted to implicate him. The Commission pointed the needle towards Mr. Dhawan without telling us his motive. How can this sensational recommendation be made? How could this paragraph be written at all? the paragraph reads:

"While there are significant indicator as regards the possible involvement of Shri R.K. Dhawan, the then Special Assistant to the late Prime Minister, the motive which operated on his mind has not become sufficiently evident from the material which has come to light so far. The evidence regarding existence of a motive which operates on the mind of an assassin is not always easy to discern. More often than not, the motive may not be known even to the victim. By way of an illustration, one may take the case of a murder committed on account of jealousy. It cannot even be known to the victim—not to speak of others—that the culprit was feeling jealous of him for one reason or the other. So also, at times, the motive may be known only to the assassin and no one else may have come to know what gave birth to the evil thought in the

[Prof. Saifuddin Soz]

mind of the assassin. It cannot, under the circumstances, be gain-said that evidence regarding motive may often be beyond the reach of the investigator. All the same, a sustained and deep probe with a views to unearth the motive may well yield results in course of time notwithstanding the difficulties just highlighted."

So, the judge does not know the motive. But he want to deepen the suspicion in the mind of the people of India that Mr. Dhawan is the man who has to be implicated, whether there is proof or not, whether we know his motive or not and whether we can prove that he was jealous of Shrimati Indira Gandhi or not.

I reject this paragraph and the observation as falsehood. I do not understand why an eminent person like Justice Thakkar should go on record and say such things in his report.

Sir, I can go on quoting so many paragraphs from he report to prove the Commission's obsession with Mr. Dhawan. But the point is, why did the Commission do it? Well, there was a reason. Some people were interested in sending Mr. Dhawan out because they had to settle a score. I want to say that the political of manipulation is responsible for this.

It has already been pointed out by Shri Buta Singh in this House and by our knowledgeable and able colleague Shri Chidambaram in the Rajya Sabha that Shri Arun Nehru had access to this report because he was the Internal Security Minister at that time. Therefore, I feel that there is a fit case against Shri Arun Nehru and his close associates Mr. Fotedar for a breach of privilege. I have moved a motion in this regard. But the Prime Minister has given an assurance yesterday and so I might withdraw it. But I feel that this is a fit case for breach of privilege against Shri Arun Nehru and also

Shri Fotedar. They were very close to each other when they were in the Government together and the Commission had worked under pressure from them. My conscience also tell me so.

So far as implicating Mr. Dhawan is concerned, the leak came at the same time when Mr. Dhawan joined the Government. I have tabled a privilege motion against Shri Nehru and Shri Fotedar, though I am not pressing it. But I still feel that they must get a chance to clear themselves, when the Prime Minister has offered a chance to them. Here, I feel sympathy for Shri Kalpnath Rai also. I read his interview in Surya three times. I honestly believe that he is speaking from his conscience. I agree with him. He is speaking from conscience. Take him in some corner and tell him "speak in the name of your mother, swear in the name of your mother, do you find this correct? He will tell you "yes, I feel the prick of my conscience that this is correct." I would advise him not to withdraw and say that he had not given an interview. It has gone on record. It has been taperecorded. Why I raise this thing? Kindly don't misunderstand me. I have nothing against Mr. Fotedar personally or Mr. Arun Nehru. But one thing I want to remind this House that I knew the present Prime Minister for a long time now. I can tell you that he is a straight forward politician and he wants to run the politics of this country in consonance with national interest. This is my belief on Mr. Rajiv Gandhi. I want to remind this House again that politics of manipulation will do no good to Congress Party which has the long tradition of service to this country. Therefore, when these manipulators are there, I want Shri Rajiv Gandhi to be safe. He has a lot of talent in his party and he should discard politics of manipulation.

[Translation]

At their hatching a conspiracy at such a critical time and doctoring the Thakkar Commission to write something, I recollect a Urdu couplet. I am not concluding, I need two minutes more:

'Khuda Banda, Ye tere sidha dil bande kahan jayen.'

Iqbal had said this thing

"Khuda banda ye tere Sidha dil bande kahan jayen'

Ki darweshi bhi aayari hai aur Sultani bhi aayari"

Anybody who is given a ministerial post or given a high position plays mischief and the person who becomes a saint also plays mischief.

[English]

So, I want Shri Rajiv Gandhi to be safe with those who have commitment with India's unity and integrity; who are concerned with national integration and who do not play manipulative politics. This is necessary to remind you because you are the largest Party in this country. Still the people of India pin hopes on you, Maybe tomorrow people send you back to power, you have to work hard to preserve norms of politics and secularism. I have already reminded you how a political party is using Hedgwar Centenary Celebrations to whip up communalism in this country. I appealed to you yesterday that you are secularist Party wedded to the principles of secularism and socialism and, therefore, you please do not tolerate manipulators in your party. You should uphold Nehru's legacy, Gandhiji's legacy and now Madam Gandhi's legacy. Now that I have come to Jawaharlal Nehru, I will close with one thing. You must know how great your Party was and now great the Leader of this country was. I came across a letter recently which was written in 1955. I have preserved that letter. How Bertrand Russell in 1955 wrote to Einstein that the only hope in the world was Jawaharlal Nehru. That letter is with me. After the atom bomb was produced, Einstein and others became conscious of the devastation that an atomic war could bring in this world. There would be no mankind around, they thought. No living being. So Russell, Einstein and other philosophers in Europe were experiencing

times of agony in their minds. I can quote that letter but it will not be in Russell's words—exactly. He wrote to Einstein "Don't worry, there may not a Third World War. there may not be any nuclear war in the world. A fortnight ago I had a chance to talk too a tallest leader of Asia, Jawaharlal Nehru. He has assured me that he will rise to the occasion, not only at U.N. but in all other world forums. He is the hope for the mankind." So Russell writes to Einstein that Nehru was the hope. That is the legacy of your party. I hope Shri Rajiv Gandhi will try further to be right heir to that grand legacy of Jawaharlal Nehru.

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): Mr. Deputy Speaker, Sir, I rise to intervene in this debate to highlight a few aspects which I think either have gone unnoticed or have not been quite clearly understood.

SHRI HAROOBHAI MEHTA (Ahmedabad): The debate is not yet over. Many hon. members are to speak. So, you cannot say that a few aspects have gone unnoticed.

SHRI P. CHIDAMBARAM: So far. One of the items of reference to Justice Thakkar, when the Commission was constituted, was to enquire into the sequence of events leading to and all the facts relating to the assassination of the late Prime Minister. Another item was whether any person or persons or agencies were responsible for conceiving, preparing and planning the assassination and whether there was any conspiracy in this behalf; and if so, all its ramifications.

As the House knows, Shrimati Indira Gandhi was assassinated in broad day light in the presence of several eye witnesses. The assassins were identified—Satwant Singh and Beant Singh. Beant Singh himself died short thereafter in circumstances which have been explained by Justice Thakkar in his final Report and which has also been accepted by the court which dealt with the



[Sh. P. Chidambaram]

case against Satwant Singh and other accused. Although Satwant Singh was apprehended on the 31st October, 1984. Hon. Members are aware that he was in hospital, literally struggling for this life. It was only on the 15th November, 1984 that Satwant Singh was formally arrested by the police. Hon. Members are aware that under the Criminal Procedure Code, the investigation has to be completed in an offence of this nature within 90 days of the date of the arrest failing which the accused shall be released on bail. It was not in the public interest to allow a situation to develop where Satwant Singh would have to be released on bail. In fact, the people of this country would not have accepted such a situation; they would have questioned the competence and wisdom of the Executive Government if it allowed a situation to develop where an assassin of a Prime Minister in a crime which took place in the presence of eye witnesses in broad day light in the house of the Prime Minister was allowed to be enlarged on bail because the police could not complete their investigation.

I shall give a few more dates which are relevant. As I said, Satwant Singh was formally arrested on 15th November, 1984. Kehar Singh was arrested on First of December, 1984. Shri Balbir Singh was arrested on the 3rd of December, 1984.

15.00 hrs.

The 90-day period commencing from the date on which Satwant was arrested would have expired on the 13th of February, 1985, and under Section 167 sub-section (2) of the Criminal Procedure Code the Investigating Team was required to file its report—if it had completed its investigation—before the 13th of February, 1985, failing which there was no way in which one could have denied bail to Satwant Singh.

As it happened, the Investigating Team was able to complete its investigation into the immediate crime, the immediate crime

being the assassination of Indiraji by two men within the compound of the Prime Minister's house in the presence of eye witnesses and the two men were apprehended and identified. Therefore, there was no impediment to charging these accused before the statutory period of 90 days. In the meanwhile, because of vigorous investigation the other two suspects in the case, Kehar Singh and Balbir Singh had also been arrested.

During the course of its investigation the SIT had certain information that there was a larger conspiracy and perhaps there were men who had not yet been identified but who had links with one or more of the suspects in the immediate crime. But it was quite clear that the larger conspiracy was not confined to the assassination of the Prime Minister but had wider implications and had several more objectives in mind and involved perhaps a commission of a large number of offences. In these circumstances, the SIT took resort to Section 173 sub-section (8) of the Criminal Procedure Code, which was introduced in 1974. As the law stood before 1974, this provision was not available and this provision became available for the first time only in 1974. I wish to read just sub-section (8) of Section 173 in order to meet the criticism that the SIT has taken unduly long time to unravel the second conspiracy and to file the charge-sheet in that case. Section 173 sub-section (8) says, and I quote:

"Nothing in this Section shall be deemed to preclude further investigation in respect of an offence after a report under sub-section (2) has been forwarded to the Magistrate, and where, upon such investigation, the officer in charge of the Police Station obtains further evidence, oral or documentary, he shall forward to the Magistrate a further report or reports regarding such evidence in the form prescribed and the provisions of sub-section (2) to (6) shall, as far as may be, apply in relation to such report or reports as they apply in

relation to a report forwarded under sub-section (2)."

The SIT intimated the Additional Chief Metropolitan Magistrate on the 16th of February, 1985 that it had filed a charge-sheet on the 11th of February, 1985 against four accused including Beant Singh, the deceased, and that it proposed to continue the investigation into the large conspiracy because several conspirators were at large. This is a fact, which I thought I should share with this House in order to dispel any well-meaning or misconceived criticism that the SIT has held back material when Satwant Singh and other were charge-sheeted. No material was held back. The chargesheet against Satwant Singh A1, Balbir Singh A2, Kehar Singh A3 and Beant Singh (deceased) was filed on the 11th February 1985 within the statutory period of 90 days. The Additional Chief Metropolitan Magistrate was informed on the 16th February 1985 that the SIT proposed to continue the investigation into the large conspiracy and thus the SIT had jurisdiction to continue the investigation into the larger conspiracy.

Sir, it is now a matter of public knowledge that larger conspiracy had very wide ramifications. As I said briefly in the debate on the motion of privilege, the larger conspiracy was not confined to an attempt to murder Indiraji. The larger conspiracy included acts of sabotage, acts of violence, kidnapping, murder, hijacking, blowing up installations with explosives, spreading disaffection and spreading communal hatred with the eventual object of creating conditions under which according to the conspirators, the Government of India would have to choose but to concede to them Khalistan. That is the magnitude of the larger conspiracy. The conspirators travelled from Delhi to Bombay, to Nagpur, to Indore, to Dewas to Calcutta to Bhopal, to the Indo-Nepal border and back to Delhi. They held meetings in Bombay, in Nagpur and in Delhi. They found many sanctuaries and hiding places. They assumed different names from time to time. They had many many accomplices. In fact in the chargesheet, SIT has cited 311 wit-

nesses. Many of these witnesses have followed up their statements under Section 161 CRPC by making statements to a Magistrate under Section 164 CRPC. The conspiracy which has been unravelled is perhaps the biggest conspiracy of its kind ever hatched or plotted in independent India. Never before was the nation threatened by a conspiracy of this magnitude. Never before had any conspiracy objectives so horrifying as the objectives of this conspiracy, namely, to dismember India and to carve out an independent State based upon religion. A conspiracy of this nature would have to be carefully investigated so that innocent people are not affected.

Sir, as the hon. Members are aware two of the key conspirators were S.S. Mann and Atinderpal Singh. S.S. Mann, a former officer belonging to the Indian Police Service head, because of the service to which he belonged and because of the position he held, very strong links with a large number of people both inside Punjab and outside Punjab. The other conspirator according to the chargesheet was Atinderpal Singh who had been appointed as Senior Vice President of the AISSF by Amrik Singh. After Amrik Singh was killed on 0 operation Blue Star, Atinderpal Singh assumed the office of acting President of AISSF. AISSF had been banned sometime in 1984 and Atinderpal Singh went underground. S.S. Mann was arrested in December 1984 while he was trying to cross the Indo-Nepal border illegally with false documents and by attempting to bribe certain people on the border. After he was arrested, a case was instituted against him and the case is now being tried in the Court at Bhagalpur in the State of Bihar. Much of the material which the SIT uncovered during the course of this investigation has already been produced before the Bhagalpur Court in so far as it concerns S.S. Mann and the chargesheet which he is facing in that trial. Shri Atinder Pal Singh, the other key conspirator, who, according to the chargesheet, brought together Jagmohan Singh alias Tony and S.S. Mann and, according to the chargesheet, did reconnaissance of Nagpur where both Indiraji and Shri

[Sh. P. Chidambaram]

Rajiv Gandhi were due to visit, in order to attempt an assassination at Nagpur. Atinder Pal Singh was underground and he was arrested only on the 4th of October, 1988. A conspiracy of this nature cannot be entirely unravelled and investigation cannot be completed unless the key conspirators are arrested. Jagmohan Singh alias Tony and Dalip Singh had been arrested in some other cases and had been let off on bail subject to, I believe, certain conditions. Their presence in Bombay or wherever the court directed them to be present, was secured. Mann was in custody. But the missing element was Atinder Pal Singh. Atinder Pal Singh was arrested only on 4th October, 1988. In fact, many of you may have seen him on television when he went on television to make certain statements when he was arrested. Then we had to interrogate Atinder Pal Singh. We had to verify his statement with other witnesses. We had to follow up on matters which he had disclosed by discovering things at other places. It took some time to complete the investigation after Atinder Pal Singh was arrested. That is why, the investigation by the SIT was completed only in the second week of January, 1989. In fact, I take this opportunity to congratulate the very dedicated officers belonging to the SIT, who have done a remarkable job of unravelling, perhaps, the most horrifying conspiracy that independent India had to face. After the investigation was completed in the second week of January, 1989, the SIT approached the Government of India for sanction to prosecute the accused because sanction is required for the prosecution under certain sections including 12A which is the section dealing with waging war. I thought, I should share all these facts in order to dispel what I believe is misconceived criticism from some quarters that the investigation of the largest conspiracy and the laying of the second chargesheet was deliberately delayed by the SIT. Nothing can be farther from the truth. We had no advantage in deliberately delaying this investigation. On the contrary, it was the determination of the Government and the Prime Minis-

ter, Shri Rajiv Gandhi, that this conspiracy must be investigated to its roots and the conspirators must be brought to book under the law. At the same time, we are wedded to the rule of law. We have placed no impediment in the way of any accused defending himself. In fact, perhaps, in no other country would you get a fairer trial than the trial of Satwant Singh, Kehar Singh and Balbir Singh. The trial judge convicted all the three. The appellate bench of the High Court consisting of three learned judges, affirmed the conviction of all the three. In the Supreme Court, Balbir Singh was acquitted while the conviction of Kehar Singh and Satwant Singh was confirmed. I may be allowed to say with a legitimate sense of pride that it is to the credit of this Government that it accepted the judgement of the Supreme Court and did not even file a review petition. When Balbir Singh was acquitted, we accepted the judgement of the Supreme Court. When Kehar Singh and Satwant Singh were convicted, we accepted that judgement of the Supreme Court also. We did not file even a review petition. We accepted whatever the highest court laid down as the final judgement. We placed no impediments in the trial of the accused. And I believe, they got the fairest trial possible in any democracy functioning under the jurisprudence that we have.

I may assure the House once again that although it has taken us over four years to unravel the conspiracy and bring to trial four accused—fifth accused is deceased—these accused will have the fairest trial possible under our law. They will have every facility to defend themselves. This Government will ensure that they have the fair and just trial and Government will accept whatever verdict is pronounced by the courts. It is in this background that one must ask again and again the question why was the Thakkar Report selectively leaked at the time when it was leaked and in the manner in which it was leaked. Unless we answer this question and unless each one asks this question and answers this question and unless each leader of the Opposition gives us an honest answer to this question, this debate will

never really end. The answer to this question is—and I am convinced in my mind that the answer to this question is—that the purpose of the selective leak of a very selected portion of the final report of the Thakkar Commission was nothing but to deflect the attention and concern of the people of India from the real conspirators in the larger conspiracy. The idea was to point the needle of suspicion against some person so that the people of India will not focus on the grave danger that threatens the unity and integrity of this country, so that the largest conspiracy will be clouded by a mist of suspicion and a miasma of rumour and gossip. Fortunately, Parliament asserted itself, the Speaker—with great respect to the Chair—asserted himself. Attempts to derail the discussion and debate were forestalled and once again we have been able to focus the real issue which has to be debated in this country. The real issue is the larger conspiracy and the forces which conspired in the dark to destabilise and dismember India. Justice Thakkar had, sensed that there was such a conspiracy, but in the nature of things, it was not possible for him to unravel the conspiracy. That is why he relegated this responsibility to the SIT. The SIT has discharged its responsibility with remarkable efficiency and promptitude, and it is as a result of this effort that we have been able to lay the charge-sheet a few days ago. I would urge hon. Members to ponder over the nature of the conspiracy, to ponder over the forces that are arraigned against us, to ponder over the dangers that our nation and democracy face. Only a few days ago, while speaking in the debate on a motion moved by hon. Member Mr. Bhagat, I identified an agency in a neighbouring country which has helped and provided assistance to certain forces which are intent on creating conditions of instability in India. We know that such forces operate in Punjab and in Jammu and Kashmir. I identified the Inter Services Intelligence in Pakistan as the agency which has a nexus to both the terrorists in Punjab and to the so-called Jammu and Kashmir Liberation Front. It is true that Prime Minister Benazir Bhutto has taken several steps to bring the activities of ISI under control but it

not assessment that she has not been able to acquire full control over the ISI. The political wing of the ISI has since been dissolved, may be the remnants of that political wing are still active. There are forces within this country who will not hesitate to get help and assistance from our enemies abroad. We must identify these forces, we must expose them. It is the sacred duty of Parliament to do that, to expose all those forces which will destabilise and dismember India. It is a matter of satisfaction that one conspiracy has been unravelled but we must be on our guard to ensure that no more forces conspire against India.

I am grateful to hon. Members for appreciating the various actions taken by Government in order to safeguard the unity and integrity of India. I once again seek the support and cooperation of all sections of the House to the efforts of the Government of India to safeguard India's unity, integrity and stability. Thank you, Sir.

[Translation]

SHRI NARESH CHANDRA CHATURVEDI (Kanpur): Mr. Deputy Speaker, Sir, first of all I would like to record my objection over the Thakkar Commission report on which we are holding a discussion today. Both Hindi and English versions of the report should have been laid on the table of the House, but the Hindi version has not been placed. When they had sufficient time at their disposal, the Hindi version of the report should also have been placed.

Now I would like to congratulate our hon. Prime Minister and would like to express a hearty welcome to him on my own behalf and behalf of this august House for his speech of a historic importance. I feel that the speech delivered by the Hon. Prime Minister yesterday was not only very poignant but also thought provoking wedded with ethics. The country which was passing through a very peculiar circumstances might have heaved a sigh of relief after listening and going through such a nice and balanced speech full of moral value of its leader. The

[Sh. Naresh Chandra Chaturvedi]

people of opposition also got a befitting reply.

Never before this, the Thakkar Commission report was a subject of discussion for anybody. An amending bill seeking exemption from presenting the report to the House was also passed without any objections raised from any quarter. Nobody had any objection to it. Today I feel pity for those people who now raising objection that, they were not even shown the commission's report. I fail to understand how a person could be able to muster courage to voice the rights of the people as a leader of the opposition when he was not able or had not the courage to wield his powers enjoyed by him by virtue of being a member of the Cabinet. The people of the country will never rely on him. It cannot be so that people will believe his story by considering him a bold, moralist, honest and effective person who could not muster courage to express his feelings when he was a Minister. I have no doubt about the fact that the people of India and its common voters are more wiser. A common voter in this country makes very proper use of his intelligence and wisdom.

I beg pardon for my submission about the reference made by Justice Thakkar with regard to Shri Dhawan. I have highest regards for the Judges and can emphatically say that how deeply we may discuss the issue of corruption, but our Judiciary, especially the Supreme Court and the High Court are one of the best judiciaries in the world. But the way in which Justice Thakkar in his report wrote about the involvement of Shri Dhawan is highly objectionable. It looked like a case in which an ordinary policeman makes investigation and turns the needle of suspicion to the direction that suits him. I felt as if it was not a comment of a justice. Had it been the comment of a justice, it would not have come in their present form.

May I ask the learned and conscientious leaders of our opposition as to why they held discussions on the points interpreted by

Shri Arun Shourie, Editor of the Indian Express in his paper and placed by him before the public. There was a talk that Shri Dhawan changed the time, he was walking at a distance of 1 to 2 feet behind. A sheet of Dhawan's diary was published. There were only 4 words in it and it was given wide publicity—the words were, foreign money, Beant Singh, P.M./Rajiv. It is all the more surprising the way Justice Thakkar fabricated a long story out of it. I know that when responsible persons work under big people, they have to observe high standard of secrecy and face very odd problems and each and every word written by them carries much importance and weight.

Prof. Soz said that he was not well acquainted with Shri Dhawan. He got acquainted with him now. I am among those people who know Dhawan since long. I know from my own experience that there was no other person at that time who worked as the personal assistant of Shrimati Gandhi and who was so honest, so active, so far sighted and so dedicated to his boss and so strong in his moral character. One thing I know very well that there has been no change in his devotion to Indiraji when she was in power and when she was out of power. The makers of Janata Party, who are having repeated discussion on Shri Dhawan and the Thakkar Commission, arrested Dhawan in Kanpur. Several of them held ministerial posts at that time. During that period most of us had courted arrest and were put behind the bars and Shri Dhawan had gone to Kanpur to meet his relative. He was arrested there. At that time Dhawan was not their favourite. They had a different outlook towards Shri Dhawan.

One more point was raised in Justice Thakkar reports that when the point of foreign money was raised no reply was received. Shri Arun Shourie made the interpretation of P.M./Rajiv that Rajiv ji will become the Prime Minister and Indiraji will be murdered. I was surprised to note that a very minor thing has been given an extra-ordinary definition. Only a sick mind of an editor of a newspaper can do this. It was also

possible that the Prime Minister gave some message for Rajiv or directed him to ask something from Rajiv. As such it is not justifiable to interpret the word P.M./Rajiv departing from its real meaning. I felt that it was not at all a good thing to throw so much of dust on such a good, true and honest person by sheer imagination.

I would like to make yet another submission. Several people made several arguments about the time of assassination. It was said that the time was changed and many people have desired to know how Beant Singh and Satwant Singh put on duty. These are very minor things. At that time all steps were being taken after giving due thought. Shri Dhawan was totally a credible person and every decision was being taken after discussing the same with all the members of staff.

There is one more school of thought that he was walking at a distance of 1 1/2 feet from her. I cannot understand the point of their argument in it. People who used to meet Shrimati Gandhi and who met her very often can say this thing that no personal assistant walks very close to his boss. I never see this thing anywhere. I saw instances that whenever there was a need the personal assistance comes close to of his boss, asks about the point he needs and then withdraws. Dhawan followed the same principle and everybody follows this principle. Whenever he felt the need of asking anything from Indiraji, he used to come forward and as soon he received the reply he used to withdraw to a distant of 1 or 1 and 1/2 feet. I do not think that there should be any scope for suspicion if the time of the interview of the late Prime Minister with the Irish T.V. was changed. Regarding some diary entries, such as foreign money, 'Rajiv/PM', they do not allow any scope for suspicion. Again, if it is enquired whether Beant Singh was still alive or not, there should also be no scope for suspicion on this account. In fact, the atmosphere of the country has deteriorated so much and politics has come down to such a low ebb that allegations of doubt, corruption, bribery and protection the assas-

ins of his mother are being levelled against the Hon. Prime Minister, Shri Rajiv Gandhi by the Members of the Opposition in the Parliament. The politics of the country is moving in a very unfortunate direction. Who is going to accept such allegations? What conclusions does the opposition intend to draw by discussing Shri R.K. Dhawan? The Opposition has malafide intentions of including the name of Shri Rajiv Gandhi in the conspiracy which led to the assassination of the late Prime Minister on the grounds of Shri R.K. Dhawan's reinduction into the Government service after a gap of 4 years. It is indicative of a peculiarly sick mentality to speak in such terms. This is the sort of vicious politics which is being practised in different parts of the country. The press has brought down the entire matter to such a level that it will take a long time to tide over the crisis. It will be possible to do so only when there is national unity, integrity and security of each and every individual of this country and every Indian is able to live in this country with self respect and sense of security to which the Hon. Prime Minister has reaffirmed his commitment yesterday. The Congress Party is committed to this aim which has been reiterated by the Hon. Prime Minister and it has made me very happy. There are several such issues about which every information cannot be given. The points which have been raised by the Members of the Opposition parties are not concrete. I saw it during the course of the Fairfax affair and while I was a member of Committee on Bofors, I saw that whatever points were raised by the Opposition, were found to have no head or tail after sufficient investigations were conducted into them. The same thing is being repeated today. The Opposition first demanded the presentation of the interim report which was duly laid on the Table of the House. Thereafter, they insisted on the Final Report which has also been tabled. But still they are not satisfied. They want the details of the proceedings also to be made public. They want justice Thakkar's clarifications in this matter. I think that there is no end to this nuisance. It is common knowledge that in the case of every appeal made in the High Court or the Supreme

[Sh. Naresh Chandra Chaturvedi]

Court from the lower courts, it is the judgement which is made public and not the entire proceedings when we have before us the Commission's Report in two parts, part-I being the Interim Report and part-II the Final Report, there should not be any objection on the part of the Opposition regarding their participation in this discussion. Since it is the election year, the Opposition has acted in an unprecedented manner. It is for the first time that such unruly scenes have been witnessed in the House. The people of the Opposition resorted to squatting or lying down in front of Mr. Speaker's chair, shouting of slogans, tearing of important papers and snatching the papers from the hands of the hon. Minister of Parliamentary Affairs. As per the press reports, such unruly scenes were hitherto witnessed in the State Legislatures but it has been never before in his highest temple of democracy is Parliament. Even this thing has been done by our Opposition. Despite all these things, if attempts are made to usurp power by strangulating democracy and ignoring all norms of ethics. I feel very apprehensive about the future of India.

I would like to submit through you that the importance of the Thakkar Commission Report has also been reduced due to this very fact that the tone of all that whatever the Commission had stated in their interim Report had changed in the Final Report and they wiped out everything when it was concluded with the recommendation that this matter should be referred to a Special Investigation Team. After the investigations conducted by the SIT, the points raised in the Report have been negated because this team found Shri R.K. Dhawan to be innocent towards whom 'a needle of suspicion' was constantly pointed at in the Thakkar Commission Report. As a result, the importance of the Report in my opinion, has naturally been reduced. I agree with Prof. Soz when he says that Justice Thakkar worked under some pressure to have been so explicit about pin-pointing his suspicions against a particular person and if a judge

acts under pressure, it is not a very welcome sign and the Government should be more vigilant about such matters. I agree with whatever Shri Chidambaram has stated in his clarification about the Report and the action taken on it by the Government, the reasons for delay to table the report and about other legal matters connected with it. I can say only this much that the duty of the Government is to ensure that people get justice and the culprits are punished. The task is not completed after making a speech in this House but whether early or late, it is the democratic system which will provide full protection to all the people of this country. Late Shrimati Indira Gandhi is often the subject of our discussions. What was her reaction when she was hit on the nose by stone? In her last public speech, she had said that each drop of her blood will contribute to the unity and integrity of the country and it was immaterial whether she continued to live or died in the process. On one hand, we have this sort of sentiments and on the other, her assassination is being misused by the Opposition for getting political advantage which is not proper. Whenever, the opportune moment came their way to discuss this matter they boycotted the discussion so that they may not have to face the truth. I think that the role that is being played by the Opposition in our democratic set up is unwarranted. I would appeal to the Central Government that the people who had a hand in this conspiracy and war bent upon harming this country, and about whom the Government has definite information, should be summoned immediately and punished.

With these words, I conclude and thank you.

[English]

SHRI T. BASHEER (Chirayinkil): I thank you for giving me an opportunity to participate in the discussion on Thakkar Commission Report. At the outset, I would like to say that the Opposition is not at all interested to know the truth. Their sole attempt is to take political mileage. When we discuss this matter in this House, they are

not present in the House. They have boycotted this discussion. That itself shows clearly that they are not genuinely interested to know the truth. But, they are playing a political game.

We have witnessed in this House during the Session deplorable behaviour of many opposition members. You have seen during many Sessions that they are not interested in genuine people's demands. But, they will dig up some issues, they twist them and take political advantage out of it. During this Session, when some excerpts of the Thakkar Commission Report appeared in the press, they started hue and cry. We saw rampage by the Opposition in this House. What was their demand? They demanded that the Thakkar Commission Report should be laid on the Table of the House. When this issue came up, the hon. Prime Minister stated in this House that this report will be tabled in the House. If their demand was genuine, they would have welcomed that decision of the Prime Minister. They would have welcomed that Statement. But nobody did it. Instead of doing so, some Opposition Members said that Government would tamper with the report. That was the approach. Such irresponsible statements were made by certain important Opposition leaders. When the report was tabled, then the Opposition said that that was not the full report. We can wake up persons who are sleeping. But it is not possible to wake up persons who pretend to be sleeping.

Sir, the hon. Minister Shri Chidambaram explained this aspect in detail when this House discussed a privilege motion by Prof. Madhu Dandavate. The hon. Minister explained in detail as to what had happened in the past regarding reports of the same nature; what were the past precedents in this respect and what constituted the full report. The point is that the Opposition will not be satisfied with anything. Nobody could satisfy them because their aim is very clear. They want to prolong this issue because this is an election year. So, they want to take political advantage of this. It is a clear political game.

Sir, now the Opposition is shedding crocodile tears about the assassination of our late Prime Minister and our great Leader Smt. Indira Gandhi. The people know what they are doing. What happened during the Janata Regime? Attempted to eliminate our great leader and late Prime Minister Smt. Indira Gandhi from the political scene of this country. We know that she was arrested; she was kept in jail and all of a sudden how much harassment she had gone through. How much agony she had suffered? All these Opposition people were party to it. They were all responsible for that. When she got elected from Chickmagalur, it is these Opposition parties which expelled Smt. Indira Gandhi from the House. We all know that the people of this country protected her. As I said earlier, these Opposition people put her in Jail. Again it was the people of this country who protected her. The people stood with her. It is the people of this country who called her back to power.

I would like to say about another aspect. They are shedding crocodile tears now. What has been the attitude of the Opposition after the judgement of the Supreme Court on the assassination of Indira Gandhi? Two persons were convicted and sentenced to death. Did anyone from the Opposition side say that law and justice has taken its own course? Nobody has said that. On the contrary, many important Members of the Opposition tried to create an atmosphere in this country that the assassins of Mrs. Indira Gandhi are martyrs of judicial murder. That was their attitude. Now what is their move? They are not at all concerned about the wider conspiracy behind the assassination of Smt. Indira Gandhi. They are not at all concerned about the destabilising forces, the divisive forces that are working in the country. These people now want Mr. Dhawan's blood. Why? These people tried their best to get Mr. Dhawan removed for their political purpose. But they have miserably failed. So, they want to finish his career character assassination. The Report says and I quote:

"The Commission on its part, has in the course of its exploratory exercise gath-



[Sh. T. Basheer]

ered 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."

See the language, Sir. I would like to say that this is a verbal jugglery. With due respect, I would like to submit that there should not be place for such jugglings in the document like this which deals with a very serious issue. This Report never says that there is any evidence or any ground to implicate someone. But Mr. Thakkar wanted to implicate Mr. Dhawan, a man with unflinching loyalty to Mrs. Gandhi, a man with twenty-two years experience of working with Smt. Indira Gandhi. The SIT has investigated it fully and the Prime Minister has also stated that SIT has already cleared Mr. Dhawan. But the opposition is now playing some politics. They want to use this Report for character assassination.

I have read in some newspaper that the opposition Members are going to discuss this Report in some meeting somewhere. When this House discusses this important issue, they do not want to participate here. They boycotted the discussion. And they want to discuss it in some meeting. What a shameful thing it is! I remember once when Bofors issue came up and when this issue was discussed here, the opposition Members then also went to Swedish Embassy to submit the memorandum and they submitted the memorandum. This shows that they even lack the common sense. They have no faith in this Parliament.

As our hon. Prime Minister stated yesterday, the aim of the forces who worked for the assassination of Smt. Indira Gandhi was not merely her elimination. But the aim was to destabilise this country. Their calculation was that when Indiraji would be killed, the result would be that there would be political uncertainty and instability in the country which would result in disintegration. That

was the actual target of these forces. But, fortunately, we withstood that test and this country is fortunate that we have a young leader in the name of the Prime Minister Shri Rajiv Gandhi. We have a young leader Shri Rajiv Gandhi to protect this country, to protect the interests of the people of this country and the unity and integrity of the country from the destabilising forces and to take this country forward.

What is the Opposition doing? They are not seeing these two pictures. They want to defeat Congress. Their only aim is to capture power. We saw the real colour of some important leaders in the Opposition. I can understand some leaders of Janata Dal taking this stand; I can understand the stand taken by BJP; but I cannot understand the stand of the Left parties. They say they are convinced about the unity and integrity; they say that they are standing for the unity and integrity of this country. But they are not acting for that. If it is true, if they are really interested, they must come forward and disapprove of some parties' stand and must help the Government in its efforts to protect the country's unity and integrity.

The stand of the Opposition shows its total bankruptcy of policies and programmes. Their sole objective is to capture power. In this game, the Opposition is unabashedly resorting to character assassination, making baseless allegations, spreading of rumours and doing all kinds of mudslinging. These are the only programmes they have.

With these words, I conclude.

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI P.R. DAS MUNSI): Mr. Chairman, Sir, this particular debate concerning the Thakkar Commission Report has created quite a bit of inquisitiveness and enthusiasm among the people in the country to further know the truth. But the most unfortunate part of it is that the Opposition is so afraid of facing the truth that they have boycotted the entire discussion because truth can only be met by

truth; not by untruth or half-truth. Possibly, those who encouraged half-truths and untruths consider that this is the appropriate moment to hide somewhere else and not to face the truth.

The assassination of Mrs. Gandhi, the former Prime Minister, and the beloved leader of the nation should not be looked upon and analysed only on the basis of the findings of the Thakkar Commission Report as if a Prime Minister of India, as if a leader of the nation, is no more. But certainly it should be traced right from the beginning when she started strengthening the third world movement.

If I may go back a little and trace the history, right after 1971, this sub-continent started gaining a momentum against the onslaught of the colonial and imperialist power and all their manoeuvres and designs to destabilise this country, the largest democracy of the world. You may recall that in 1971 when the Indo-Soviet Treaty was signed, it created a positive move and generated a new hope not only in India and Soviet Union; but among almost all the freedom loving nations who were struggling at the moment for their freedom. They were delighted to see that a third world leadership and a committed socialist world leadership coming together to defend their aspirations and their cause.

The impact of the Indo-Soviet Treaty subsequently was followed by the Indo-Pak agreement known as Shimla Agreement signed by late Indiraji and the late Prime Minister of Pakistan Shri Bhutto; and the Indo-Bangla agreement signed by the late Indiraji and the late Sheikh Mujibur Rehman. It created again a new atmosphere of confidence in this sub-continent and posed a real threat to the imperialists and the colonialists right from that day. If you look back the moment the Indo-Soviet Treaty signing was over, the moment the Indo-Bangladesh Treaty was over, the moment the Shimla Treaty was over, a sinister move was initiated taking place right from that day, if I am not wrong, at the end of 1974, to castigate

and malign the Government and the then Prime Minister, Indira Gandhi as a corrupt person and a fountain head of corruption, to destabilise the democratic system in a manner as compelling the elected MLAs to resign, threatening them, forcing them, shaving their heads in the name of so called mass movements in those days, in the semi-fascist culture in the streets of Patna, Ahmedabad and elsewhere. If I am not wrong Mr. Chairman, in the Upper House, in those days, Mr. Bupesh Gupta and in this House. Prof. Hiren Mukherjee and Mr. Indrajit Gupta of the CPI shared our views and responded to the semi-fascist onslaught; democratic institutions and progressive forces resisted the efforts to undermine the importance of the democratic and also those who were determined to destabilise the country. It started right from that day. Thereafter what happened? In 1975, the first assassination took place in Dhaka, right inside the house of Sheikh Mujibur Rehman, as it happened inside the house of Mrs. Gandhi nine years later Mujib was assassinated and he was replaced by tanks, heavy artillery and military power. Almost around the same time vicious campaign started in India to destabilise the democratic system. \*\* who is now the leader of the Janata Dal in the Gujarat Assembly, was the Chief Minister of Congress Party in Gujarat. The movement came from the opposite side that he was branded as the kingpin of corruption and the students though their movement created a conditions in which he had to resign. The Government was dissolved that same ...\*\*... is now the symbol the sanity of the Opposition as the head of the Janata Dal today. I am talking of all these in order to trace the background must be traced that whenever an attempt was made in this country to destabilise the country it was made on two counts—A slogan in the streets, corruption to assassinate the character of the leaders, especially known leaders of both the world and the country and the second is to undermine the importance of democratic institutions by semi-fascist methods compelling and gheraoing the MLAs to resign or to use arms and other tactics to create a reign of terror. On a simple issue of Tulmohan Ram licence

\*\*Expunged as ordered by the Chair.

[Sh. P.R. Das Muns]

scandal involving a few lakhs of rupees, an uproar was made in this House, not for one or two days but for months together. This was in the Fifth Lok Sabha. Sir, I remember that incident distinctly. The House was not allowed to be conducted. We took every step to submit the report in the Speaker's Chamber for the Opposition to examine. Yet, instead of finding the truth, they carried on the canard of character assassination programme in the street and Mr. Lalit Mishra was killed out of hatred in Patna. Thereafter, an open invitation was given to the Army to rebel and at that time, the Constitution had to come in to impose emergency. People may accuse, people may appreciate, people may debate on this point from that day till this day. But I am explaining the method as to how it came. And the Congress Government could not come back. This is scenario No. 1. Scenario No. 2 is Camp David agreement was signed and Morarji's Government publicly welcomed the nasty Camp David agreement which encouraged the Israelis to continue their occupation. Mr. Chairman Sir, you may recall this. Mr. Moshe Dayan came to Delhi *in cognito*, to understand quietly the whole operation of destabilisation his visit was within the knowledge of the Government, but they did not disclose it to the public. Then, they went back. However, the Government collapsed for their own faults. But the concept of destabilisation was not over. Mr. Chairman Sir, you may recall this also. At that time, Akali leaders were not in the Government of the Janata Party. The Anandpur Sahib Resolution did not come in the fore-front at that time. The concept of thinking on the Sikh rights and other issues was not at all raised in the House. Not a memorandum was placed before the then Prime Minister or the President of India.

16.00 hrs.

Again, when Indira Gandhi came in and further strengthened the concept of the Third World movement, further strengthened the cause of disarmament, further strengthened the cause of nuclear non-proliferation treaty,

further championed the cause of world peace, efforts were made to manoeuvre the cause in a different manner. This time the manner was direct onslaught on India's unity through the Khalistani campaign. Wherefrom did the Khalistan campaign come? It did not originate in India, but it originated abroad, in Montreal etc. All those championed the cause of Khalistan movement.

I went to see the Los Angeles Olympic games. I give you an example of what happened. At that time, \*\* who is with the opposition now was also there. The Indian team was going to play the hockey match. Two days before, the extremists started issuing leaflets abusing India, saying "down with Indira Gandhi", "finish her" and all sorts of other slogans. The Government concerned there did not intervene. The Indian captain went to practise in the ground. He was stoned, tomatoes and eggs were thrown at him. All kinds of things were thrown on the players, shouting at them, abusing them etc. No intervention was there from that country. When we came back, we reported to Shrimati Indira Gandhi, the then Prime Minister how things had happened, and how things were gaining ground and how the terrorists were being trained abroad.

When these things had started taking shape, can you show me on record either on the records of Parliament proceedings or in public speeches that leaders like Prof. Madhu Dandavate of the Janata Dal, or of BJP, CPI or CPIM in those days publicly condemned such kind of actions and misbehaviour with the Olympic players in the United States? No debate took place. Nobody gave notice to the Speaker that they wanted to discuss this. All kept quiet. Things went on. In this process, arms started coming in, terrorists were trained, armed and equipped. The Blue Star operation had to take place for the sake of integrity and unity of the country. The attempt was firstly to destabilize India and secondly, to hit the most popular leader of the Third World movement, so that the Third World movement gets weakened. By this time, Mujib-ur-Rahman was no more, Bhutto was hanged

\*\*Expunged as ordered by the Chair.

and if Indira Gandhi could have been assassinated, their final manoeuvre could reach its culminator.

We must also trace the other factors. While these operations started taking place, Afghanistan problem also became serious. Attempts were made to train and equip the guerrillas and the Mujahideens in Afghanistan.

16.02 hrs.

[SHRI SOMNATH RATH *in the Chair*]

Taking all these things into account, a final blueprint was made, and based on that blueprint, operations started. And that is why the observation that the involvement of the foreign agencies or their links cannot be ruled out is genuine and convincing one. If I may say so, Indiraji's assassination was the beginning of their operative game, not the end of the game. It was just a beginning; many more things took place after that and many more are still going to take place and for that the Indian people, democratic institutions, the Government as a whole and all patriotic forces will have to remain vigilant.

Mr. Chairman, Sir, I want to draw your attention to the campaign that started. On the one hand, there was an attempt to destabilize the country by terrorists and on the other, under the popular banner of ending corruption, a particular newspaper carried a campaign and invited the army to rebel against the Government. That was before 1977. If you see, it is the same newspaper, the same so-called journalists, one or two, who are even carrying the so-called battle today. I am shocked to inform you and it is below the dignity of the Members of Parliament, whether this side or that side to assemble together to draw up their strategy in Parliament and in that meeting to invite a journalist to address them and give them counsel. Yesterday it so happened that in Vithalbhai Patel House Mr. Arun Shourie was asked to give his advice as to how to play the game further and how to go in the future. Mr. Chairman, Sir, this campaign

started with the Bofors Deal. They tried to use or misuse the highest office of the country, the President of India. They failed as they undermined the importance of the democratic institution. Then finally they came to this character assassination with regard to the Thakkar Commission Report, its findings and its observations.

Mr. Chairman, Sir, if supposing Mr. Dhawan had issued a statement some 4 months back saying that the conspirators are the Congress leaders who are sitting on the Treasury Benches that is if they could manage to get him in that way and had him deputed to their will, then today they would have come to this House demanding that the Thakkar Commission Report should not be laid on the Table of the House but asking the Government to resign and they would have defended Mr. Dhawan. But because Mr. Dhawan did not toe their line—because he did not defect and he remained a loyal servant and maintained his dignity—his being taken back in the Prime Minister's Cabinet Secretariat has become a great offence.

On the basis of the observations made by the Opposition Members, the Prime Minister clarified all the points yesterday. Mr. Chairman, Sir, I would like to say that the cult of terrorism is not confined to Punjab alone. The Punjab Assembly has been dissolved on the ground that some Minister in that Government was publically giving arms or was supporting the terrorists out-side the country, or some connivance was arrived at with the terrorists. The same thing is happening in the other parts of India. Only because of the efforts of the Prime Minister, Shri Rajiv Gandhi, we have been able to maintain the unity and integrity of the nation. We had been able to maintain unity in Darjeeling because of his timely intervention. It is true. I am grateful to the Prime Minister. He said a great thing befitting to the stature of Mahatma Gandhi's ideals, Pandit Nehru's ideals and the concept and principles of Smt. Indira Gandhi. He said that if we had compromised and agreed to toe the sentiments of the majority population of West Bengal, election result would have been different.

[Sh. P.R. Das Munsî]

That is my observation.

We got 42.5 per cent result in our favour. We could have got another 4 per cent votes if we had made Shri Rajiv Gandhi the leader of the Bengalis. But we did not do that. We tried to make him the leader of the nation. As a leader of the nation he could not ignore the responsibilities and the role played by Gorkhas in the liberation struggle. He said, "I am not prepared to accuse or abuse them as anti-nationals. They are my brothers, children and my sons." This way we maintained the unity but what happened in West Bengal? The State Government provided arms from the State armory to a party to counter that movement. Is it not anti-constitutional? Is it not encouraging the cult of terrorism which will ultimately destabilise the country?

Mr. Chairman, Sir, I don't want to raise any controversy here. I have no intentions to abuse any Chief Minister of any State-Congress or non-Congress-or to abuse any leader. I would like to humbly submit that it is not individually the responsibility of either S. Buta Singh or Shri Sontosh Mohan Dev or Shri Chidambaram to contain the terrorists. Every State Government will have to keep its eyes open and see where the terrorists are hiding. If it was a fact that Mr. Simranjit Singh Mann or other terrorists were hiding in the State of West Bengal, either before or after the Blue Star Operation, was it not the responsibility of \*\* of that State to have detained them at the appropriate time? If \*\* was not aware of the fact, I would say that he is \*\*. If he was aware of the fact but even then did not detain them, it creates a political suspicion. It is my political suspicion and my observation alone. I would say that they are maintaining the double standards. They are talking about the national unity in Delhi but are addressing the extremists in Canada. Canada talking about the national unity in Delhi and encouraging the terrorists in Darjeeling by giving them arms, talking about the national unity but are not disowning \*\* in the name of national Opposition. This is a double standard which is adopted by them and it is a kind of connivance with those forces who are out to destabilise our country.

Mr. Chairman, Sir, I would conclude by saying that many parties here have raised hue and cry about the Thakkar Commission Report which we have submitted and laid on the Table of the House.

I would like to know one thing from the Opposition. Yesterday several leaders in the Congress Party mentioned several reports which have not seen the light of the day. Shri Gadgil specifically asked why G.V. Rao's Report was not tabled in the Karnataka Assembly. Here I would like to go on record that three Inquiry Commissions were appointed under the Commissions of Inquiry Act to investigate the corruption and crimes committed by the Congress Regime from 1972-77 in West Bengal by the Left Front Government. These were the Ajay Basu Commission, Haratosh Chakravarty Commission and the Sharma Sarkar Commission. Till this date, none of those reports has seen the light of the day because the persons who headed the Commissions themselves declared that they could not find any evidence anywhere! Some relative of the \*\* took all the fees as Counsel from the State exchequer. But the Commissions did not give their findings till today. Till now, these reports were not placed on the Table of the State Legislature. So, this is the way the Opposition behaves, taking advantage and opportunity, wherever it suits them.

Today I am fully supporting the appeal of the Prime Minister to the Left. If the Left consider that they are patriotic and genuinely anti-imperialistic, anti-terrorists and anti-colonialists, if they want to preserve the integrity of the country, let them categorically disown Janata Dal with whom the black sheep which is responsible for leaking the report is associated. Let them say that they disown Shri \*\* and Shri \*\*. Let them say that they disown those people who introduced the legislation for anti-defection in the name of morality and having passed it, defected the party but would not resign from their seats. Let them disown such immoral people. If they do not make their stand clear,

\*\*Expunged as ordered by the Chair.

the political observation would obviously be that they also have some kind of an understanding and a clandestine link with those who want to destabilise the country.

Sir, I appeal to the Home Ministry that apart from the observations and investigations of the SIT, many more things are to be investigated. Who went to Mr. Hershman? Who met Mr. Adnan Khashoggi the arms agent? I also want to know whether Mr. Adnan Khashoggi, Mr. Hershman and Ms. \*\* the correspondent in Geneva—either one of them or each one of them—invited Mr. \*\* in Geneva for dinner. Is it a fact that in Los Angeles many of the opposition leaders have met Mr. Adnan Khashoggi and contacted Mr. Hershman? Is it also a fact that on their diktat, they are operating in this country? Therefore, you will find an international link is finally established and we know as to who are behind it. They tried to demoralise the Defence Forces in the past. That was why there was the campaign about Bofors in the beginning. They wanted to accuse and abuse the army personnel. When they came to know that it was too much of a risk, they turned to the Prime Minister. When they found that there was nothing against the Prime Minister they have now switched over to Thakkar Commission. They are not discussing relevant issues. As a matter of fact, they are not interested in discussing relevant issues. They do not want to discuss as to how the country is improving its economy in spite of the drought. They are not interested in discussing how much employment is generated by the Jawahar Rozgar Yojana, how things are going to be improved in the Eighth Plan, how women's rights are protected and so on. Nor are they interested in discussing the problems of the poor peasants and weavers. They are interested only in establishing some kind of a campaign throughout the country, whereby they can go to the people without taking up any of the relevant issues of the nation. They are only interested in having a regular link with the foreign countries and establishing links with the terrorist agencies. Therefore, Mr. Chairman, those people who brought Moshe

Dayan into this country, people who manipulated and literally squandered the money of the Gandhi Peace Foundation, as observed by the Kudal Commission, people who have link with Adnan Khashoggi, Hershman, people who did not condemn terrorists when they were hiding inside the Golden Temple, people who had no guts to welcome the army operations whether it be 'Black Thunder' or 'Blue Star', and people who had gone to Pakistan and praised Zia-ul-Haq and other people in Pakistan who were out and out against India in those days, and the people who created problems here by giving training to terrorists must prove their bonafides. Their bonafides are questioned today. They must be judged not by the Supreme Court, not by this Parliament but by the people of India. They will be judged by the people on the supreme democratic platform. If the Opposition are sincere, let them decide that they want to be on the side of India. Let them defend the country and not the terrorist manoeuvres. If they are not with them, let them expose the terrorists and their friends and the conspiring agents today. The Communist Party of the Soviet Union is one of the greatest champion of world peace. Legacy and heritage of the Soviet Communist Party might be good but the legacy of the Communist Party of Great Britain which took its birth in the lap of Rajni Palm Datta in London was to betray the nation during the national struggle. They may take the opportunity whenever there is a smell of betrayal in the hours of the crisis of the country. They may say, "We do not carry the legacy of Lenin or the Soviet Communist Party, we carry the legacy of Rajni Palm Datta who taught us how to abuse Netaji Subhas Bose and who taught us how to take the revolutionaries into the British camps." So, the Communists will have to decide which legacy they are following now. If they follow the legacy of the Soviet Union right from Lenin to Gorbachev, then they should dissociate themselves immediately from Janata Dal, \*\* Mr. Hershman and Mr. Adnan Khashoggi. If they think that they are carrying the legacy of Rajni Palm Datta and the great betrayers of the national movement, let them say "we can do everything but our old blood only stirs in our hearts

[Sh. P.R. Das Munsil]

to betray, betray, that will be to our advantage. We have nothing to say."

With these words, I congratulate the Home Ministry for their outstanding performance and for their courage to face the Parliament with truth. I congratulate our Prime Minister for what he said yesterday by putting his point of view and also of the Government's point of view. I appeal through you, that let the people judge outside the Parliament who are with the conspirators or who are out and out to fight conspiracy.

With these words, I conclude.

THE MINISTER OF STATE OF THE MINISTRY OF CIVIL AVIATION AND TOURISM (SHRI SHIVRAJ V. PATIL): On 31st of October, 1984, India lost her Prime Minister, the Congress Party lost its Leader and we lost our mother. When late Prime Minister Mrs. Gandhi lived and worked for the all round development of the country, she was criticised left and right, in season and out of season, for any flimsy reason or for no reason. She cautioned the country and brought to the notice of the people that **there were forces inside the country and outside the country which were bent upon dividing the nation undermining the unity and integrity of the nation.** She and many others hinted that there was a danger to her life also. It was at that time the Members of the Opposition Parties mocked at her statement. They used to say that it was a small-screen to hide the deficiencies of the regime. But when they mocked at her statement and when they deflected the attention of the people from the real issue, at that time, those who were conspiring against her and against the unity of the nation got the opportunity to prepare themselves and to strike at the heart. We know the result. She was assassinated in broad day light in our country.

We know who pulled the trigger; we know who were there to kill her. The case was filed in the court. There were some

politicians and lawyers who defended the culprits and tried to show that the culprits were innocent. They tried to divert the attention of the people. They tried to show that the bullets that killed Madam Gandhi were the bullets fired by some one else. They did not leave any stone unturned to protect the real culprits, the culprits whose hands were smeared with blood and who were caught red handed. It did not require any sagacity or understanding to find out as to who was responsible actually for firing and yet there were legal luminaries belonging to some party who were trying to divert the attention of the people from the real criminals to others.

The judgement was given and it went against the culprits; they were punished. Later on, a write-up appeared in a newspaper and the matter was picked up and taken up by the members in this House. An agitation was started. We know the nature of the agitation; we know how the matter was put in this House. They wanted that the Report should be placed on the Table of the House; they sat in the well of the House; they did not allow the Budget to be discussed in the House. The valuable time of this House was wasted and they insisted and insisted that the Report should be placed on the Table of the House. The Government did not place the Report on the Table of the House in deference to the advice given by the Thakkar Commission itself. The reasons given for not publishing the Report are like this. On page 7, of the report it reads as follows:

"The Commission after due deliberation, has formed the opinion that while there is no objection to the Interim Report being made public, larger public interest demands that the present report (final report) may not be made public. There are three good and valid reasons why it should not be made public:- (1) Firstly, in the wake of the report, the Government might desire a problem to be made by the investigating agency in the light of the observations made in the report. Such investigation in all likelihood will be ham-

pered or prejudiced by giving publicity to the report. (2) Secondly, such publicity is likely to cause embarrassment or prejudice to the suspect. More so as the observations made in the report have been made on the basis of the material gathered in the course of the investigative exercise which precedes an inquiry proper, and not on the basis of the inquiry held by the Commission as contemplated under section 8B of the Act or under Rule 5 of the Rules. (This course had to be adopted since further investigation by the investigating agency may have to be undertaken, and since the Commission cannot itself hold an inquiry into the facts and circumstances of the matter which will be more in the nature of a trial. (3) Thirdly, material gathered and incorporated in the report touches on a number of sensitive matters which it may not be in public interest to publicise at least for the present."

Now, these were the reasons because of which the Report was not placed on the Table of the House and these are valid reasons. The Report itself says that it was necessary to protect the culprit in this investigation, in the investigation against him, in the court of law. The Report also says that there are some sensitive matters relating to the foreign countries also and it is not correct to give publicity before the criminal investigation is finished and the cases are filed. These were the valid reasons and yet they wanted that the Report should be placed on the Table of the House.

The Government agreed to place the Report on the Table of the house in order to dispel any misunderstanding which might have arisen because of not tabling this Report on the Table of the House, in deference to the demand made by the Opposition Members and in order to avoid any mischief that could be generated because of not tabling the Report on the Table of the House. And what happened later on? Later on the hon. Members boycotted the discussion itself! Members boycotted the discussion itself! They left this House and they went out.

They said that unless the entire record of the proceedings of the Commission was placed on the Table of the House they would not discuss it.

We, who have been in Parliament know that even the reports of the Parliamentary Committees are placed on the Table of the House without placing with them the record of the proceedings of the Parliamentary Committees. Now here is a Commission appointed outside the House. This was a Report of the Inquiry made by the Commission. We shall have to distinguish between the Report of an Inquiry, the report after investigation and the judgment given by a court of law. This is a report of an inquiry. In this Report, it was specifically mentioned that this report cannot be adduced as evidence nor the proceedings of this Commission can be adduced as evidence. But it should be made the basis for investigating into the matter and special investigations should be started; and the special investigations were started later on. It was also mentioned that in the interest of justice it should not be published.

Now, all these facts have to be borne in mind and yet the Members belonging to the Opposition Parties insisted and insisted and insisted that not only the Report but the proceedings of the Commissions also should be placed on the Table of the House. What has been said by the Commission here? It is very very relevant. On page No. 6, the Report says:

"The exercise thus undertaken may result in the Commission reaching the conclusion that some person or persons or agencies besides those named in the charge-sheet filed in the Court were possibly involved in the perpetration of the crime. The Commission may form the opinion that in the context of the material gathered by the Commission there are grounds to suspect the involvement of an individual or individuals. The only course open to the Commission in such an eventuality would be to advert to the



[Sh. Shivraj V. Patil]

relevant material and to articulate the reasons for forming the opinion that there are grounds for entertaining suspicion about involvement of some persons other than the culprits named in the FIR or the charge-sheet. And to recommend that the matter required to be further investigated by the investigating agency in the light of the perspective perceived by the Commission."

They themselves have said in so many words that there is no finality attached to this Report. They have said that the investigation has to be done. After the investigation is done, the report of the investigation has to be filed in a Court of law. Even the report which is received after the investigation has no finality. It is only the Court which can give the judgement and the decision. There were so many stages which were to be reached after this report was filed. And yet the Members insisted and insisted that the report should be placed on the Table of the House along with the proceedings. Why did they do that? This is a question which will be asked in this House; this is a question which will be asked outside the House; this is a question which will be asked by all thinking people. They wanted that the report should be placed on the Table of the House thinking that there would be material in the report, which could be used against the leader of the party, against the Government and against the party. They thought that there would be material and they could use it. When they found that there was no material, they packed off and they did not participate in the debate on the report. Is this the way a responsible opposition should behave; is this the way which can really strengthen the democracy and parliamentary system in our country; is this the way to arrive at the truth; is this the way to do justice to the people; is this the way the opposition should behave towards the ruling party or the ruling party towards the opposition? That is the question that will be asked again and again. And the answer is that they wanted to malign the

leader of the party; they wanted to malign the Government; they wanted to malign the party; they wanted to discredit the Government, the party and the leader. But when they found that there was no material in it, they did not participate in the debate. Now they go outside the Parliament and when there is nobody to answer the points raised by them, they would be making long speeches criticising the Government. They could have made their speeches here on the floor of the House and the points made by them could have been replied to, could have been met, could have explained and that could have been done in the interest of justice, in the interest of fairplay and in the interest of arriving at the real truth. This is not done. They go out and make speeches. They make speeches in a place where they can make speeches in any manner they like. And if they make speeches here, they have to make speeches in front of the Members who are sitting here, and who are there to point out what is the truth and what is the untruth.

Sir, the opposition party has been raising the issues which are not real. They have not discussed the principles, on the basis of which the entire edifice of our democracy, of our economy, of our society, stands. They do not touch the principles; they do not discuss the principles; they do not discuss the policies; they do not discuss the defence policy as such; they do not discuss the security environment in the country; but they are interested in discussing a defence contract. The larger issues do not appeal to them. What appeals to them is a smaller issue relating to aircraft, not the security environment, not the defence policy, not the issue as to how the country should be defended and protected; what should be done and should not be done in its entirety and in its totality. But they are attracted by some small or big contracts. They do not discuss the policies, new policies which have been formulated. The Government in the last four years has formulated many policies—new education policy, new irrigation policy, new health policy, new housing policy, new approach to the agricultural development, new

perspective of the development of our industry in the country, new technological and scientific approach, new approach to decentralisation of power and taking power to the people. When the Budget is being discussed, they rake up an issue which they want to discuss. The discussion on the Budget is set aside. It is pushed aside. And they sit in the well of the House. They do not discuss the Budget at all. They want to discuss something which ultimately they do not discuss. What are they doing? In fact, they are discussing incidents, individuals, contracts, small, minor and petty things. Can the democracy of a country like India become strong when the attention is diverted on small issues? Can the economy, the society in India develop when the approach is limited, parochial, short-sighted? On the one hand, here is a leadership, a Government, a party which is doing everything possible to develop the country and not caring for itself or himself, which is trying to do its or his best for the development of our economy, our society and for strengthening the country by creating better relations throughout the world for our country and for others, and on the other hand, there are the Members talking all the time about individuals, incidents, small things, trying to deflect the attention from the bigger things to smaller things. Why is this agitation? And the answer given is that when we are trying to discuss the issue relating to the national integration and unity in the country, attempts are being made to deflect the attention of the people from the broader issue of conspiracy and conspirators to the smaller issues. They want to concentrate on an individual, an individual who was with Madam Gandhi through the thick and thin of her political life, who suffered with Madam Gandhi for Madam Gandhi when she was not in power and remained loyal, did not say a word against her or against her party or against her relations. They want to implicate him. Why do they want to implicate him? They want to implicate him because they want to deflect the attention of the people from the bigger issues to the smaller issues. They do not stop here. They proceed a few steps ahead and they insinuate and implicate the

dear and the near ones of Mrs. Gandhi, the ones who really belong to Madam Gandhi, her own people. And they want to insinuate and implicate those people who were dearer to her than her own self. I do not think that the opposition party should stoop down to this level. I do not think that the opposition party is going to gain anything out of this kind of attitude towards the leader of the Congress Party, towards the Government of the Congress Party and towards the Congress Party. The level of the politics should not be allowed to be brought this low. We are sorry, our hearts are full of agony. The injury which was inflicted on the hearts of many of us sitting on this side, that wound is opened again. It is bleeding. And this bleeding certainly cannot help the Opposition Parties. They are misguided. The people in this country are shrewd enough to understand this nefarious game. They would not be misguided by what is being said in few newspapers and by few Members of the Opposition Parties on the floor of the House and outside the House. We have full faith in them. We have full faith in understanding, we have full faith in judgement, and we know that they know what is black and what is white, what is truth and what is untruth, who is acting for what reason. They understand those people who are day in and day out riveting their attention on small things, who do not have broader vision, who do not think in terms of the nation as a whole, who do not think positively, who are always thinking negatively, who are always trying to find fault with others and saying to the people: "We are better than them because they have faults." They are not showing as to what is their positive attitude, what is their philosophy, what is their policy, how they want to tackle the issues in the country. They say: "They are wrong, so we should be allowed." This can be really understood by the people of this country.

We are very very sorry that this matter has been brought in this fashion and discussed by some Members from the Opposition in this tone and in this manner. I shall not and need not say anything more than this. The only thing that I would like to say is that

[Sh. Shivraj V. Patil]

the hon. Prime Minister has very rightly said that the assassination of Mrs. Indira Gandhi was not an individual's assassination. She stood for certain principles and policies. She stood for the democracy in the country. She stood for secularism in the country. She stood for the poor in the country. She stood for the self-reliance. She stood for the respect of the humanity. Those principles were not acceptable to some people and they thought that by killing her they would be finishing the principles she stood for. But they were wrong there and we, who have inherited her blessings, would give our life to stand by those principles. We will not budge an inch. She had declared that she would give her blood for the country and that every drop of her blood would strengthen this country. We would like to say the same thing standing on the floor of this House that we should stand for the principles and we would not budge an inch, and if need be, we will give everything that belongs to us. Every drop of our blood will be available for the protection of this country.

SHRI SHARAD DIGHE (Bombay North Central): Mr. Chairman, Sir, since yesterday we have been discussing this Thakkar Commission's Report. Many senior Members from the ruling party have already spoken. Yesterday we had also a very eloquent, comprehensive speech of the Prime Minister, touched with emotions also. Many more Ministers have intervened today and the debate is about to end. The very unfortunate thing is that the Opposition Parties, who had been insisting on this Thakkar Commission's Report being placed on the Table of the House and being discussed, have ultimately chosen to boycott this debate. I can understand their dilemma because they could neither support the Report nor criticise it. They were thoroughly disappointed when they found the contents of the Report. They were expecting much more things from the Report, which they could use not only today but till the day of poll. But having been fully disappointed, they chose to boycott this debate. I do not know

whether it is true. But if they are discussing the same subject outside the House simultaneously as also here, it would be very unfortunate and will be against the spirit of parliamentary democracy. If a single sentence is spoken by a Minister outside the House regarding the policy, they would shout that this was improper, that when the House is going on you cannot make any pronouncement outside the House. When we are here, as the Minister has said just now, to reply to those points, they chose deliberately a forum where these points cannot be replied by anybody.

Then, Sir, this report had been also fully commented upon inside and outside the House by several journalists and some of them have also very candidly said that there is a failure in distinguishing between weighty and flimsy evidence in this report and the report is filled in several parts with speculative materials. It is also remarked by one of the columnist that it remains a puzzle how a Supreme Court judge could arrive at so damning a conclusion on so slight and uncertain evidence. For the most part it does not appear to be a circumstantial evidence but rather a combination of inference and conjuncture. Now, this report was placed before this House. An interim report was submitted on 19th November 1985. The final report was submitted on 27th February 1986. There was, I should say, preliminary leakage in 1986 itself. But at that time the Opposition did not find it useful to take advantage of it or to raise the points here. But today they saw that there would be some advantage in raising this issue and therefore they made a lot of noise in this House for getting this report before the House and ultimately they left the field when it was really being discussed. They did not see the reason when it was pointed out that this is the full report and the provisions which were made under the Commission of Inquiry Act, particularly under Clause (5) of Section (3) that for the purpose of this Clause the report shall include an interim report and also proceedings of the Commission. So, that was for the purpose of Clause 5 only. When this was explained in detail by our Minister, Mr.

Chidambaram, also they refused to agree to it. They said "mango is a mango". Prof. Madhu Dandavate said "mango is a mango" and it can't mean anything else. But the person who is trained with legal mind, who has occasions always to interpret the different sections and different Acts, will immediately agree that phrases are differently defined in the provisions of the Act. If they are defined under the specific clauses definitions, then the same meaning is taken for all the sections and clauses. But when there are many occasions, when meanings are restricted to certain clauses only, if you go to Article 2 of the Constitution, there, you will find that even the meaning is restricted to a particular proviso and not to the clauses.

So, there are many such instances, there is nothing to be surprised about all these things, but when one pretends not to understand at all, then it cannot be helped. When there was also the opinion of the Attorney General and the Rulling of the Speaker was also based upon it, even then they refused to agree to it and at the last minute also they said, 'This is a truncated Report.' Not only that, one of the Members went to the extent of saying that this is a tampered report. So, you can imagine to what extent they can go to take political mileage out of every issue that is coming and therefore, I should say their business in the House is decided by a journalist. Our business in the House is decided by the Business Advisory Committee, but the Opposition's business in the House is always decided and laid down by a journalist who is outside the House. So, this is the position as far as the Opposition Members are concerned.

Now, as I was saying that this Report unfortunately made certain observations and certain allegations which are not, really speaking, based on a very conclusive evidence. Not only that, it relies upon some trifling things, draws inferences from many many trivial and trifling things. The most important part in the Report are certain allegations against Mr. Dhawan and many, points have been raised in this Report

against that gentleman. And if we go carefully through all these observations and the arguments, these arguments are not cogent at all. They are not based on any evidence on record and all are inferences and conjectures and from that, the whole thing is drawn as if very substantial conclusions have been drawn from the evidence. The Commission itself has admitted that the Report is based on the pre-inquiry investigative exercise and not an inquiry under Section 8B of the Commissions of Enquiry Act which is neither feasible nor practicable.

Then, Sir, let us take 4-5 points which the Commission has alleged against Mr. Dhawan. Firstly, the change of time with respect to the interview which was fixed with Irish TV of the late Prime Minister. With respect to that, pages 45, 46, 49 and 54 in this Report. The Commission says at page 45:

"The conclusion is, therefore, inescapable that a change had not been effected in an open manner, in a normal or ordinary course, it was effected in a surreptitious and mysterious manner."

Then at page 46, it says:

"It is, therefore, reasonable to infer that a change in timing has a sinister significance and it was manipulated by some one in order to facilitate the crime."

Sir, it does not stand to reason at all. The discussion also is not complete on this point and certain conclusions and inferences are drawn. As I said, it does not stand to reason at all because even if the interview was either at 8.30 or Nine O'Clock or 9.10, the assassins had already taken positions at Seven O'Clock or 7.30 and therefore, whether the late Prime Minister would pass through that gate either at 8.30 or Nine O'Clock or 9.10 would not have mattered at all. It would not have changed the mind of the assassins or they would not have missed the target that was in their mind. Therefore, from this point of view, this conclusion has no substance at all. Another allegation is that

[Sh. Sharad Dighe]

instructions given regarding the deployment of Sikhs guards were countered mainly by Mr. Dhawan. If you turn to pages 23 and 26 of the Interim Report, the observations made therein are very material. As I was referring to this I must first add the explanation of Mr. Kao in his written explanation when he was asked as to why he merely relied upon the oral instructions of Mr. Dhawan regarding the deployment of Sikhs, even though a very considered decision was taken by the high level committee against it. He was asked, why did he not contact the Prime Minister herself and ask her. A very important explanation has been given by Mr. Kao at page 23 of the Interim Report:

"The decision to revoke the order to remove Sikh security personnel from the close proximity of the Prime Minister was a political decision. His experience had shown that once the PM had made up her mind and taken a decision on a matter which had political overtones, there was no scope for persuading her to change her mind on considerations of her personal security."

So, it was quite probable and quite convincing that Shrimati Indira Gandhi must have given instructions like this because she did not care for her life at all. Kao himself had stated at page 26. He said that he had touched on the subject of security, on a prior occasion and the late Prime Minister had given a very courteous reply: "Kao Saheb...this is my life. I have chosen it, and I must accept the risks." Therefore, from this point of view, I feel that it is quite probable that oral instructions were given and they were sought to be implemented by Mr. Dhawan as far as this is concerned. There is nothing improbable about it and one cannot raise suspicion because of this.

Then there was another remark that he fell back just before the shots. That was not supported by anybody. Even the evidence before the Court also shows that he had not

fallen back at all. He was just with the late Prime Minister herself and, therefore, there was no cause for suspicion on this account at all. He made enquiry about the fate of assassins. What is wrong about it? Such a very important incident of national importance has happened and everybody was enquiring about it—what happened to assassins, whether they were arrested, not arrested, what happened ultimately or somebody else had killed and destroyed the whole evidence. All these things were important from this point of view. Therefore, from small flimsy thing, we cannot raise doubts and point out a needle of suspicion against this gentleman.

About Mark Tully's article about "close member of Prime Minister staff" at page 81, of the final report, the Commission says:

"He (Tully) however refused to divulge the source of information and was not prepared to reveal the name of the "close member of the PM staff".

17.00 hrs.

His allegation was "close member of the Prime Minister's staff", however, vouched for his integrity. "His integrity" means assassin's integrity. After saying so, the Commission immediately said:

"It is generally known that the expression 'close member of the PM Staff' was being widely used when it was desired to refer to Shri Dhawan."

Only because the wording "close member of the PM's staff" is used, the Commission has straightway come to the conclusion that that will mean this only and nothing else, and it says:

"It is generally known that the expression 'close member of the PM staff was being widely used when it was desired to refer to Shri Dhawan".

I submit that this inference is absolutely

drawn by a very very weak assumption and we cannot rely upon it at all.

Some diary entires are there. What would be the motive for a gentleman who was with the Prime Minister for a major number of years of his life and was loyal to her even in her bad days? What motive can it be? What would he achieve by helping the assassination of his own boss? He had all the powers. Everything was with him. He was not stripped of the power at all. What was the necessity? Who would commit all this heinous crime? It is no probability at all from a person of th. standing.

Not only that. Then the motive shown is, he was reprimanded some time in September, 1984. He was reprimanded by the Prime Minister in September, 1984 for the alleged acts of Andhra Pradesh politics. Now, I do not know exactly but, several other people are also alleged to be involved in this advice.

PROF. N.G. RANGA (Guntur): We do that too.

SHRI SHARAD DIGHE: So, there is no possibility that it was because of this and when he was there for several years with the Prime Minister, I think, there must have been several occasions when she must have reprimanded him. When he was so close in advising and helping the Prime Minister of this country, is it possible that because he was reprimanded only once in September, 1984 that he got so much attitude of vengeance that he must assassinate his boss to whom he was loyal all these years? All these things are absolutely based on weak evidence and inferences cannot be drawn by even a reasonable man from all these things. Therefore, what I submit is that this report, as far as this aspect is concerned, is merely speculative, is only a conjecture and I do not know whether anything can be alleged but, as far as being a very high authority, a Supreme Court Judge for several years, we may merely say that he has not used his usual sense of judgment in assessing the evidence, in coming to the conclusions, which was expected of a judge of this type

with great confidence such inquiry we entrusted to a sitting Judge of the Supreme Court. Why do we do so? We are confident that his mind is trained and he can assess and he can come to proper conclusions and he bases everything on evidence and absolutely unbiased judgement is given by a Supreme Court Judge. But, somehow or the other, I must say we are not getting the benefit of those qualities as far as this Report is concerned. From this point of view, I am glad that thereafter SIT has exonerated Mr. Dhawan from all these allegations. The Government has thought it fit to restore him in his own position. The Government has also, acting on the report of the SIT, charge-sheeted those who were concerned in the broader and larger conspiracy, as far as this assassination is concerned. So, the Government has taken proper steps. The Commission itself was expecting that after this pre-inquiry investigation, something would be done by the Government; further investigations would be made and then only steps would be taken. This has been done by the Government. I am happy about it. Therefore, again I would like to say that it would have been better if the Opposition had participated in this discussion and put forth their own arguments here so that they could have been replied to here and the whole Parliament would have been satisfied that this report is merely based on inferences and conjectures. That would have satisfied even our Members of the Opposition. I hope so. But they knew that an embarrassing position would come after this discussion and they would have nothing to say on this report. Therefore, they have chosen this course of action of boycotting the participation on this discussion of the report.

With these words, I conclude.

SHRI HAROOBHAI MEHTA (Ahmedabad): Sir, on 31st October, 1984, a monstrous tragedy, next only to the assassination of Mahatma Gandhi, overtook the people of India in the shape of assassination of the late Prime Minister, Smt. Indira Gandhi. In her last public speech delivered only the previous day of assassination, Smt.

[Sh. Harooobhai Mehta]

Indira Gandhi had said: "Every drop of my blood, I am sure, will contribute to the growth of this Nation and make it strong". On the next day, she gave her supreme sacrifice for the cause of national unity to which she was committed more than any thing else and more than any one else.

The nation was in no position to absorb the shock. In the midst of that, the people of India could perceive that this could not be an isolated act of some one person or even borne out of some lunatic mind or insanity but there must be something deeper behind this. It is because of the fact that India was already under a lot of international pressure at that time. Perceiving this, the Government of India appointed an Inquiry Commission consisting of Mr. Justice M.P. Thakkar to go into all these things. The Commission carried out the task by February 27, 1986.

Sir, I have carefully gone through the Report of the Commission. Notwithstanding the difference of approach that a Member can adopt at, after the perusal of the report, I am of the view that the Commission has done a stupendous task in giving its findings. It may be possible that the formulation of the Commission on 'A' aspect or 'B' aspect may or may not come in for acceptance. But by and large, in general, the findings of the Commission are very valuable. It is good that the Government has pursued the Commission's findings. We have before us the Commission's report in two parts, Part-I is the Interim Report and Part-II is the Final Report. coincidentally as Shri Sharad Dighe has pointed out just now, the leakage is also in two parts. There was an interim leakage of the report earlier in 1986 and the final leakage took place only a few days ago, before the chargesheet was to be initiated. Before we discuss the report and the action taken thereon, it will be pertinent to deal with the hue and cry raised by the Opposition on this point. Initially the Government resisted the disclosure of the report on the grounds, *inter alia* stated by the Commission itself in para 1.9 of Chapter I at page 7 of the report. This

may kindly be seen. This has already been

stated by a number of Members and I shall not take the time of the House. It has been stated that certain sensitive matters are there which may prejudice prosecution or investigations pending and it may also prejudice the case against the suspects. Therefore, the Commission thought it wise to advise the Government, not to publish the Report. Unfortunately, the opposition created such a situation which compelled the hands of the Government into placing the Report before this House. I am not sure whether the placing of the Report is still in the national interest or not. But, well, now when the report is before us, it should be properly discussed. Unfortunately, they have quit the House when the House is able to discuss the Report which they wanted to be placed in the House and should be made public. This is how they have escaped.

We are the people who clamour for the publication of the Thakkar Commission's Report? Were they those people who had love and affection for the late Prime Minister? No. The teeming millions of India who loved and venerated Smt. Indira Gandhi did not raise the hue and cry that it should be published. Did those whether those who wanted publication of the Report immediately are those who were asking for the faithful implementation of the Thakkar's Report? No. They are not interested in the Report. They are interested in making political use of the Report. Among those who pressed for the publication of the Report were the people whose colleagues have defended the assassins or conspirators in the court. And that also, not on the ground of profession. As a lawyer I understand that even people accused with the most heinous crime could be defended by lawyers on professional grounds. But from the statement of wise lawyer was obvious that this was not the professional brief. He wanted to seek vengeance against Madam Indira Gandhi and his supporters by defending those assassins. His colleagues are now claiming that the Report should be made public. They are those people whose one

colleague, who was the ex-Chief Minister of a Southern State, is on record to have stated that it was a heinous crime to hang Kehar Singh and it was nothing short of a political murder. They are the same people one of whose colleagues, an ex-Law Minister, not in the immediate past Ministry but between 1977-80, had said that he was disappointed by the conclusions of the court. Another colleague of theirs is on record to have stated that the blame for Kehar's death must be shared by all who did not speak out against these executions.

Sir, Madam Indira Gandhi's assassination is not made the subject-matter of an attack by them. The execution of those found-after the judicial inquiry- to be guilty of assassination of Prime Minister Smt. Indira Gandhi, is mourned by them. Their death is mourned by them by attending the Bhog ceremony. Unfortunately, I do not know how the opposition could not distinguish themselves from those people who are otherwise also supporters of such elements. I know some people among the opposition who are very conscious about the dangers against the national unity of India or about the efforts of destabilisation in India and about the manoeuvres and global designs of western imperialists. Unfortunately, in the personal matter they could not separate themselves from the designs of the rest of the opposition. Among the opposition, there are also some people whose rank and file had distributed sweet-meats in the streets on learning of the news of Indira's assassination. And now they say that the Report should be made public.

I am sorry that none of them is here. Otherwise, someone might have, hastened to wear the fitting cap. Therefore, their bona fides for asking for publication of the Report are to say the least, non-existent.

However, one thing of course, has to be said. The history of prosecution and execution exposes the weakness of our judicial and legal system in our country. It can only happen in India where the persons who are accused of assassinating their Prime Minis-

ter can be convicted and hanged being on found to be guilty only after a long lapse of four and a half years after the murder. It can only happen in India. That is not different from our story in the Bhopal gas victims case. Where the Government of India had felt constrained to enter into a settlement because the judicial system of this country, the legal system of this country, would fail to deliver justice to the victims even for a decade. Therefore, at least the whole episode must inform us about the need to tone up our legal and judicial system.

The Commission has meticulously examined the circumstances leading to the assassination and found that the unfortunate occurrence could have been averted if high officials who were aware of the threat to the life of the Prime Minister and about the possible and potential source from within the security set up itself had thought of ways and means of improving the security set up, of meeting the dangers by scrutinising and reviewing the system and devising ways and means to block the loopholes.

I respectfully disagree with my good friend Mr. Sharad Dighe, that Mr. Rao was right in not approaching the Prime Minister on the question of posting of certain people as security guards. He was the security chief. It was his responsibility to take the risk of getting the admonition or be snubbed by the Prime Minister Indira Gandhi and to tell that she had got to see that her security was not a personal security alone, it was a national security. Therefore, it was his obligation to go and get the decision reversed.

However, this points out to one major thing. It was only Prime Minister Indira Gandhi who could say, whatever may be the risk to my life, I shall not order the change of guards duty on the ground that they belong to a particular community. That is the way she upheld national integrity and unity and that is why she also rendered the supreme sacrifice.

As regards Mr Dhawan's role, an unseemly controversy appears to have been



[Sh. Haroobhai Mehta]

raised. It is not necessary nor useful to castigate the Commission in order to take different view regarding one individual. The Commission itself has not finally given any conclusion on that. Incidentally is the same Commission which may be relied upon by our friends in the matter of Fairfax Inquiry. Let us see the Report itself. What does it say? The Report has made it very clear at page 126 about the matter of Shri Dhawan's involvement. It says:

" There is no escape from the conclusion that there are weighty reasons to suspect the complicity or involvement of Shri Dhawan in the crime."

It means that there are weighty reasons. That also implies these reasons can also be outweighed by proper consideration of material and evidence which can be gathered in the light of or in pursuance of the investigation that may be made.

Further the Commission Report made it very clear that this is not an inquiry under Section 8B. Section 8 B may kindly be seen.

MR. CHAIRMAN: Please conclude.

SHRI HAROOBHAI MEHTA: This is not a matter on which I shall be able to wind up within two or three minutes. I need more time. If it is necessary to give Members more time, it may be advisable to ask Ministers not to intervene frequently.

MR. CHAIRMAN: They have already intervened.

SHRI HAROOBHAI MEHTA: Their frequent interventions take away the time of the ordinary Members.

MR. CHAIRMAN: Let us adjust. We shall cut short speeches.

SHRI HAROOBHAI MEHTA: Section 8B says:

" If, at any stage of the inquiry, the Commission,-

(a) considers it necessary to inquire into the conduct of any person; or

(b) is of opinion that the reputation of any person is likely to be prejudicially affected by the inquiry,

The Commission shall give to that person a reasonable opportunity of being heard in the inquiry and to produce evidence in his defence;"

Therefore, the Commission did not arrive at any stage that a reasonable opportunity was considered necessary. Provision 8B was not considered necessary. The observation of the Commission is ex-parte in a sense. Therefore, there was no firm conclusion on that. The Commission itself says about the nature of its recommendation viz as follows " that the Central Government should seriously consider the question of appropriate agencies to investigate the matter as regards the involvement of Shri R.K. Dhawan, the then Special Assistant to the late Prime Minister in the perspective presented in the report." Therefore Sir, what has been recommended by the Commission is not an action against Shri Dhawan, but an investigation into the matter.

SHRI CHAIRMAN: Mr. Patil has already mentioned.

SHRI HAROOBHAI MEHTA: Therefore an investigation was necessary, investigation took place. As a result of the Special Investigation Team's recommendation, the Government came to certain conclusions. Now, Sir, as a politician, I have full trust in the Government's findings of the investigation. But as a lawyer, I would appeal that at an appropriate time, Government may enlighten this House about how the Investigation Team came to the conclusion that X,Y,Z was totally irrelevant and he deserved to be exonerated. The reasoning, the evidences and the materials on the basis of which the Government came to the conclusion should

be stated to the House at the appropriate time. I do not want to embarrass the Government by asking them at this moment because the case is already filed, charge-sheet is already filed, and the Matter is *sub-judice*. But the people of India would like to know the reasoning and the evidences on the basis of which Shri Dhawan or any other officer concerned has been exonerated. As I said, the Commission never indicated Shri Dhawan, but only wanted that the matter should be inquired into and the Government enquired into it.

Another important aspect is this. The Commission in its report at Page 137 stated that, "the Commission has indicated the possibility that a foreign hand had played some role in the assassination. May it be that the foreign agency has been inspired; by the scenario then existing to egg on the terrorists to any cut-out agency or otherwise. The Commission has also stated that a foreign agency had indeed played a role of helping those who were engaged in destabilising India by inspiring, encouraging, assisting and training terrorists".

Now, Sir, I want the Government to inform the House as to what investigation has been undertaken by the Government and what is the finding of the Government on the question of whether any international agency was involved in this. Sir, the charge-sheet filed ultimately runs within the narrow compass. That means destabilisation by encouragement and incitement to terrorism by certain people who demand Khalisthan. But, Sir, the conspiracy is deeper, wider and the accusing finger is undoubtedly pointed towards the CIA. Will the Government enlighten the House on the question whether the possible role of CIA in the assassination of Smt. Indira Gandhi has been examined? Sir, it is not just an imagination without any material. The CIA's role against developing countries is well-known. Take Petris Lumumba's case and Bhandarnaike's case and even the attempt to kill Cuba's President. There is a very good discussion on all the efforts of CIA in a book by a well known international journalist, Brian Freemantle-

'The Honourable Company'. I do not want to dwell upon it. But Sir, Petris Lumumba's case and the efforts to kill Cuba's President have been officially shown. The President of the United States was shown to be officially concerned with the efforts to murder Petris Lumumba and it is discussed in this book.

Sir, the House is aware that the Prime Minister Indira Gandhi and five other Heads of State hand jointly made a Five Continental appeal to expose the war mongering efforts of western imperialists and there was disarmament. Sir, it cannot be just an accident that two of the signatories-Prime Minister Indira Gandhi and Swedish Prime Minister Mr. Olof Palme-were assassinated in.

17.24 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

quick succession. How could it be? It could not be just accidental. Sir, India's independent foreign policy and peace making efforts, India's role in world peace and non-alignment did irk certain vested imperialistic countries. Therefore, Sir, the Government owes it to the nation to make a thorough enquiry about the possible role of the CIA in this assassination.

The CIA and such other agencies make use of religion and section susceptibilities in order to provoke ill will, assassination and violence. Therefore, this whole connection should be unearthed by the Government.

Lastly I would like to point out that after Madam Indira Gandhi's assassination there was another assassination attempted and it is still being attempted. That is the attempt to destroy the pro-poor economic policies of Madam Indira Gandhi. I would alert the Government to ensure that the clearly pro-poor policies of Indira Gandhi are not departed from or diluted. We hope and we look forward to Prime Minister Rajiv Gandhi that he will represent the resurrection of Madam Indira Gandhi not only in the physical shape but also in the shape of political and economic spirit of the Indian masses.

[Sh. Haroobhai Mehta]

With these words I thank the Government for taking prompt measures on the implementation of the Report and congratulate the Prime Minister for giving an inspiring speech yesterday so that the entire propaganda of the Opposition is nailed down finally.

[Translation]

SHRI GIRDHARI LAL VYAS (Bhilwara): Mr. Deputy Speaker, Sir, the Thakkar Commission Report has been laid on the Table of the House. In this connection, several hon. Members have expressed their point of views. The leaders of the Opposition had raised a lot of hue any cry for the presentation of this Report but when it has been tabled and a discussion on it is being held in the House none of them is present in the House. It clearly shows (*Interruptions*)...that they have malafide intentions. That is why they tried to dig up this issue earlier.

In regard to the assassination of Shrimati Indira Gandhi, the Thakkar Commission has expressed certain apprehensions and pointed out certain deficiencies in the security arrangements of the Prime Minister on the basis of which the Ministry of Home Affairs has taken steps to improve the security set up which is definitely praiseworthy. I think that if such arrangements were made before the occurrence of that unfortunate incident, the assassins would not have got a chance to assassinate the late Prime Minister. The Thakkar Commission and the Special Investigation Team have particularly emphasised that if the Government had paid due attention to certain points, the assassination attempt could have been foiled. If the kind of security arrangements which have been made by the Home Ministry after the assassination, were made earlier, the unfortunate occurrence could have been averted and the country could have gained enormously.

Therefore, I would like to submit in par-

ticular that tight or effective security arrangements should have been made right from the very beginning. It is the duty of the police officers who are entrusted with the charge of the Prime Minister security, to decide as to how to protect the Prime Minister. No one should be allowed to interfere in their work. If any officer is allowed to do so, it will definitely create hurdles in the security arrangements. Therefore, serious attention should be paid to the security system in future so that the loopholes are plugged and no scope is left for the creation of any obstacles in the security system. It should be ensured that such untoward incidents do not recur as may destabilise the country and create confusion and disorder. It has been specially mentioned in the note of the Ministry of Home Affairs in regard to the Final Report that the points raised by the Thakkar Commission should be investigated irrespective of whether it concerns Shri R.K. Dhawan or the security officers and the extent to which they had fulfilled the obligations of their responsibilities. The report also draws attention to the doctors who attended on the late Prime Minister and the ambulance system or the arrangements existing in the All India Institute of Medical Sciences. Justice Thakkar has also drawn attention to the kind of security set up which should be provided for a person of such status. The action taken by the hon. Minister of Home Affairs on the Report is definitely laudable and the recommendations of the Commission should be properly implemented. If proper arrangements are not made for the security of the President, the Prime Minister and other V.I.Ps, it may prove devastating for the country. The assassination of Shrimati Indira Gandhi was similarly ruinous but for the leadership provided by Shri Rajiv Gandhi. If Shri Rajiv Gandhi was not there, it would have been very difficult to find another leadership of equal stature. It is true that no one is indispensable and there is always someone or the other to replace the person who has been holding the reins of power. It is so provided by the God himself but such an eminent personality who had held the reins of the country for 11 years and under whose leadership the country made considerable

progress and who made all out efforts for the unity, integrity and communal harmony of the country is definitely very difficult to replace.

After her death there was chaos in Delhi and other parts of the country. This shows the effect her leadership had on the people, how crippled the nation felt after her death. Necessary steps should be taken to implement the recommendations of the Commission. The report of the Thakkar Commission and the findings of the C.I.D. point at a conspiracy either with the country or without. This matter should be taken up for further investigation. Action is being taken in the case of five people against whom charges have been filed. Whoever is behind this conspiracy, be it the B.B.C. the C.I.A., the I.S.I. of Pakistan or a Khalistan sympathiser, should be found out. Strict action should be taken against them to prevent any adverse effects on our democratic structure. Just now the hon. Minister of State in the Ministry of Home Affairs said in his speech that one of the accused was acquitted by the Supreme Court. An accused sentenced to death by the Sessions Court and the High Court was acquitted by the Supreme Court. Does the special Investigation Team hold him guilty of being a co-conspirator? If so, then action should be taken against him. I wanted to say much more but due to lack of time I end my speech with these words.

[English]

MR. DEPUTY SPEAKER: Yes, Mr. Somnath Rath.

SHRI SOMNATH RATH: (Aska): Mr. Deputy Speaker, Sir.....

SHRI RAM SINGH YADAV (Alwar): Sir, the time for this debate may be extended. We request the Hon. Minister to extend the time for this debate.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SONTOSH MOHAN DEV): No, tomorrow we will discuss the Demands.

SHRI RAM SINGH YADAV: This is a very important subject.

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH): Let him start first.

SHRI SOMNATH RATH: Mr. Deputy Speaker, Sir, the Opposition seems to find evil in everything. Cynicism is prevailing in the camp of Opposition. We know, Sir, they have no love or respect for the law of the land and rules of this House. In democracy, the rule of majority prevails and the majority will certainly ask the minority to cooperate, to discuss and also to debate in the Parliament. But certainly not the Opposition will dictate terms to the ruling party.

Sir, in this House the Opposition is demanding many matters, say, for example, on Bofors they demanded that there should be a House Committee and in fact the Government agreed to it and the House Committee was appointed. Then they wanted that the rules of the House should not prevail; the Speaker's decision as envisaged in the rules should not be respected and what they want and what they dictate should prevail. They boycotted the Committee. One of the members of the Opposition made some statement outside the House imputing motives in regard to this Bofors Committee. But when in the House members on the Treasury benches demanded that he should authenticate what he said outside, he failed to authenticate that. He never authenticated it. So, the curtain fell on all that is spoken on the Bofors Committee, all that is spoken against the Government, against the Prime Minister and others.

Sir, we all know that the Commission's report is not a judicial finding. It is only a fact finding report. All those advocates sitting on the other side, and in particular one of them who defended the accused in the murder case of Shrimati Indira Gandhi pretty well know that the statements recorded by the investigating officer under 161 and 162 GPC of the cr. P.C. are no evidence. The case diary is treated as sacrosanct even from the time of the British. The statements recorded

[Sh. Somnath Rath]

under 161 and 162 are for the purpose of contradicting the witness in the witness box if the speaks otherwise for the purpose of contradicting the witness by the prosecution. When the statement recorded by the investigating officer is not evidence, how could all that was stated during the inquiry by the Commission considered evidence and how could one come to a conclusion on the basis of such enquiry? So, Sir, Mr. Thakkar, in my opinion, has given some remarks. I do not consider them conclusions or findings because findings are to be necessarily in a court only. Very rightly, when some remarks were made against Shri Dhawan, he was ousted from his job. But on the basis of the report of the Thakkar Commission, investigations were carried out by a Special Investigating Team for there long years. This team went through all the aspects mentioned by the Commission and it came to the conclusion that Mr. Dhawan was free from guilt and the observations made in thereport by the Commission are not proved to be correct. On the other hand, the SIT found out that there were three terrorists-one of them of course died-who happened to be the conspirators and charge sheets have been submitted in the court. The so called eminent advocate in the opposition can as well defend those accused also as before when he defended the accused in the murder case of Shrimati Indira Gandhi. There is an ample opportunity for him to do so. Even when the murder case of Shrimati Indira Gandhi was undergoing trial, what prevented the advocates who were appearing for the accused to adduce defence and prove that the conspirators were not those who were accused and the accused were not those who shot dead Smt. Indira Gandhi. They had not adduced any evidence in the court though they had ample opportunity to do so. They could have proved that the accused were someone else. They had not done it. Having not done that, they have failed in their attempt to sidetrack the main issue. Now they want to take advantage and make some political gain by picking up certain portions here and there from the report of the Thakkar

Commission. When Mr. Dhawan was found free from all charges or all observations made in the Thakkar Commission, he was rightly re-posted. If the Government was shy of not acting upon the Thakkar Commission's Report, the Government as well could not have appointed once again. The fact is that the Government was sure about the innocence of Shri Dhawan and therefore the was re-appointed. As per the investigations, the Government is sure about the persons who are guilty and the chargesheets are being filed. Now the Opposition is demanding that all the records be placed on the Table of the House, so that it is not tampered and whatever is found in the Report is not contradicted. So, that is the motive. Or else when in 1986, this leakage was there why they kept quiet? Why not they waged a war against Mr. Dhawan then? it is because they knew that Mr. Dhawan is innocent. They tried their best to take him into their side for political gains which Mr. Dhawan must have refused. Now they want that this issue be raised now in order to create a camouflage in the country for the purpose of coming elections. That is only their motive. What are the antecedents of these people?

Shri Biju Patnaik went to Pakistan. He said, Mr. Zia is not going to invade India or for that matter he is not going to do any harm to India and Mr. George Fernandes who was with him said Pakistan's nuclear development is not weapon-oriented. These are the people who are now advocating the cause of Madam Indira Gandhi. They are shedding crocodile tears. They are the persons who day in and day out not only criticised Mrs. Indira Gandhi but wanted to destabilise the country by any measure. They are the persons who somehow or other want to come to power. While attempting to come to power, they had made no stone unturned to malign Mrs Indira Gandhi. They want to take undue advantage of Mrs. Gandhi's assassination.

I conclude by saying that a day before her assassination she was at Bhubaneswar. What did she say? She said: "I may be killed but every drop of my blood will strengthen the growth of the nation and strengthen unity

and integrity of India." That is what she said. The very next day, she was assassinated. We know who are the persons responsible for her assassination. The court had given a verdict. Those who are championing the cause of accused in Indira Gandhi murder are now championing the cause of Khalistan. They have defended the conspirators. Let them now defend the conspirators against whom the charge sheets have been filed, let them prove in the Court that they are not the conspirators and that there is no foreign hand in this conspiracy and all that they say. Members of opposition party. They could have done that. They could have debated in the House and said here is the lacuna. On the Thakkar Commission's Report and expressed their views. They whave not done so. They have boycotted the debate because they have nothing to say. That is their habit. They have boycotted everything. They have boycotted the Budget discussion also. I would request the Home Minister that the Government should not only remain silent by filling chargesheets-which the investigating officers have taken 2-3 years with ability but let the Government come out and say, who are the persons responsible for leakage of the Commission's Report. Because it is against the oath of secrecy as well as the mandate given by this House that is should not be published in the interest of the nation.

[Translation]

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH): Mr. Deputy Speaker Sir, today this august house is about to complete the discussion on the Thakkar Commission's Report on the assassination of Shrimati Indira Gandhi. Five years have passed since the incident and the hon. Prime Minister who spoke here yesterday expressed his and the nation's feelings. Shrimati Indira Gandhi is person a has left an indelible impression in the public mind. Their love for her will never die. Shrimati Indira Gandhi dedicated every moment of her life to the service of the nation. The forget her and what she stood for, would be detrimental to the well-being of our country

and its people. Any deviations from the path shown by her would jeopardize national unity. The country will break into fragments and India will never be the same again. This is the greatness of Shrimati Indira Gandhi's personality and of her contribution to the nation. It is in this context that we should take a look at her life, her assassination and the feeling among Indians in the aftermath of her death.

Shrimati Indira Gandhi was not just a democratically-elected Prime Minister on the leader of an political party. She was not only an able administration, but in her we found the confluence of all those basic tenets of the cultural heritage of our country. A heritage that has taken root in our life and blood for thousands of years and which has inbibed good things of all religions representing the entire humanity. A heritage in which humanity has found expression in the truest sense. Influenced by the unique personality of the Father of the Nation, she followed those ideals. In her frail body lived a dedicated soul. As a result of which, we Indians can be proud that we belong to a country which has produced great souls like Mahatma Gandhi, Pandit Jawaharlal Nehru and Shrimati Indira Gandhi. The fatal attack on Shrimati Indira Gandhi was an attack on the country's accident, present and modern values on which the edifice of our democratic structure has been built. Under the leadership of hon. Shri Rajiv Gandhi our country is progressing towards the realisation of Mahatma Gandhi's dream of '*Vasudhaiva Kutumbakan*' in which India is a source of peace and prosperity not only to Indians but all mankind.

Shrimati Indira Gandhi's life was an awe-inspiring one. Her mother was Shrimati Kamla Nehru, a patriot and one of the brave ladies of her time Pandit Jawaharlal Nehru was not just a politician, an able administration on a great soul. So strong has been his contribution in the nation-building process that his presence can be felt even today in all spheres of human endeavour be it a farmer ploughing his field, a worker toiling in a factory, a labourer engaged in road con-

[S. Buta Singh]

struction work on an artist, written, lawyer, engineer and pilot practising their respective professions. He had set very high standards for us. Our country went through a turbulent period in the past. 1947 saw chaos reign in the country, riots and bloodshed being the order of the day. I was a child when I witnessed the orgy of violence during the partition days. Railway trains full of corpses rivers full of dead bodies and towns, villages and settlements being burnt to cinders. Who could have thought that a nation who suffered so much and was crippled. Will one day get back on its feet and even become strong and prosperous.

18.00 hrs.

It is due to Pandit Jawaharlal Nehru that we can proudly call ourselves citizens of an independent country. Mahatma Gandhi felt that if there was anyone who could propagate his philosophy and realise his ideals, it was Pandit Jawaharlal Nehru. Shrimati Indira Gandhi was born to this great soul. Values like respect for our heritage and love for the motherland were instilled in her by her father from whom she drew all her imagination. Hon. Members are well aware of Pandit Jawaharlal Nehru's principles which Shrimati Indira Gandhi adopted in her life. Some of these are secularism, socialism, Parliamentary democracy and non-alignment. Today these principles are being followed all over the world.

I shall not take much time, but I definitely want to say one thing. The good qualities that were a part of Shrimati Indira Gandhi's personality were passed on to her by her father. Whoever follows these principles can be sure of getting honour and respect in this country. To me, Congress (I) is not merely a political party. The Congress (I) is like the sacred river Ganges. As the water of the Ganges is the lifeline for the crores of people of our country, similarly the ideals laid down by the Father of the Nation Mahatma Gandhi and the path shown by Pandit Jawaharlal Nehru are the lifeline of the

Congress party. With the passage of time different personalities emerged on the platform of the Congress Party and left the scene and many more will come and finally leave. But as long as the basic ideals and values, for which the Congress party stands, guide our actions, I can say with pride that no one can ever weaken and humble our country. Shrimati Indira Gandhi personified in herself the ideals of the Congress party and worked for furtherance of these ideals. I had the good fortune to witness her performance in this House for the last 25 years. I had also the privilege of first seeing Panditji, then Shastriji and thereafter Indiraji at work in this House while holding the reign of the country.

I am proud to say that Shrimati Indira Gandhi became the torchbearer after Pandit Jawaharlal Nehru and administered and led the country in such a way that it marched forward in the various fields on the path shown by her father and her deeds benefited country in more than one way. She naturally created a new atmosphere in the whole world. It intensified the faith and dedication among our well wisher but the political powers and forces, who did not want to see India emerge as a strong nation among the international polity thought that their nefarious design of banishing India could succeed only by cutting this lifeline.

I remember the day, when after the Non Aligned Movement had gained strength under her leadership she went to United Nations and held there a conference of non-aligned countries, the big power blocks were stunned at the emergence of her phenomenal image as the leader of the Third World and they focussed their attention as how to destroy it. The entire Western press joined hands with the big powers. Attempts were made to disturb her meetings but she had the real and in the question of leadership in her mind and body received in inheritance from Pandit Jawaharlal Nehru. So she went ahead with her task undauntedly and gave an image to India of which even the big powers are scared.

I vividly remember the unique contribu-

tion made by Shrimati Gandhi for promoting secularism. It is bad luck that such situations arose in the country, which are being witnessed today in Punjab. Punjab enjoys a unique place in the freedom struggle of the country. Punjabis have made great sacrifices for the country. By Punjabis I mean all our brothers living in and hailing from Punjab, Hindus as well as Sikhs, who laid down their lives for attaining independence, whether in Goa or any other part of the country. In my opinion the present situation in Punjab is culmination of a big conspiracy. If we assess the entire scenario in right perspective we come to the conclusion that the powers who want to weaken the country and threaten the very existence of India, made Punjab- the strongest arm of India- their first target for creating an atmosphere of hatred among the people of Punjab overshadowing the national spirit. The unfortunate sequence of events which led to the criminal act of assassination of Shrimati Gandhi had in fact started in June, 1984 although some serious events had taken place earlier also, some of which I have mentioned. The result of the incidents which took place in 1971 on our Bengal, border, is also linked with the turn of events. Reactions such as how to avenge the humiliation suffered at the hands of India or how to settle scores with India are also linked with it. It seems to me that it is all part of a big conspiracy which dates back not to the time of Pandit Jawaharlal Nehru but that of Mahatma Gandhi. There were elements who did not want India to emerge as a secular nation and wanted a writ of a particular class to run in the country. These reactionary communal and casteist powers made all sorts of efforts during the time of Panditji also. When Shrimati Indira Gandhi first became Prime Minister, she took revolutionary measures. If the credit of enhancing the capacity of farmer through green revolution is to be given to an individual, it is Shrimati Gandhi, who deserves it. I remember when in 1965-67 the then Minister of Agriculture of our country went to America to procure foodgrains for the country, he clarified that he had to approach big nations for foodgrain supplies as the country was facing hunger.

Foodgrains were imported under P.L. 480, and crores of rupees became available to U.S.A. to be spent in India and it is known to all that whole of that money was spent and is being spent in India even now against the interests of India. So Shrimati Indira Gandhi took a decision that she would develop agriculture in India to such proportions that her countrymen might not remain dependent on other countries for food and she did it. Within few years India, which was a deficient country in the matter of foodgrains and which had to import foodgrains worth billions of rupees, turned the tide and I can say with pride that foodgrains grown by the Indian farmers are being made available to feed the famine stricken people of Africa. It is the result of the efforts made by Shrimati Gandhi. These were the things, which were not liked by the enemies of the country and that is why I say this conspiracy has been going on for years. It is going on since independence. Communal feelings are being incited in every village. People are being instigated in the name of caste. Who are opposing the Congress? The same people, who opposed Pandit Nehru and Shrimati Gandhi. Those very people are siding now with the murderers of Shrimati Gandhi. My colleague Shri Chidambaram and the Hon. Prime Minister have sought clarification on Anandpur Saheb Resolution which is a big question mark. In fact it smacks of an attempt to disintegrate the country. None of the opposition leaders, who are displaying high eloquence on this issue in the House, gave clarification on the Anandpur Saheb Resolution till this day. Even now they are advocating and trying to muster support for this resolution in the country as well as abroad. It was only yesterday that the Hon. Prime Minister disclosed that a leader of Janta Dal in a T.V. interview in America supported this resolution. He is supported by many big leaders even today. So, this conspiracy was not hatched in October, 1984, when Shrimati Indira Gandhi became its victim, but it took roots long back. Now coming to the Thakkar Commission Report, the scope of enquiry was restricted to the crime Committed on 31st October, 1984, the events that took place till the filling of F.I.R. and the matters



[S. Buta Singh]

connected with the immediate conspiracy. The enquiry by Thakkar Commission revolves around these points only. There is a wider conspiracy behind it. But what is the fault of Shri Rajiv Gandhi? His only fault is that he devoted himself in right earnest with sincere dedication to the task of the path shown by Pandit Jawaharlal Nehru and the programmes launched and principles enunciated by Shrimati Indira Gandhi, whether these related to non-aligned policy or upholding of secular values in the country or development of the country or self-reliance. But these are some powers who do not want the country to march forward on these lines and become strong and remain secular. These forces are very much at work today, as they were during the time of Shrimati Gandhi. I am reminded of the day of 1977 then Shrimati Gandhi was not in power when she was the first to call on the then Prime Minister and as a true democrat she told him that they were voted to power as a result of popular verdict. She further stated that an opportunity was given to them by the people to administer the country, so she on behalf of the Congress Party and the opposition, had come to convey to him their readiness to extend full cooperation for the service and collective progress of the country, whenever needed. I would like to ask the leaders from the present opposition as to how many of them displayed the same spirit and said to Shri Rajiv Gandhi that he had been returned to this House with unprecedented mandate of the people and they were with him in the service of the nation, whenever needed. Name even a single party. Sir, I would like to give you an example. Our country faced the biggest calamity of drought. In many states like Gujarat, Andhra Pradesh, Rajasthan and in some areas of Karnataka, there was no rain during the last 4-5 years and the people had to face virtually a famine like situation. I would like to ask if a single leader from the opposition called on Shri Rajiv Gandhi and said that is was a national calamity and offered help. Rather I can quote a number of instances wherein the Hon. Prime Minister visited the remote and inaccessible

areas where even water supply is difficult to reach, in order to provide relief to the affected, but the members of the Opposition made sarcastic remarks and accused Shri Rajiv Gandhi of making political capital out of these visits. Being the Prime Minister and worthy leader of a country, Shri Rajiv Gandhi visited the flood affected areas whether in Assam, Bihar or West Bengal and provided financial help to the people. But the members of the opposition criticized Shri Rajiv Gandhi even for this. Many national problems like that of Gorkhaland have been solved. Shri Rajiv Gandhi made it clear only yesterday that had he been interested in fulfilling his political ambitions, he would not have endeavoured to solve that problem. It was a state subject and he would not have been intervened in the affairs of State Government. But Shri Rajiv Gandhi was determined not to let the State disintegrate because that would have created a number of problems for the people of the State. Therefore, he kept the national interests above party interests and thus solved the problem. Sir, it is a matter of great regret that in order to achieve their political motives, they preferred not to condemn the assassination of a great leader of this great country. I think that some of the political parties have been adopting reactionary and communal attitude since the days of Mahatma Gandhi. But I felt extremely sorry to see that some of the so-called progressive and secular parties too joined them. The most regrettable part is that some of them who had wooed the voters in the name of Shrimati Indira Gandhi and Shri Rajiv Gandhi, subsequently proved to be traitors to the country and to the party just to satisfy their lust for power. Some persons have now joined the opposition and are engaged in giving a different colour to this issue. Sir, as you know, these people tried to mislead the people when the Thakkar Commission Report was presented in the House, though I had stated in the House earlier that the report was not new to the House. Within 20-22 days of the submission of the report, the entire contents were leaked out. But no objection was raised during this period of 6-7 months when all these documents of the report issued by the Ministry of

Home Affairs, kept on laying at the residence of the one person. The hon. Prime Minister has issued orders to investigate the matter. I am not accusing any particular person. The Government would carry out the orders of Shri Rajiv Gandhi to investigate the matter through C.B.I. Then it would become evident who was responsible for the leakage of some parts of the report which were published in the newspapers. Sir, the members of our party know it very well that these individuals who were in the Council of Ministers earlier, deserted the party and joined the opposition. Sir, I feel ashamed to say that one of these persons claimed that he belonged to the family of lawyers and law Ministers, but the same person, who during his tenure as Law Minister, drafted an ordinance to the effect that it was not in the public interest to present the full report in House, and also introduced amendment to the Commissions of Enquiry Act for the purpose has now denied having seen the report.

Sir, I do not want to blame the lawyer community, because it is a noble profession. But there are a few lawyers who are misleading this supreme body called Parliament. He claims to have presented it in the House without going through the matter in depth. Thus without having read the amendments, he made recommendation to the Government and thus misused his position. The other part of this issue is notification which was initiated by the then Minister of State for Internal Security. Both of them are in the opposition now. And now, the breach of privilege is being brought against Buta Singh and he is being asked to give the details.

Sir, the third one who considers himself to be 'Rajrishi' speaks of value-based politics, and is busy in studying the prevailing corruption in the society. Haji Mastan, a smuggler exposed him recently when he stated that Vishwanath Pratap Singh is guilty of breach of faith. He said that he helped him to raise funds from high ups but today he was speaking against the same community. It is ridiculous on the part of a man who gets money from person like Haji Mastan to claim that he used water in place of petrol in his

motorcycle in Allahabad. If he had sought the help of people in raising funds, the people would not have raised any not have suspicion about his intentions. Haji Mastan had to issue a statement in order to expose the real self of this person.

Sir, this man, who worked as the Minister of State for Internal Security for a short duration has stated that he did not go through the documents when the matter came up before the CPA. There was no restriction on him. He could have written a note of dissent. He would have refused to give his assent without going through the documents. To day he is misleading the people all over the country. Such is the mentality of these people.

Sir, the less said about the former Minister of State for Internal Security, the better it. He ruined the party the moment he joined it. His attitude was totally undignified towards the senior partymen who had struggled for the freedom of the country and for the Congress party and the Sewa Dal. He had no regard even for the Chief Minister of a State. He did not call even the names properly and treated them as if they were his servants. Today he is talking about independence, self-respect and integrity.

Sir, his style of functioning was totally intolerable, I am sorry I cannot use those words. I know it very well how he created hatred between the two individuals. He did it by creating a unique thing like the Internal Security. The Minister of Home Affairs was seldom consulted in this regard. He never showed the concerned file to his seniors. I cannot describe in words how he misused his position. Report of Thakkar Commission is a glaring example. He did not let any body know about the reports of security agencies and he was so clever in manipulation that he did not let any paper move without his approval.

I think the nation owes a great deal to Shri Rajiv Gandhi expelled such a person from the party and provided the much needed relief. His close associates know

[S. Buta Singh]

what type of communal feelings he has and how he incited the communal feelings among the people. There were many communal minded people in the Opposition who lent him support and now he is sitting amidst them. I believe that these 3-4 persons were always after grabbing power even when they were in the Congress party. They tried to prove themselves to be the real leaders in one way or the other. The same persons are now engaged in political conspiracy. They created uproarious scenes when the report was presented in the House. Shri Banatwalla was very right when he said that the sincerity of the Government can be judged from the fact that they presented the report in its original form. In spite of this, some persons are misleading the people by saying that the report has been tampered with and the pages have been removed, or changed.

They have developed a misconception that people would believe a lie to be the truth if they repeat it time and again. Attempts are being made to create a political typhoon. Shri Rajiv Gandhi has mentioned all these things in detail in his speech. We have to keep in view the unity, integrity and sovereignty of the country. Shri Rajiv Gandhi has mentioned that Shrimati Indira Gandhi had a firm faith in secularism. She kept these things uppermost. Today when I was going through the old reports, I found that when a foreign journalist asked Shrimati Gandhi whether in the prevailing conditions particularly following the Blue Star Operation, she was not afraid of her own safety. At that time, she unfortunately pointed towards the same person who turned out to be her assassin ultimately, and said that she need not worry about it as long as such persons were with her. This shows that she had a firm faith in secularism. She considered the whole country as one family and did not identify any individual by his community. Thousands of people from different sections like Adivasis, minority groups and people from higher castes met her everyday. Even today people residing in remote and hilly areas refuse to believe that Shrimati Gandhi is no more with

them. In the real sense, she was an outstanding personality, the soul of the nation and the mother of the nation. So my colleague Shri Chidambaram has cleared all doubts raised in newspapers about the recommendations made by the Thakkar Commission in regard to the assassination of Shrimati Indira Gandhi.

Under the leadership of Shrimati Indira Gandhi, all round development took place in the country. She paid special attention to the youth; women and the minority groups. I would like to mention one thing imparticular. The Members of this august House might remember that in the year 1980 when she was again elected as the Prime Minister, she made special arrangements to hold a meeting in which she expressed her gratitude to the people of the entire country with special reference to the Sikh Community of Punjab.

After her death some powers wanted the country to be shattered into pieces and civil war to break out in the wake, consequently, some innocent people had to lose their lives and if any body would have been very deeply agrieved by it perhaps it was the soul of Shrimati Indira Gandhi only. She considered the entire country as her family and every citizen of the country as her own child. She had never viewed the country from the caste, community of language point of view. Even today, I remember it very well that after Blue Star Operation she had assigned me a responsibility most benevolently and had directed me to make up the loss caused to the Akal Takat Sahib during the operation at the earliest with a sense of decorum and inaccordance with all the sacred Sikh traditions. Accordingly I went there and managed things. At that time Baba Kharak Singh and Baba Harbans Singh appreciated this thing very much in all their seriousness. Kharak Singh went to the extent of calling her his daughter and had said that such things do happen in the life of a nation or a family and they would take it in the same spirit and will try to get it repaired at the earliest to pray there. When we were yet managing things according to the orders of Shrimati Indira Gandhi, I do not remember

the exact date, but perhaps it was 17th or 19th June and it was the incident of about 15-20 days after the Blue Star that when every thing had been settled and the only thing left was to deploy the soldiers who were hither to inside in temple, at the roof top of the Parikrama or at the main gate to restart the 'kar sewa' that I reached Amristar according to her orders and some gentleman about whom I have already mentioned, issued a statement against me to torpedo the matter. They never wanted the peace to usher in the Punjab. It was Shri Arun Nehru and his friend Shri Arun Singh who had made a statement the next day. Mr. Dhillion Saheb was with me. We had gone there together, They disturbed the entire programme by issuing a statement. Which again relegated us in the background. Just after that, terrorists gave a slogan that they would not allow it to be repaired. Even if repairs are carried out, the entire structure would be dismantled by them. I can say it with a stress that if the decisions of Shrimati Gandhi had not been violated, today the position in Punjab would have been quite different. Condition in Punjab would have improved very soon. For all this I hold him responsible who had changed our decision. I have mentioned this here so that people of the country may realise it as to who are responsible for the present bloodshed in Punjab Major Share to it has been contributed by Shri Arun Nehru. These elements do not want a cordial atmosphere to prevail in the country. How generously Shri Rajiv Gandhi has stated that such a situation should not be permeated among the citizens of our country specially the Sikhs and the Hindus as we put them. The whole country is their own country and put them on the equal level and they can live their own way of life with full independence. However some communal elements do not want to preserve the unity and integrity of the country. We also want an atmosphere of peace in Punjab. Similar elements are raising their heads in Jammu and Kashmir and creating disturbances in that area and as has been stated by Soz Sahib in his speech, I am of the opinion that no leniency should be shown in the case of these elements. These should be pulled down with a heavy hand because

they are a constant threat to the unity and integrity of the country. Only an earlier step to curb these element can ensure the security of the country. Under this very policy, our Prime Minister has stated it repeatedly in party meetings and before the House that if a man form any corner of the country belonging to any state, language of community wants to discuss problem after leaving the path of violence and within the parameters of the constitution, we are prepare to talk to him to find solution of his problems. He has solved many problems in this way, for example problem of Assam, Mizoram, Tripura and Gorkhaland. The Prime Minister reiterated it even in relation to Punjab, Jammu-Kashmir and other parts of the country. He has said that where there is agitation, doors of the House, the Government and the Prime Minister are always open for these elements. It was the only message of Shrimati Indira Gandhi for all of us that unity and integrity of this country should be preserved. Secular from of Government in this country should be endangered because greatest guarantee of the survival of this country is secularism. India will not be able to remain united if it is endangered. We are happy that our Prime Minister Shri Rajiv Ghandi has led the country on the path of progress by following in the footsteps of Pt. Jawahar Lanl Nehru and for it, the entire nation is indebted to him.

Many things have been said here about the Thakkar Commission. I would like to make only one points i.e. the point of a big conspiracy which has been mentioned here. Since I have come to know from the various documents received by us since the time of Blue Star that about three hundred whiteness have been recorded and about two hundred documents have been submitted and the case has been referred to the court. As regards the report of the S.I.T. my colleague, Shri Chidambaram has just stated about it that it has been presented to the court. The case of another conspiracy was also brought to us which was not all required. Many eminent lawyers are sitting here. They know it that whenever a case is investigated, it is not essential for a police officer to submit his report to the Government, he can file it

[S. Buta Singh]

directly in the court but there are provisions in the law under which it is mandatory to seek concurrence of the Central or State Governments. The report was received by us in this connection on the basis of which challan was to be filed in the court. Report was discussed through out the country, by the opposition parties and when it was stated that it did not mention the names of those persons who had been brought to the light. The they started talking in sings and a needle of suspicion, conjectures and many other things was pointed at Shri R.K. Dhawan against whom special Investigation Team was pursuing the case and perhaps it needs no mention what methods they might have adopted to find out the truth. It was a regourous investigation which continued for a period of 3-4 years. Complete enquiries were made abut the movements of his own, his family members, relatives, friends and all the people with whom he had contacts. No Member of the opposition has been able to say about it. In this regard, no leniency or relaxation was shown by the Government. But they found no proof against him. I need not go into the details of these proofs which find a mention in his diary because no body would write in his diary that he is a C.I.A. agent and is getting money from some foreign agency. However, Thakkar Commission Report had covered under their investigation all those things which were reported to the Commission. The case was fully investigated as per the provisions of law. after this investigation, when the entire case was submitted to me for approval of the Government of India, it was naturally my duty to enquire about the points covered under the investigation of this case of conspiracy and scrutinize every aspect minutely against whom the challans were to be filed. On the basis of proper investigation in regard to the point of suspicion and conjection. I was told that Shri R.K. Dhawan has been found to be having no connection with any part of the crime. Therefore, we cannot involve his name in this conspiracy.

Hon. Sir, I have been fortunate to see

that though Shri R.K. Dhawan is a mere Government servant as per the terms of his appointment, but in those days of 1977 when Shrimati Indira Gandhi was out of power for some days, only one individual could be seen at her residence. Not carrying for his service and carrier, Shri R.K. Dhawan dedicated his whole life and services for her. He himself, his respected father, brothers and sisters had to face harassment at the hands of Central Government through Commission, courts and police. Harsh steps were taken against him. But this person, inspite of all this, turned out to be sterling gold. Unfortunately, he is again made to pass through the same difficulties. I have had a chance to work with him in those days as humble worker of the party. Whatever I saw under the leadership of Shrimati Indira Gandhi, I can say on that basis that Shri R.K. Dhawan is a man of that metal that none but only he could pass through such strains. I pray to God that he should not test any other man in that way because howsoever strong he may be he could have shattered and collapsed but she stood firm like a true man. He had trust in himself, and his leader and I feel that it is his soul which has rescued him through this crisis. Therefore, there is no point of justification for some people to have doubts against him because they have only one aim of capturing power through some conspiracy. Just see their activities. Even being the Finance Minister of the country he had relations with the Foreign agency without the knowledge of the cabinet, the Prime Minister and this house. What sc t of politician he claims himself to be. If such people raise their fingers against Shri Dhawan who had dedicated his entire life to the country, to his leader and to the party, then it has no meaning. I feel that even if I have not got any other thing from the Thakkar Commission report, at least this much I have found that the report has exposed the faces of such people. Now people have come to know that they can stoop too low to achieve their political ends. That is why, hon. Sir, I want this House to pay tributes specially to Shri Rajiv Gandhi and to Shrimati Indira Gandhi who saved the country with the sacrifice of her life. We should preserve for ever the memory of her good

deeds and her sacrifices so that our country may remain united and integrated forever and it maintains its sovereignty.

stands adjourned to re-assemble tomorrow at 11.00 A.M.

18.44 hrs.

[English]

*The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, April 12, 1989/Chaitra 22, 1911 (Saka)*

MR. DEPUTY SPEAKER: The House