

MR. SPEAKER : Yes.

SHRI ARJUN SINGH : With your kind permission, I would like to place before you and also for the knowledge of the hon. Members the fact that under Rules 222 and 223 I have given a notice for breach of privilege against the Prime Minister. I think, a notice of breach of privilege against the Prime Minister and others mentioned in that notice cannot be transformed into any other form of discussion. Hon. Speaker certainly not.

That is where I want to draw your attention only that discussion can take place but the privilege motion does not abate only because discussion has taken place. That will be decided by the hon. Speaker.

MR. SPEAKER : Are you seeking my judgement when I am sitting here?

SHRI ARJUN SINGH : I am not seeking your judgement.

How can I seek your judgement?

MR. SPEAKER : Then there is no occasion to raise it now.

SHRI ARJUN SINGH : I am saying this because tomorrow it may be said that the House has discussed it and the Privilege Motion abates. It cannot abate. That is my submission.

MR. SPEAKER : Vajpayee please.

*MOTION RE : EXPRESSION OF DISSATISFACTION AT GOVERNMENT'S FAILURE TO ANSWER CHARGES RELATING TO THE 'HAVALA CASE' AND TO ALLEGATIONS ABOUT ILLEGAL PAY OFFS TO SOME MEMBERS OF PARLIAMENT.*

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, I rise to move the following Motion :-

[English]

"That this House do express its dissatisfaction at the Government's failure to answer charges relating to the Hawala Case and to allegations about illegal pay offs to some Members of Parliament".

[Translation]

Mr. Speaker, Sir, it is clear from the above motion that at present, we want discussion on two important issues. The first is Hawala Scam and the second is that the Government, allegedly bribed some hon. Members of the House to avert its defeat in the House during division on No-confidence Motion. It is a serious allegation and it does not only warrant discussion but investigation also. So far as Hawala Scam is concerned, the politicians, the intellectuals and the news papers have been expressing their concern over the increasing corruption in the country. Instead of investigating the corruption cases, attempts are being made to sweep it under the carpet. The four and half

years' tenure of the Government has been full of scams. It is not the time to discuss all those scams. However, the Hawala scam has unearthed the horrible truth about the degradation of our social as well as national life. It needs no mention that this scam is related to an industrialist and his family and politicians as well as top bureaucrats are involved in it.

Mr. Speaker, Sir, it is an extraordinary situation that national President of our party, is not present in this House. Likewise, Shri Sharad Yadav, Shri Chandra Jeet Yadav and many hon. Members of treasury benches who used to be seen on front benches, are not present in the House. It is a serious national crisis and it should not be underestimated. How did the things precipitate all of a sudden? Why the tumour of corruption has been allowed to grow?

Those who are in power never took this issue seriously. Today, this tumour has burst. But still no remedial measures have been taken in this direction. Now it is being claimed that the Government is against corruption and even the hon. Prime Minister is ready to fight the corruption. Had it been true we would have been very happy. But unfortunately, it is not true.

This House as well as the country want an immediate reply on this subject. How did the Government allow this Hawala scam to continue for so many years? In 1991, some facts relating to hawala scam came up before the Government and the C.B.I. for the first time. What steps were taken by the Government in this regard? It was disclosed that some students of a University had a nexus with the terrorists. It was further disclosed that terrorists had a link with an industrialist and were taking money from him. Had some intellectual not filed a public interest litigation in the Supreme Court, this scam would not have come to light. A renowned advocate had written a letter to the hon. Prime Minister and Dr. Manmohan Singh in regard to hawala scam before filing the public litigation but not to speak of giving reply to that letter, that advocate did not even received its acknowledgement. Therefore, he had to knock at the door of the Supreme Court continuously and as a result thereof, the C.B.I. is investigating the matter.

But it is the Government only which has to give reply to the question as to why such a delay has been caused in initiating the action as this case is pending since 1991? Why the C.B.I. did not take steps? Had there been any political pressure on the C.B.I.? Is it true that action was taken because there was a doubt that some leaders of the ruling Party might be involved in this scam. But now action has been taken at the time when general elections are going to take place. This is really a politically motivated action. An attempt has been made to involve the people in this scam in a pre-planned manner.

The position of the C.B.I. has also become awkward. No one can acknowledge the genuineness of the CBI, as an independent investigating agency. It is under the Government's control. Hon. Prime Minister exercises full

control over the C.B.I. It is said that the Prime Minister cannot dictate anything, but there can be hundreds of ways to influence the C.B.I. In this connection, I will make a mention of the CBI later. But today, the whole country is demanding that there should be an independent investigating machinery in the country to investigate the allegations, especially levelled against the politicians in the ruling party. Though, the Supreme Court is keeping an eye on the day-today progress, it is good, but there should be some investigating agency under it and it should be free from any political pressure so that nobody could raise a finger on it and the matters relating to extension of services to any highest officer of such agency should not be left at the discretion of the Government. Today, there are so many officers who should have retired till now but they are being given extensions. They will not be accountable even to the coming Government. Does this system suit us?

But the way the C.B.I. has functioned, its criticism is but natural. The Government would have to make it clear that it has not put any pressure on the C.B.I. We are now satisfied that the case has been referred to the Supreme Court. We want that facts should come out with all seriousness. Our Party President Shri Advani has given a call to challenge the same and he has resigned from the Membership of the Lok Sabha. I do not say that those who have not tendered their resignations are guilty. He has also said that he would not contest any election unless he is absolved of charges....(Interruptions)

Mr. Speaker, Sir, some other friends have also resigned but they do not belong to the ruling Party. Now this matter is subjudice and Chargesheets are being issued. The Chief Minister of Delhi has also been chargesheeted and he has resigned. Now some more diaries have been found in Haryana and entries made therein are coming to light. Mr. Speaker, Sir, these diaries and the statement of the main accused are two different things. Now it is being said that entries in the diaries are more important than that of the statement of the accused. It is also being said that the name of the Prime Minister has not figured in the diary but S.K. Jain has mentioned his name in his statement given to the C.B.I. The Prime Minister has come under the cloud and it is in the interest of the Prime Minister and the ruling Party that he should remove the suspicion and say that he is ready to face investigation. But nothing of this sort is being done.

Yesterday, the meeting of the Congress Party was held. I do not know, I was not present in the meeting. I am not a Member of the Congress Party, nor do I want to be one. I am going on the basis of what has been published in the News Papers.

[English]

'Defend me boldly' Rao tells Congressmen

[Translation]

"Fellow workers, get ready I am plunging in the field. Some have been sacrifices and I appeal to others also to join me for sacrificing themselves".

This is good on the part of the Prime Minister to have made such a statement. But the facts will definitely speak for themselves.

Mr. Speaker, Sir, this may be said only on the basis of the statement given by the accused. I have got the copy of the statement and I do not want to read all this ....(Interruptions)

SHRI MRUTYUNJAYA NAYAK (Phulbani) : It is you people who prepare the statement....(Interruptions)

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, if the House wants, I am ready to read it out ....(Interruptions)

Mr. Speaker, Sir, when this Hawala scandal was exposed and remarks were made, then it was said that it is not based on facts and there is no *prima facie* case against the Prime Minister. Then Surendra Kumar Jain made a statement to the C.B.I. on 11th March 1995, which was made public. A portion of this statement is with me. If the House wants, I can read it. The Statement is as follows :-

[English]

"After the assassination of Shri Rajiv Gandhi....."

MR. SPEAKER : What is your point of order ?

SHRI MANI SHANKAR AIYAR (Mayiladuturai) : Mr. Speaker, Sir, as I understand, such statements cannot be read on the Floor of the House unless they have been authenticated. Would Mr. Vajpayee kindly authenticate the statement that he is going to read and put all of it on the Table of the House so that we too can have what is the information that he is going to give, so that we have the opportunity of studying it ourselves and understanding whether his interpretation is the correct one or not?

SHRI UMRAO SINGH (Jalandhar) : I am on a point of order. He cannot mention any name and against a person of this House unless he has given an advance notice to that person. That is also a rule.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, if this is the demand that the statement and the portion of the C.B.I. report should be laid on the table of the House after authenticating it then I am prepared to do so.

[English]

SHRI MANI SHANKAR AIYAR : Mr. Vajpayee has the advantage over me of having the document in his hand. After he finishes speaking, I would like to have the opportunity of having the same document in my hand to rebut what he is quoting. (Interruptions)

MR. SPEAKER : My ruling is if any hon. Member is depending on any documents, he has to authenticate it. Secondly, there cannot be an authentication of a portion of the document but the entire document so that the entire document can be read. If the hon. Member wants to refer to it without reading it, without quoting it, he can do so.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : I am ready to place it on the table of the House after authenticating it, but I am ready to follow the path that you have shown to us. Today, I am ready to follow each and every path provided that goes upto the desired destination.

THE MINISTER OF CIVIL AVIATION AND TOURISM AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD) : Your allegation has become weak with these words.

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, Our Congress friends are so scared of losing power that they tend to link everything with power only. This I had never implied to say. What I implied to say was that I am ready to follow all the paths following which you become target....(Interruptions)

Mr. Speaker, Sir, I will not refer to that document....(Interruptions)

[English]

SHRI MOHAMMAD YUNUS SALEEM (Katihar) : Mr. Speaker, Sir, I am on a point of order.

I am not able to understand the speech of the learned Leader of the Opposition. He has just placed before us that he is going to rely upon a statement recorded by the Investigating Officer who was dealing with the investigation of a case of criminal nature. Perhaps he has not forgotten the fact of law. If I correctly remember - you also know it, Sir - that firstly according to the provisions of the Criminal Procedure Code, if any statement is recorded by the Investigating Officer the signature of the person giving his statement will not be obtained on that statement.

Secondly, any statement recorded by the Investigating Officer will not be admissible as evidence. You know that also. I want to know from my friend Shri Vajpayee whether the statement on which he is going to rely upon bears the signature of the person who has given the statement. It is not a statement on oath. No Police Officer can record a statement on oath....(Interruptions)

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI (Garhwal) : Mr. Speaker, Sir, is it a point of order? It is not a point of order.

MR. SPEAKER : I have to take a decision. Please take your seat.

SHRI MOHAMMAD YUNUS SALEEM : According to the provisions of the Criminal Procedure Code, if I correctly remember, if an Investigating Officer records the statement

of an accused person, it will not be on oath and no signature of the person giving the statement will be obtained. I want to know from Shri Vajpayee as to whether the statement which he is willing to authenticate is a statement on oath. Does it bear the signature of the person who has given the statement and is it admissible according to the Evidence Act ?

SHRI GUMAN MAL LODHA (Pali) : Mr. Speaker, Sir, I want to assist you.

MR. SPEAKER : I do not need it.

SHRI GUMAN MAL LODHA : Sir, this is not a Court of Law.

MR. SPEAKER : I do not need any assistance. Please rely upon my understanding of law.

SHRI GUMAN MAL LODHA : Sir, I want to explain the legal aspect.

MR. SPEAKER : Lodhaji, I do not need it.

Well, the legal position explained by the hon. Member is correct. But the hon. Member making a statement on the floor of the House has said that he is not quoting it, he is referring to it and he can refer to it.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : I would like to request that there is no need to view all these questions from legal angle....(Interruptions)

This is not a court of law, this is the highest court. This is a political forum and if a matter, which is being discussed in every nook and corner of the country, is not allowed to refer here on the grounds that it is not permissible under rules then will it not be injustice to this nation? The House will not do justice to itself in such a situation.

MR. SPEAKER : No, Mr. Vajpayee, the way you were going is correct, you follow that only.

SHRI GEORGE FERNANDES (Muzzaffarpur) : Is Cr. PC above our rules? We will act according to our own rules and Cr. PC is operative in Court only.

[English]

MR. SPEAKER : That is why we are allowing him to refer and we are not allowing him to quote.

SHRI GUMAN MAL LODHA (Pali) : Mr. Speaker, Sir, he can quote.

MR. SPEAKER : My ruling is that he cannot quote. Please sit down now....(Interruptions)

SHRI GUMAN MAL LODHA (Pali) : Sir, this is not a court of law. This is not tendering of evidence. This is not cross-examination....(Interruptions)

MR. SPEAKER : There is no difficulty for Mr. Vajpayee to refer to it and he is following the correct line. He does not need assistance from anyone of us.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, I have already clarified that the CBI is investigating into the case and it has interrogated the accused. This case is making progress on the basis of the CBI investigation. Whatever the main accused had disclosed during the investigation even the hon. Prime Minister has come under a cloud. According to the accused, he had paid Rs. three crore to the hon. Prime Minister.

It will be decided by the Court but is it not the duty of the Government and the hon. Prime Minister to refute this charge ? The essential feature of a democratic set up is transparency and no one can escape from it.

The officer of the CBI, who was investigating into the case and who had recorded the statement, was transferred ... (Interruptions) He was not assigned any work for four months. I has urged the Government earlier also and now once again I demand that the progress report which is prepared by the CBI on the basis of the case diary, should be made public but nobody is ready to do so.

SHRI UMRAO SINGH (Jalandhar) : That is right. He was the relative of Shri Yashwant Sinha who belong to your party.

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, there are many dimensions of Hawala scandal. Firstly, as I have already said, giving money to the politician and secondly depositing money in the foreign Banks abroad and bringing foreign money to the country. It is a crime and at present it is not being discussed as to who were involved in it. The common man does not understand the meaning of the word 'Hawala'. All that he understands is that the politicians took money and they are being prosecuted. It is upto them to prove themselves innocent. My submission is that no discrimination should be made in this regard.

Everyone should be prosecuted. But we should not forget that in that event even the Prime Minister will not be spared. If the hon. Supreme Court says that it has gone through the documents and it gives its clear opinion on it, then there will be no need to drag the hon. Prime Minister into it. The hon. Prime Minister has said that the law will take its own course. God alone knows whether this course passes through 7, Race Course Road or bypasses it. We hope that the Supreme Court will give a clear-cut verdict in this regard. The people have high hopes from the Supreme Court and there should not be any misconception that somebody is being shielded. It is in the interest of the Government also.

The other aspect of the Hawala is the involvement of the officers. There are many top officers against whose names huge amounts have been mentioned in the diary. In which direction this country is heading towards.

Politicians, top officers and industrialists all are corrupt and now they are corrupting everyone. But then all are not corrupt. The same situation had emerged in Italy in 1993. I would not like to quote from an article that appeared in 'Economic'. Are we heading towards the same direction? Will politics be merely a means to earn money? If the politicians are corrupt, you cannot expect the officers to be honest. Sometimes it is the officers who suggest the politicians the way to indulge in corruption. But there should be some limit somewhere. The hon. Prime Minister had also mentioned about a 'Laxman Rekha'. Where is it? The 'Sita' of democracy is in danger. The 'Ravana' of corruption and immorality can kidnap her. It is a matter of concern for all.

When this Hawala case came up, we expected that the hon. Prime Minister would invite us to hold a discussion on this issue without any discrimination so that such scam may not recur. It is an open secret that the politicians accept black money for elections. But can't we evolve a system where election are held without black money. The Dinesh Goswami report had come long back and it has been gathering dust. What has happened to the suggestion of public funding ?

SHRI BHOGENDRA JHA (Madhubani) : Sir, if he yields. I will speak. We have had talks on this subject that a judge has made some remarks about politicians. Vajpayee ji has been saying so both inside and outside the House. He is the leader of the opposition. Do all the politicians accept black money ? Therefore, please do not generalise it.

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, whatever I have said just now is not applicable to all and particularly to Bhogendra Jha Ji... (Interruptions) There are people also with proven honesty. The honesty is surviving just because of them. I am not going into the details of the electoral system and the role of black money in it. That is a separate issue. That will have to be discussed separately but the system has been deteriorating fast for the last four years. Democracy is heading towards degeneration. The Republic is in danger. No one is bothered about it. No corrective steps have been taken. That's why this issue has assumed seriousness.

Mr. Speaker, Sir, now I would like to take up the other aspect which concerns this House and its Members. At the time of the no-confidence motion in 1993 there was every likelihood of the fall of the Government due to the unity of the opposition. Perhaps yesterday the hon. Prime Minister told his colleagues of the Congress Party that he was prepared to face the fall of the Government, but that did not happen. The Government was saved. How it was saved? On 19th December 1991, when this Government came to power, it had 232 Members in this House, on 20th February, 1996 this number rose to 253. Twenty one new Members has since joined Congress... (Interruptions) It is good if change in ideology prompted them to join the Congress Party... (Interruptions)

SHRI GHULAM NABI AZAD : Sir, after the elections in Punjab, the number of M.Ps of the Congress have swelled up.

SHRI ATAL BIHARI VAJPAYEE : All right, you add those also....(Interruptions) I have other data also....(Interruptions) That is a separate thing that the strength of the Congress has increased due to the elections in Punjab but I am mentioning the strength which has increased due to defections. Had it been due to the change in ideology, it would have been good. At present there is no such provision in the country that if anyone who is elected on a particular party's ticket, wants to quit the party he will have to resign from his seat and only then he can defect and not otherwise. We have not given thought in this direction....(Interruptions)

Mr. Speaker, Sir, at the time of the discussion on the No Confidence Motion, there were indications that the Congress Party is worried about the fall of its Government Attempts were being made to increase the number of MPs. I remember that the faces of our colleagues of Congress were gloomy but gleam returned to their faces over night. We had remarked, which is recorded in the proceedings, that it seems that everything has been set right. What was that matter, we had only a little glimpse of it now. I want that this issue should be taken up seriously. Some Members who crossed the floor and got ministerial berths are sitting before us. I would not like to speak about them but a few days ago the Press made it public that four hon. Members of a party had undergone a change of heart and thereafter lakhs of rupees were deposited on a single day in the bank accounts of those four hon. Members...(Interruptions) This happened in 1993. Wherefrom this money had come, who had given this money and why? Was it given to win support for the treasury bench...(Interruptions) The ruling party benefited from it. (Interruptions) Who else could be the beneficiary?

[English]

MR. SPEAKER : These kinds of comments are not called for.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Who was the beneficiary? It has not been denied that the hon. Members were not paid money.

SHRI RUPCHAND PAL (Hooghly) : Allot them petrol pumps.

SHRI ATAL BIHARI VAJPAYEE : Leave aside the petrol pumps. I would like to come to the point. Now this fact has been revealed. Nobody is denying the fact that money was paid. One of those hon. Members has joined our party after defecting from his party.

SHRI UMRAO SINGH : How has he joined your party?

SHRI ATAL BIHARI VAJPAYEE : I will give it's reply....(Interruptions) You can have all, you are like the

Ganga, anyone who joins you will be purified....(Interruptions) Your question is all right. Mr. Speaker, Sir, had we known that hon. Member is also involved in this bargain and he had taken money from the ruling party and had supported the Government at the time of the voting on No-Confidence Motion then we would have asked him not to join us though we too need more Members....(Interruptions) But had he not been with us then perhaps he could never have gathered the courage to reveal this fact....(Interruptions) Only one hon. Member is showing courage and saying that the money has been taken, it is in his account, and he has not spent the whole of it.

But the remaining Members did not refute the charge that they had received the money. They cannot do so. The amount was deposited in the same bank, on the same date under the initials of a single person only. (Interruptions)

SHRI SURAJ MANDAL (Godda) : I am on a point of order....(Interruptions)

SHRI ATAL BIHARI VAJPAYEE : I did not mention his name....(Interruptions)

SHRI SURAJ MANDAL : Mr. Speaker, Sir, this question was raised outside the Parliament and I have already replied to it outside the Parliament. Today when this question has come up in the House, I shall reply to the question inside the House.

SHRI RUPCHAND PAL (Hooghly) : Come forward with your reply.

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, after this discussion, everyone will get an opportunity to speak. If any Member thinks that I am saying about him (Interruptions) I have not mentioned anybody's name so far.

SHRI SURAJ MANDAL : Names have appeared in the Newspapers. I am also not saying about the name. Atal, we have great regard for you. This topic was being discussed outside the House but when discussion is going on inside the House, it will only be replied to in the House itself.

12.00 hrs.

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, we have seen what happened in the House at the time of No Confidence Motion.

SHRI SURAJ MANDAL : I have been served a notice by the secretariat. Shri Somnath Chatterjee and Shri Arjun Singh had given that notice. I shall reply to it when it will be taken up for discussion.

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, the matter is related to the honour and dignity of the whole House. You will also have to think over it. If any Member gets involved in scam in such a way then some sort of

action should be initiated against him. But the person, who happens to be instrumental in dragging them into the scam, is a big culprit and action should be taken against him. One hon. Member has admitted that Shri Būta Singh has taken him to the Prime Minister's house. It is not clear whether he took him there or not and what was the purpose as well as what topic surfaced in the discussion but two points are crystal clear. Firstly, the Members of Parliament who were to vote against the Government, changed their opinion in the last moment and secondly a large amount was deposited in their personal accounts soon after that incident. People can arrive at any conclusion and they may like to draw some conclusion from it. The hon. Prime Minister may say that he had promised them to consider the Constitution of an Autonomous Development Council for the development of Jharkhand. Advaniji, who is not present in the House today, had said that why the hon. Prime Minister was not thinking on the same line about Uttaranchal while the Legislative Assembly had passed the motion twice about it. Then, Advaniji had made a remark "it seems that some sort of deal about Jharkhand has been finalised" which is mentioned in the proceedings of the House. At that time there was no proof as such but today the proof has surfaced automatically; we have not made any effort but it has come automatically and that will have to be faced. The House cannot escape from its responsibility. I, therefore, has demanded that the House should not transact any business unless and until the hon. Prime Minister does not clarify his position in the House. I do not want that hon. Prime Minister should work in a condition arousing suspicion. The image of the hon. Prime Minister should not be blemished but if he is involved in these scāmes, he should resign. He has no moral right to continue.

Mr. Speaker, Sir, leniency in handling the corruption will not serve any purpose. It is high time to get rid of this problem. If the Government wants to bring any change in the system, then it is all right. I am concerned about the next election. Will the next election again be dominated by black money? If any lower court passes any remark against us, which it should not do, we get excited. It is but natural but sometimes, we should do self-introspection on our conduct. A rotten apple spoils the whole lot. Today, we find it thoroughly disgraced to call ourselves a politician. But how this situation was created? I have been a Member of Parliament since 1957. At that time to become an M.P. was a matter of great pride. We were in opposition but even without any power, we commanded respect. But today that respect is at stake.

SHRI UMRAO SINGH : For Shri Advani....

SHRI ATAL BIHARI VAJPAYEE : Not only for Shri Advani. While I am talking of system, you are only referring to an individual. Will this system continue like this? Advaniji himself will fight his case. We have been demanding for the daily hearing of the case.

SHRI UMRAO SINGH : This demand will not be acceded to....(Interruptions)

SHRI RAM NAIK (Bombay North) : Mr. Speaker, Sir, hon. Prime Minister has to reply but please remember that we will not allow him to speak while replying.

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI (Garhwal) : Mr. Speaker, Sir, he should be warned ....(Interruptions)

SHRI PHOOL CHAND VERMA (Shajapur) : Mr. Speaker, Sir, if you do not restrain him, the hon. Prime Minister will not be able to speak in such a condition.

[English]

MR. SPEAKER : Now please take your seat first.

[Translation]

SHRI VINAY KATIYAR (Faizabad) : He is interrupting again and again. Please tell him to sit down.

MR. SPEAKER : Please take your seat first.

SHRI PHOOL CHAND VERMA : Mr. Speaker, Sir, please stop him first....(Interruptions)

SHRI VINAY KATIYAR : How will this House be run this way ?

[English]

MR. SPEAKER : Let it go on like this....(Interruptions)

MR. SPEAKER : Now, this is wrong. First of all you sit down first....(Interruptions)

MR. SPEAKER : Please sit down first. We do not tolerate this kind of behaviour in the House....(Interruptions)

[Translation]

SHRI PHOOL CHAND VERMA : They have throughout been interrupting. We will see how hon. Prime Minister speaks....(Interruptions)

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI : We are going to take our seat but please stop them also. (Interruptions)

SHRI VINAY KATIYAR : How can you run the House, like this ?

[English]

MR. SPEAKER : That is why I am standing here....(Interruptions)

MR. SPEAKER : Will you sit down or not ? ....(Interruptions)

[Translation]

MR. SPEAKER : The business of the House cannot be conducted in this manner.

SHRI VINAY KATIYAR : We will not allow the House to function.

MR. SPEAKER : If you so desire then let it be so...(Interruptions)

[English]

MR. SPEAKER : I am standing here to give the instructions....(Interruptions)

MR. SPEAKER : You please sit down, I have to speak....(Interruptions)

MR. SPEAKER : Please sit down now. Now, I must say that Mr. Vajpayee was trying to keep the debate at a very high level and it is not necessary for anybody from any side to make any comment on it....(Interruptions)

MR. SPEAKER : You are doing it now when I am standing. you will sit down....(Interruptions)

MR. SPEAKER : You will sit down.

I think we are dealing with a very very delicate matter, please understand. I think that let your leaders who are doing it in a proper manner present the case in a proper manner. It is not necessary for the Members to get up every now and then and comment. It is not appreciated by the Presiding Officer as well as the House. It is not appreciated by the Presiding Officer of any Member standing up and shouting also. This is applicable to both of you.

I would like to say, please appreciate, let it go in a proper manner. You are dealing with very important issues. Vajpayeeji was also dealing with a very important issue which is not only relevant to this time, but it can be relevant to the future also. He is doing it in a responsible manner as far as my understanding goes.

I will read out the relevant portions which will be understood and kept in mind by the Members while making the statement afterwards also. The rule says that it shall not relate to any matter which is under adjudication by a court of law having jurisdiction over any part of India. He has tried to be so fair as not to influence any judgement anywhere outside. This principle has to be understood by all of us. This is a *sub judice* matter. This is a place where intellectual battle can go on. This is not a place where you can shout down and just cow down people. We do not appreciate any Member either from this or that side trying to shout down the people.

[Translation]

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI : Mr. Speaker, Sir, I would like to say something.

MR. SPEAKER : There is no need for you to say anything. Let Vajpayee ji speak.

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI : A Member from that side interrupted seven times and you did not say a word to him....(Interruptions)

MR. SPEAKER : Slogans are being given from your side also....(Interruptions)

[English]

MR. SPEAKER : Please let not the tempers flare up. Please help us. Your leaders are quite capable of defending themselves. Do not think you will be able to defend them if they are not able to defend themselves.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, I would like to draw my speech to a conclusion now.

During the discussion, certain issues will be raised and some aspects highlighted. While replying to the debate I would like to dwell upon them. As of now, I have tried to put forth this serious issue in the best possible manner. I appreciate the fact that the House is discussing this issue in a peaceful atmosphere. I do not take these petty meddlings seriously. This is also a healthy sign for the future of democracy. Allegations and counter-allegations should be based on facts. Yet, an atmosphere should be created both within and outside the House that can go a long way in strengthening democracy and enhancing transparency. This is a matter related to purity, serenity and transparency in public life, and, as I said at the outset, a politician is the pivotal point of public life followed by the bureaucrats and the industrialists. New economic policies are being pursued today. Liberalisation will meet an utter failure if transparency is not enhanced. Scams and liberalisation cannot go hand-in-hand. Yet, if political leaders are at liberty to resort to horse-trading, I wonder sometimes to think as to how much money the politicians are after. I am at a loss to understand as to what do the politicians do with the money accumulated in the name of contesting elections? There is loot everywhere. How can we preach the common man to earn his livelihood with honesty and hard work?

How shall he pay a heed to our preaching? We have been led to such a position. I would not put the whole onus on the ruling party alone. We are equally culpable. This wrong tendency needs to be checked and the first step in this direction should be to award stringent punishment to the offender. There should be no room for any discrimination or partiality while conducting the inquiry. We should not allow a situation wherein anybody raises a pointing finger towards the C.B.I. But as I said, the C.B.I. is a part of the Government and comes under the Prime Minister's office. Nobody gives any reply to the query as to why the C.B.I. is not making any headway. But does the country need such an institution, we have to consider this aspect in future.

It is time to consider all the aspects of Hawala Scandal and nobody is looking at economic offences. As I said earlier, Hawala involves illegal transborder transaction of money which is a crime. Who is investigating into, it? People are ignorant about it today. How some high-level bureaucrats get implicated into to? What were the concerned Ministers doing at that time? But being the Members of Parliament, we should be concerned more about ourselves than the bureaucrats. Our dignity is at

stake due to the Hawala scandal and horse-trading case in its aftermath and it is high time to take concrete steps to establish that dignity. I have moved this Motion with this purpose in view and asked you to hold a discussion on it.

[English]

MR. SPEAKER : Mr. Buta Singh will speak now and Mr. Mani Shankar Aiyar will speak later.

SHRI BUTA SINGH (Jalore) : Mr. Speaker, I want to make a submission purely by way of personal explanation because yesterday my name was mentioned in the press conference by our respected Leader of the Opposition and today, while making his speech, he mentioned my name many times. Towards the end of his speech also, he mentioned by name. So, I feel called upon to give a personal explanation to what Shri Atal Bihari Vajpayee has said.

At the outset, I must say that I deny totally that - a part of it appeared yesterday in the press and today another part on the bribery has been mentioned - I do not have anything to do with it, that any money was given or was dealt with by me or through me.

Secondly, I would like to place on record. Sir, that I have gone through the statement of Shri Shailendra Mahto, who has recently shifted his allegiance to BJP from his original Jharkhand Mukti Morcha party in Parliament. His statement which appeared in the press contains references to my name and allegedly gave details about my involvement in bringing around the Jharkhand Mukti Morcha group in Parliament to support the Congress Government headed by the hon. Prime Minister Shri P.V. Narasimha Rao. The statement of Shri Mahto has tried to implicate me in this alleged financial deal which sought to be made as *quid pro quo* for eliciting their support against the No-Confidence Motion.

Sir, I have tried to mobilize political support to my party Government as a consensus member of my party and convinced the Jharkhand Mukti Morcha leadership about the Congress party's commitment to the cause of the tribal people in establishing the Jharkhand Development Council.

Sir, as you are aware, earlier also, as a Home Minister of this country, I was associated in setting up a high-powered committee for the same purpose and was working very closely with the Jharkhand Mukti Morcha leadership.

Therefore, I was genuinely trying to help them in their cause. While the Jharkhand Mukti Morcha people called upon the Prime Minister I was with them and this issue of Jharkhand Development Council was broadly considered in principle. That was all and I remember when the hon. Prime Minister was making his reply in this very august House towards the end of the speech, the hon. leaders from the Jharkhand Mukti Morcha got up and interrupted the Prime Minister to say that, you have not given us any assurance on the Jharkhand Development Council, and the hon. Prime Minister did respond to that extent positively

saying that, this issue is engaging the attention. I would not like to quote the words because it is on record that this Government, our Government will consider the development of the tribal areas in the Jharkhand and that we will be willing to help Jharkhand Mukti Morcha people in getting their due share for the development of the Tribal Council. Sir, that is all.

SHRI JASWANT SINGH (Chittorgarh) : I am raising a substantial point with your permission.

MR. SPEAKER : You will be allowed to make a speech. There is no cross examination on personal explanation. Mr. Somnath Chatterjee.

SHRI JASWANT SINGH : I am not cross examining. It is not cross examination.

SHRI SOMNATH CHATTERJEE (Bolpur) : Nobody on their side! Did you call upon me to speak. I thought you are calling Mr. Suraj Mandal.

MR. SPEAKER : I will allow Mr. Suraj Mandal. I thought Buta Singh ji was the first speaker.

SHRI MANI SHANKAR AIYAR (Mayiladuturai) : Mr. Speaker, Sir, I would like to associate myself with what I believe is the sentiment of the House. We are deeply grateful to the Leader of the Opposition, hon. Shri Vajpayee ji, for having raised on the floor of this House today in a procedurally dignified and correct manner the issues that have been agitating this country ever since the 16th of January when these issues hit the headlines. The manner in which Shri Atal Bihari Vajpayee ji has placed these issues before the House is also a matter of high commendation. I believe the clarity with which he has told what we need to discuss will help us to proceed on an extremely rational and reasoned basis and not allow unnecessary emotion or passion to cloud our judgement. In this light, Sir, I would first reiterate what Shri Vajpayee ji has said. There are two different matters, in a sense inter-related, but two different matters which are before the House in terms of the Motion which it is considering.

First is the Government's alleged failure to answer charge relating to the Hawala case. Second is the Government's alleged failure to answer allegations about illegal pay offs. And as Shri Vajpayee ji did so, I too would like to discuss these two issues one after the other.

With regard to the first. Sir, which is being described as the hawala case in the Motion before the House, there are, it seems to me (and do correct me if I am wrong) seven points which Shri Vajpayee ji made which require to be dealt with. First he has charged the Government with unnecessary delay in the matter of conducting the investigations relating to the hawala case. Second, he has charged the Government with selectivity in conducting these investigations. Third, he has alleged that there has been pressure placed on the CBI to act in a manner less than befitting of the responsibilities entrusted to it by the law. Fourth, he has referred to the statement made on the 11th March, 1995 by one of the most important accused in this matter.



12.25 hrs

[MR. DEPUTY-SPEAKER *in the Chair*]

The fifth is, he has asked as to why the investigating authority was removed during the course of investigation. I think this was a reference to Mr. Kant, although he did not take his name specifically. The sixth is, Shri Vajpayee has drawn attention to the illegal foreign exchange transactions that are at the heart of the hawala matter and which he has said, are not being investigated expeditiously or appropriately. And finally, he has drawn attention to the extent to which democracy and this Republic are in peril on account of the case, its ramifications and the impact that it has made upon the public mind.

With your permission, Mr. Deputy Speaker, Sir, I would like to take up each one of these issues and attempt to place a perspective upon them which is perhaps not quite exactly the perspective which Shri Vajpayee brought to bear on these issues.

The first and foremost is the question of delay. Here, I would like to draw your attention to what appears to be a confusion in the public mind which is also reflected in the wording of the Motion itself — the reference to the 'hawala case'. You would recall, Mr. Deputy Speaker, Sir, that yesterday, when one hon. Member of the Opposition referred to the hawala case, the Presiding Officer asked him, "what case, what hawala matter, what hawala scandal?" Although there was a sense of confusion at that time as to what was the issue or the issues involved in referring to the hawala scandal, since the expression has been repeated now in the Motion, it is perhaps necessary to clarify the three separate issues involved in what has been placed here, in inverted commas, as the hawala case.

The first and foremost or the basis of this whole thing is a series of illegal foreign exchange transactions which appear, *prima facie*, to have contravened the Foreign Exchange Regulation Act, normally called FERA. That is one set of issues. The second or a consequence of some part of these illegal foreign exchange transactions having been used allegedly to finance the terrorist activities particularly in Kashmir. This involves a completely separate piece of legislation, a piece of legislation which is now defunct but which was in action at that time, namely, the Terrorist and Disruptive Activities (Prevention) Act, (TADA). The third is the question of corruption — the use of these moneys to corrupt public servants which attracts the provision of the Anti-Corruption Act. It is only if we understand that the hawala case consists of three completely separate, of inter-related components, that we will begin to understand why the so-called delay in this matter has taken place.

Let us remember that this issue came to the CBI not in consequence of the hawala transactions as such, not in consequence of the corruption of public servants, but in consequence of the Delhi Police having stumbled upon the fact that what they were investigating was deeply linked to terrorism in Kashmir. The House would recall, as the

country can never forget that between December 1989 and March 1991, terrorism had blown up to proportions undreamt of before the fall of Shri Rajiv Gandhi Government in this country specifically in the valley of Jammu and Kashmir and it was in the process of attempting to investigate how that terrorism was being financed, where the arms were coming from, who was the source, which was the supporting country, that the Delhi Police discovered that there were some so-called students at the Jawaharlal Nehru University who were being used as a channel for sending moneys as well as it would appear, arms to the terrorists operating in the Valley. On finding that the issue involved related to TADA matters and related to a matter of high concern to this country in the terrorist infested State of Jammu and Kashmir, they referred the matter to the CBI. The CBI came into the picture primarily to deal with a matter of terrorism.

And it is on this question of terrorism and its legal implications under TADA that CBI necessarily concentrate. I think nobody deny that it would have been extremely remiss of the main Investigating agency, the CBI, if instead of concentrating on the issues of terrorism related to this case, it had relegated the issues of terrorism to the background in order to pursue other matters that were related to the same issue. In the process of prioritisation in the year 1991-92, inevitably, necessarily and commendably, the CBI dealt with the terrorist angle. And it was in the process of dealing with the terrorist angle that it came to light that the vast sums of money involved, the huge sums of money involved in financing terrorism in Kashmir required *hawala* operations.

I have been recently to my constituency for forty continuous days and I have been repeatedly asked by my Tamil-speaking constituents as to what does the word '*hawala*' mean. Therefore, Sir, I hope you will give me permission to just clarify, through the opportunity given to me here to speak, that hawala transactions relate to illegal foreign exchange transactions that take place outside the authorised RBI routes. Now, we know that these illegal transactions have been part and parcel of the controlled economy in India ever since foreign exchange regulations were introduced in a strict way in 1956. It is also known that as the economy grows, the black sector of the economy also grows. What was not known until these investigations took place is the scale upon which certain individual business men were able to have access to Indian money being sent illegally abroad and foreign moneys being brought illegally into the country. The scale of the hawala operation involved in this grew out of the investigation into the terrorist activities. It is not as if there was immediate evidence available on an irrefutable basis of what were the sums of money involved of which a small part went to the financing of terrorists in Kashmir. The process was the other way round. First, we had to investigate, as deeply and extensively as possible, what was the role of the two apparently innocent stands in the terrorism taking place in the State of Jammu and Kashmir. Through that, it became apparent that these two gentlemen were not isolated elements in a process but they were part of a structure, a

structure that was not only a domestic conspiracy but an international conspiracy involving massive transfers of money as well as arms to those who were taking on the Indian State itself. And when this kind of information comes your way, you do not rush to the press; you do not rush in where angels fear to tread. You tread cautiously.

12.34 hrs.

[MR. SPEAKER in the Chair]

It was essential that the larger issue of who was financing this terrorism in Kashmir, who were the agencies involved, what were their link with foreign governments, where did the foreign hand come in, who were the collaborators of these foreign hands in India, etc. had to be carefully and fully established. Anyone with the least knowledge of police investigations will inform you that premature disclosure is often the best way of subverting the disclosure process. You need to go very cautiously; you need to understand that the evidence that comes before you, however startling, is likely to be the tip of the iceberg. Indeed, the more startling the tip of the iceberg, the larger is likely to be the iceberg itself. And therefore, between 1991-1992 and 1993-94, the question of terrorism which was what had first engaged the attention of the CBI was broadened to have some kind of an understanding of the magnitude of the hawala operations involved.

And it was in the process of discovering what was the magnitude of the hawala operations involved that certain links allegedly arose between the sums of money involved in the hawala transactions and payments made to individual public servants including, as Shri Vajpayeeji has so ably pointed out, politicians of several different political parties, public servants in the Civil Services and the police and businessmen.

Throughout this process, Mr. Speaker, Sir, I think, it would be necessary to clarify to this House and to this country that the Supreme Court was kept informed. The reasons for the Supreme Court being kept informed was a process of public interest litigation. Public interest litigation is a part and parcel of our democracy. We, on this side of the House are proud to have played our role in enabling public interest litigation to be a part of the legal process in this country. Therefore, we were glad that a spirited public lawyer went to the Supreme Court with the complaint that investigations were not going adequately. His complaint, as Shri Vajpayeeji has pointed out to us, was made many years ago, some two and a half years ago, in 1993. Since then the Supreme Court has been kept continuously apprised of the process and progress of the investigations. It cannot be said that the other major constitutional authority involved in the preservation of our democracy, the Supreme Court, in addition to our Parliament has in any way been kept in the dark. They have known about this matter continuously since the public interest litigation and they have acted in a purely constitutional manner to say by the beginning of 1996 that we should begin to file chargesheets even against the politicians involved.

Sir, now, it is a matter of judgement between the CBI and the Supreme Court as to whether the cases are ripe enough for registration or not. The CBI till the 16th of January, 1996 was not apparently convinced that it had done its work to be able to take into account all the 115 politicians mentioned in the Jain diaries. I should further add that these 115 mentions are not clearly stated. They are not named with sums of money written against them. For example, if I had been in the acquaintance of Shri Jain, which I am happy to say I was not, it would have read as Shri Mani Shankar Aiyar – rupees so many lakhs. There was some notations and those notations had to be deciphered and the notations were not made by a trained cryptor. They were notations of a munshi. It is still highly in doubt whether, for instance, the letters 'KK' referred to any Congress serving MP or whether, 'KK' referred to the initials of an ex-congress MP with the last name being dropped out. These are matters that are being generally speculated upon in our Press and amongst our public. Consequently, do not imagine that when on 3rd May, 1991 the Jain diaries were seized upon, we opened them and found a list listing all the people to whom it is alleged that monies have been paid. Far from it. There was an encrypting done by a munshi in a language that was known only to him, not in a standardised form and not in a way in which it was easy to break the code.

Over a period of time it appears that some of these initials or notations have been deciphered upto some point by the CBI. The CBI has then had to conduct its investigations often in the absence of corroborative evidence and dealing with personalities on whom if you throw mud, you throw mud on the entire system. They were, therefore, proceeding according to their own rights in just and a proper manner. However, the Supreme Court, who had the full jurisdiction to make its comments on the subject, said that they were not satisfied with the pace at which it was going. They asked that it be expedited and they started giving targets. Whatever has happened since then is in consequence of the Supreme Court directive and since the CBI has self-confessedly said that it has not completed entirely all its investigations into all the entries that have been put in the Jain diary, naturally, therefore, there are only some against whom the stage has been reached where you can actually file the chargesheets and there are some against whom the stage has not been reached where a chargesheet could be filed and some against whom matters cannot proceed any further because there is no basis on which to proceed further. To suggest that the CBI is guilty of doing its own selectivity is in effect to impugn the integrity of this institution. If you impugn the integrity of the CBI, then nothing that it has said can be taken seriously. You cannot have it both ways. You cannot say that on the basis of the CBI investigation it is proper to accuse the Prime Minister but not proper to accuse the former Leader of the Opposition. My point is that the CBI as an institution is doing its best. We may not be satisfied with its best we are never satisfied with any institution's best because we want even more..That is our right. There are many people in this country who believe that Parliament

is not doing its best. There are others who say that Parliament is doing its best but that best is not good enough. For that reason you cannot - as one judge has recently done - impugn this whole institution and all of us who are sitting here. What appears to me the mistake that the Leader of the Opposition has made is to make the same mistake which that judge has made, to castigate an entire institution.

The CBI has got its faults. It is composed of human beings and human beings have their limitations. But within the limitations of the institution and its personnel, it has done a very commendable job and it has done it so impartially that even in the small selected list of people where investigations have been completed to the point where charge-sheets can be framed. People of several different political hues appear to have been caught in their web. To be caught in their web is not to be pronounced guilty. I personally do not think Shri L.K. Advani is a dishonest man. I have had the opportunity over the last five years of interacting frequently with Shri L.K. Advani. I even had the privilege of travelling for about a week with him abroad soon after I became a Member of this House. I am also aware of the fact that he stands charge-sheeted on criminal grounds with respect to the demolition of the Babri Masjid. What is on record is known that assurances that were given to the Supreme Court in that case were not in fact observed by that Party in question. Nevertheless, my personal view - it is an entirely personal view - is that Shri L.K. Advani is an honest man. Nevertheless there are charges against him and these charges he will answer in the appropriate forum. In these terms the delays that have taken place are not *mala fide* delays; they are indeed, *bona fide* delays.

Unless investigations are carried out properly, unless they are carried out in accordance with what has to be done, we will never reach the stage where proper charge-sheets are filed. We have, Sir, the classic example of the Bofors case where hurry on the part of the investigative agencies has merely delayed the investigative process. Back in 1989-90, for purely political reasons, the investigative process that was going on into the alleged Bofors pay-off was speeded up by that other Government with the result that they went to foreign court with Letters Rogatory in which amendments were made in pencil because they were under political pressure from the authorities concerned here to redeem the false pledges that they had made during the elections. The consequence has been that we have been made a fool of in several European countries abroad. I do not know why it should be necessary for us to repeat that kind of a mistake.

Investigations do take time. The investigating authority must be given time to complete its investigation. Therefore, such delays, as the Leader of Opposition has brought to the attention of the House, are not *mala fide* delays. These are delays that are going to contribute to effective prosecution. At the end of the day, as Shri Vajpayee said, we want the guilty punished. We cannot allow the guilty to go scot free by the investigation into their crimes not being complete.

Then comes the second charge of selectivity.

On selectivity, Sir, I have already had occasion to say that it was not the CBI which having completed its investigation of its own volition presented the charge-sheets. It was directed to do so by the Supreme Court, when it had not completed its own work. Therefore, necessarily the number of people whom it would charge is only the number of people with respect to whom it had conducted its investigation sufficiently to convince itself, if not the courts and the world as yet that it was ready to file these charge-sheets. Now, in this process of selectivity who has suffered most? Yes, it is true that the Bharatiya Janata Party has lost in Parliament the services of one of its most able leaders. However, it has lost those services because the gentleman has voluntarily of his own accord, withdrawn, from the proceedings of this House. I regard that a great pity, I think it would have been very useful to have had Shri Advani here to tell this House, whether or not he took those sixty lakhs of rupees? As far as I know, he has not yet confirmed or denied having accepted those sums of money, nor explained what are the reasons for which he has taken it.

I would be very very keen, I would have been very  
....(Interruptions)

SHRI HARIN PATHAK (Ahmedabad) : Advaniji has publicly denied it. In the public meeting he said, "if the charges are proved, I will leave politics"....(Interruptions)

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF RURAL AREAS AND EMPLOYMENT (DEPARTMENT OF RURAL EMPLOYMENT AND POVERTY ALLEVIATION) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI VILAS MUTTEMWAR) : Let him speak for himself.

[English]

MR. SPEAKER : Thank you, Pathakji....(Interruptions)

[Translation]

SHRIMATI BHAVNA CHIKHLIA (Junagarh) : He is making his own point. He is not saying what he should say.

[English]

SHRI HARIN PATHAK : Please correct it....  
(Interruptions)

MR. SPEAKER : Okay. It is alright. You please continue....(Interruptions)

SHRI MANI SHANKAR AIYAR (Mayiladuturai) : My short point is that I would have greatly appreciated Shri Advani being in this House to tell us what he has apparently said in a public meeting. We have been denied that opportunity. Maybe some other spokesmen on behalf of Shri Advani could make some clarifications here. But, my

point is that if they have lost one of their most able colleagues, we have lost seven of ours. Shri Madhavrao Scindia was, through an entire five years term as Minister for Railways in 1984-89 Government, widely regarded, certainly regarded by his party colleagues here, as just about the most able Minister that we had. When, over the Uzbekistan Airways Crash he resigned, most of us were deeply sorry that he felt obliged to leave us. We have lost him now because of this case. Where is the selectivity? We have lost the gentlemen who led us in several battles against them. Shri V.C. Shukla. Why have we lost him? Is this selectivity? We have lost Shri Balam Jakhar, who, Sir, graced the Chair upon which you sit. He was elected as the Presiding Officer of this House not for one Session, not for one Lok Sabha, but for two in succession. We have lost these colleagues and to suggest, therefore, that selectivity is aimed at destroying the political reputations of one or two Members of the Opposition and is designed to deal with political rivals within the party is to suggest that we, in this party, had descended to the level to which the BJP had descended.

We know full well that three quarters of this agitation is a result of a bitter interencies party rivalry within the BJP. I personally would like to give Shri Atal Bihari Vajpayee my very best wishes because I do not see him as belonging to the same ideological persuasion as those most of who sit behind him. I am delighted that as a result of this bitter internecine party feud, he has emerged as the likely BJP Prime Minister of India is the unlikely event of the BJP winning the election. But, I do not see why their internal party feuds - after all let us not forget - that Mr. Advani became M.P. for Gandhi Nagar, a city with which he has no connection whatsoever, only because Shri Shankarsinh Vaghela vacated the seat for him, now Shri Vaghela says that Shri Atal Bihar Vajpayee is the greatest and Mr. Advani is the most terrible, therefore, Shri Advani cannot get elected from Gandhi Nagar. It is an extremely wise move on his part to resign his seat and say that he will not contest again. Therefore, please do not besmirch the reputation of this Parliament, or the reputation of the CBI or the reputation of this Government by alleging selectivity. Selectivity is part of a process whereas agency which wishes to take more time to complete its job, is not allowed to be given that time and is forced by the Supreme Court to file charges before it is quite ready to complete its course of investigation into every body.

Thirdly, Sir, Shri Vajpayee has said that there has been pressure on the CBI. I think this kind of charge needs to be substantiated instead of just being made. We would like an independent investigating agency to look into it. But let us consider that issue in itself as being worthy of consideration. When there was a Janata party Government in India from 1977 to 1979, there was as much of a need for an investigating agency independent of the Government of India as there is today. When Shri V.P. Singh was in power supported by all our friends over here, there was as much of a need for an investigating agency independent of the Government as there might be today. These are issues that needed to be raised in a general context. In

the specific context of what the Motion describes as the hawala case, to bring in this new hare, to run this new hare, is to be unfair. I think to the process in which we are involved. At the moment we do have a CBI. It is the CBI which has filed chargesheets against seven Ministers of the Government of India. It is one which has filed chargesheets against a major Member of the Opposition, in fact several Members of the Opposition. Therefore, it should be allowed to get on with its job. And the question of an independent investigating authority along the lines of the Special Prosecutor that was set up in the United States for investigating the Watergate crisis is, I think, something that we can consider but hardly something that can be brought up or resolved in terms of a Motion moved under Rule 184.

Fourthly, Shri Vajpayee brought up a statement, dated 11th March 1995, of one of the major accused in the so-called hawala case. I think, it is necessary for me to stress what Shri Yunus Saleem mentioned in passing and which was contested by all the judicial wisdom at the command of the former Chief Justice whom they have inducted into their ranks. What stands beyond reason is that even if that statement is inadmissible in a court of law, it can be referred to in this House. There is no problem. But what is the statement we are referring to? It is an unsigned statement. It is an uncorroborated statement. It is an inadmissible statement. I want Shri Atal Bihari Vajpayee to uphold certain standards in public life. If an accusation has been made, let the person who makes that accusation sign his statement. You do not have their signature on that statement. You then make the allegation without any corroborative evidence. If Shri Atal Bihari Vajpayee has corroborative evidence with regard to that statement why does he not produce it in this House? He may not be able to produce it in the Court because the statement itself will be rendered inadmissible. But why does he not produce it in this House? He says Rs. 3.50 crore. How does he know that it is not Rs. 3.51 crore or Rs. 3.49 crore? Who gave it? When did he give it? Why did he give it? They give dates of total absurdity. Here is Shri P.V. Narasimha Rao carrying the *asthi* of the late Shri Rajiv Gandhi to the Sangam to immerse, and this fellow is claiming that on that day he was handing over sums of money. The total absurdity of many of the remarks included in that statement render it not only unsigned, uncorroborated and inadmissible but also patently *prima facie* ridiculous. I think, it is extremely wrong of the Leader of the Opposition for whom I have the utmost regard to get up here, refer to that statement and not to the rest of that statement which deals with his own Party colleagues. How can he talk here with a statement after you have ruled. Sir, that the statement, if placed on the Table of the House, will have to be placed in its totality, and then say "all right I am not going to place the Statement on the Table of the House but only referred to it" and, when referring to it, referred to the statements that have been made against one Member of this House but not against another Member of this House? Is this

fair? Is this just? Is this honourable? Is this the manner in which we are going to comment on the investigative abilities to another agency?

Then, Sir, you said that we require transparency, that there must be a reply made to the charges. That is why this debate is taking place. It was impossible to reply to the charges being bandied about in the public until this House met. This House met on the 26th and the discussion was abandoned owing to apprehensions of your behaviour in the Opposition being as it was in the last Session.

Yesterday was disrupted by a wholly unnecessary procedural wrangle which could have been resolved even at the outset as the hon. Speaker suggested.

Now we have started talking, and at the moment, that the issues are being substantively discussed, the Prime Minister is here, the whole of the Treasury Benches are present in full strength. We are willing to answer what you have to say. We are willing to join you for demanding justice for our people, justice for this Parliament. But to get cheap publicity from the Press Gallery by describing somebody as *Mauni Baba* or *Dharni Baba* and what not, is this in keeping with the dignity of Parliament? That is why the charge against the Opposition is that they trivialise serious issues.

On this issue, the Prime Minister is sitting here. Most of his Cabinet colleagues from the Lok Sabha and some of his Cabinet Colleagues from the Rajya Sabha are sitting here. Certainly all his Lok Sabha colleagues are sitting here. We are sitting and listening with avid interest to what the Opposition has to say. Unfortunately, the interest that we are showing is not being appropriately matched by the seriousness of the evidence which is being presented before us.

Then, fifthly, in regard to the charge that Shri Atal Bihari Vajpayee made that the investigating authority was removed from his post and not given a job for four months, I would say that it is true that the gentlemen was working as a middle level officer in the CBI. It is also true that he has blood relationship with the leading defector from the Chandra Shekhar ranks who is now gracing the BJP...*(Interruptions)*

SHRI HARIN PATHAK : Sir, he is naming the person.  
...*(Interruptions)*

*[Translation]*

SHRI ATAL BIHARI VAJPAYEE : I had pointed towards a C.B.I. officer. Now, our friend, Shri Mani Shankar Aiyar is going to mention as to with whom that officer has got some relation. You may see as to whether it is proper to say like that?...*(Interruptions)*

*[English]*

SHRI MANI SHANKAR AIYAR : Now that particular person is an officer of the Indian Police Service like hundreds of his colleagues. These police officers are all

under the general regulation of the Department of Personnel in the Government of India regarding the amount of time what they would spend at a particular post.

Now it was Shri Atal Bihari Vajpayee who sent me as a civil servant as Consulate General of India, Karachi in December 1978. I had not completed my term in Iraq. I had been there only two years, I had been sent for three years. Now what mischievous intent did the Foreign Minister, Shri Atal Bihari Vajpayee have in removing me from Iraq and sending me to Karachi? My answer is, 'no, he had no mischievous intent'. There is always a public purpose to be served. The Consulate General of India had just been opened in Karachi. Shri Atal Bihari Vajpayee looked at the list of relevant senior officers and came, in my opinion, extremely wisely to the conclusion that the best officer available was Mani Shankar Aiyar.

When I went there, another sin was committed by his successor. My three years ended on the 14th of December 1981, but I stayed till the 2nd of January 1982. Are you going to pull that Minister, who is none other than Shri P.V. Narasimha Rao, into this House and charge him with having kept me on my post for 16 days more than I was intended to? Shri Vajpayee very well knows because he was a Minister, regrettably for a very short period of time but very able despite the short period of time that he has spent there - that it is part and parcel of the normal processed of governance for an officer to be posted for an approximate tenure of three years or so and then removed or extended on grounds of public interest.

Now, this particular officer had completed entirely his tenure with the CBI. As an IPS officer he was required to obey the normal rules and regulations of postings of IPS officers. When in the Public Interest Litigation, which he himself either engineered or allowed to take place on his behalf, the courts were seized of this matter—they have the same judiciary to whom Shri Vajpayee is now paying obeisance - that the judiciary has held that there was absolutely nothing wrong in transferring this officer after he had completed his term.

13.00 hrs.

I do not think we should be encouraging them. Frankly as an ex-civil servant, I do not think we should be encouraging civil servants to use and exploit their civil services position to take public position. If you have the guts, if you want to take a public position, then do what I did. You resign from the service, contest an election, win, lose and get the approval of the people. Why should a serving police officer become a beacon, an idol of the BJP while he continues to be serving officer? As a serving officer, his job is to shut up and get on with the job. He cannot go on exploiting our system by getting all the advantages of being a Government servant and seeking to get all the publicity of a politician. It should be one or the other. Let him leave his job; let him come out into the public, then let him talk whatever he wishes to. But this is to encourage indiscipline in the ranks of our police itself.

If every single police officer becomes an adjudicating authority to sit in judgement over the actions of politicians, if the face of our democracy is being pock-marked with allegations, it is because there are so many civil servants who are now seeking the headlines instead of seeking to do their job. There is nothing *mala fide* whatsoever about the removal of this officer at the end of his tenure. He is now holding another responsible position in the Government of India and in accordance with that responsibility, I would request him to put up and shut up. If he has anything further to say, let him say it through the appropriate channels, through the appropriate authority. Shrimati Margaret Alva continues to remain his Minister. She is dealing with hundreds of grievances of civil servants against their masters, both civil servants and politicians on a daily basis and this gentleman is free to appeal to his own Minister and not to start feathering his nest by thinking that Shri Atal Bihari Vajpayee is going to be his future Minister. I can assure the officer concerned that the BJP's fortunes are plummeting. The whole of this country knows that they are a lot of havala-takers. They are not going to get any votes and the dreams that they had of coming to power are going to vanish as smoke into the air.

Now, the next charge made by Shri Atal Bihari Vajpayee is that the illegal foreign exchange transactions are not being investigated at an adequately fast pace. I would like to say that to a large extent I agree with Shri Vajpayeeji. It is obvious that under the British system most of the crimes committed were of a social nature, a violation of human rights. But the crimes that are now being increasingly committed....(Interruptions)

[Translation]

SHRI BHOGENDRA JHA (Madhubani) : Mr. Speaker, Sir, I would like to say something with your kind permission. Aiyarji made a reference to an officer. It would have made no difference, he had made a general reference but he related that officer's to the B.J.P. It does not behove him to make changes like that.

SHRI MANI SHANKAR AIYAR : I did not say like that. You can see the record....(Interruptions)

[English]

MR. SPEAKER : The complaints you are making means you are doing the same thing.

SHRI HARINPATHAK : I am not going to do the same thing.

SHRI MANI SHANKAR AIYAR : Sir, in regard to the illegal foreign exchange transactions, it has been traditionally believed in this country that economic crimes fall in one category and other crimes fall in another. Now we are discovering especially in the context of the havala case that people who are involved in havala transactions can very quickly get involved with smugglers of other descriptions, murderer of other descriptions, terrorism and all kinds of other activities. Therefore, the kind of distinction

that has hitherto been made between economic crimes and other crimes is a distinction that may be of some conceptual importance but which, in practice, should be investigated in such a way as to establish the nexus between economic crimes and other crimes. And had that kind of a system existed within the CBI, then, maybe, we would have arrived at these conclusions a little quicker than we did. Still, we are in the process of learning our lessons. This Government is a Government with the most open mind that independent India has ever had. It is willing to listen to dissension within its own ranks. It is willing to listen to wisdom and counsel from the Opposition. Sometimes, it makes the mistake of listening to them, believing them as the eve of 6th December, 1992.

But, generally speaking, we are an open Government; we are willing to listen to suggestions and whatever we can do in order to expedite the investigation of economic crimes and the nexus between economic crimes, and other crimes, I am sure, that the Prime Minister will be more than willing to do.

In the light of this, the danger to our country lies certainly from corrupt bureaucrats and corrupting capitalists as Shri Vajpayee said. I have no doubt that there is a *Ravana* of corruption in this country. I have also no doubt that the *Ravana* is to be found in the camp of the votaries of *Shri Ram*. I can also assure Shri Vajpayee that the course of the law runs as surely through 7, Race Course Road, as it does through 10, Ashoka Road. We now know that there is as much mud to be slung at 10 Ashoka Road as there is to be slung at North Block and South Block. What I would request to do is to save this democracy from this present peril, to save our Republic and to join you in this crusade to save our democracy is that we have to take a few very important necessary steps.

Number one : For God's sake, let this House run. For God's sake, let us talk like we have been talking this morning. We have a situation where for thirteen days in the last Session this House was not allowed to work and the Supreme Court has pronounced that the person with respect to whom you prevented this House from functioning has been exculpated of every single charge that you have made against him and....(Interruptions) Mr. Speaker, Sir - there is no political party which has a monopoly of corruption. We have just had a Rajya Sabha election which took place recently. Six extra votes have been garnered by the candidate of one particular party. Allegations are being flung all over the place of each one of them having been purchased for Rs. 25 lakh. If this is the sum of money that they are using in order to purchase one more seat in the Rajya Sabha, imagine what a minor thing that, is if you are trying to save an entire Government! In any case, that brings me directly to the charges that have been levelled....(Interruptions)

SHRI SOBHANADREESWARA RAO VADDE : What has happened in Andhra? You have also spent crores of rupees.

SHRI MANI SHANKAR AIYAR : That brings me to the charge that Shri Atal Bihari Vajpayee has made in respect of the second half of the Motion before the House, namely, the allegation that the Government have not responded to the allegations about pay-offs to some MPs. Sir, the political fact that we must not forget is that a substantial section of the Opposition is composed of people who have made a profession of drifting from one party to the other. This is not true of BJP. At least it was not there till very recently indeed in the case of Shri Mahato and it is not true of our friends of the Left Front who I think have an ideological conviction which we can only commend. They are as good communists as I am a congressman. I will never join them as I trust that they will never seek to join me. But if you leave aside the BJP and the Left Front, you find that the National Front is composed of people with a rather chequered past. They have been here, they have been there, they have returned here, they have returned there. And when they form a party the only way I can understand the political morphology of the National Front is to remember the biology I was taught at school, where I was told that the amoeba reproduces by dividing itself and that a hydra is capable of reproducing by reproducing with itself. In the manner of an amoeba and a hydra, these Members of the National Front come, go, split, today they are in love with each other, tomorrow they are quarrelling with each other. We had this spectacle yesterday when Shri Abdul Ghafoor was speaking of what happens when they start charging each other.

Now when we are given political erities of no stability, when there is a tradition of political opportunism being developed in this country by the members of the National Front it is not surprising...*(Interruptions)*

SHRI SOBHANADREESWARA RAO VADDE : It started from your party...*(Interruptions)* You have taken several Members from the National Front.

SHRI MANI SHANKAR AIYAR : This culture has been spreading even to Andhra Pradesh...*(Interruptions)*

SHRI SOBHANADREESWARA RAO VADDE : It is the Congress Party which has encouraged the defections...*(Interruptions)*

SHRI MANI SHANKAR AIYAR : They even get elected in the name of N.T.R. and then the sons-in-law do the same thing to N.T.R. which Saddam Hussein's sons-in-law did to him...*(Interruptions)*

This vulgar dirty culture of forming political parties for purely opportunistic and personalised reasons, splitting, reforming is no part of the political culture of a party like the Congress which has stood for 110 years. We are here whether we win or lose. Mr. Speaker, Sir, I belong to the State of Tamil Nadu. The Congress party has not been in power in Tamil Nadu for the last thirty years. No one knows whether we will, in fact, come back to power in the next thirty years. But in every street, in every village, in every basti and mohalla of the State of Tamil Nadu there are people who stand up with the Congress flag and proudly

say that we are Congressmen'. This is the political party to which we belong and if at the fringes there are some of us who split and go to that side then opportunistically split and come back, it is not for us to give an explanation on the floor of the House.

The fact of the matter is that on the 6th of December 1992 when the Babri Masjid was destroyed, the unanimous sentiment in the non-BJP section of this House was that these destroyers must be politically ostracised. Within six or seven months these National Front and Left Front types joined hands with the unacceptable BJP to try to bring down a Government. For what ? Is it for reasons of jokery? You tried to do your best at that time to try and damage us. We stood our ground and when we were standing our ground, a number of ex-congressmen discovered that they are sitting in the wrong camp and, at the same time, a group of politically elected personalities who belong to not only a depressed but indeed an oppressed part of our country, who has been looking for justice to Prime Minister V.P. Singh and Prime Minister Chandra Shekhar and for justice to a Chief Minister called Laloo Prasad Yadav, came to the same election conclusion to which George Fernandes also came that Laloo Prasad Yadav is not to be trusted.

*[Translation]*

SHRI RAM KRIPAL YADAV (Patna) : Had Laloo Prasad Yadav not been in power, no one could won the elections...*(Interruptions)*

*[English]*

SHRI MANI SHANKAR AIYAR : These people than discovered that even if they have been elected with the support of Laloo Prasad Yadav they had no hope of securing the larger demand that they had which was to free themselves from the exploitation of Bihar is living to the North of the Ganga. That is why they turned to the political party which has given succour to micro-minorities throughout our history but most particularly during the regime of Shri Rajiv Gandhi. It is we who protected the Chakmas, it is we who protected the Lakher, it is we who protected the Gorkhas from the atrocities of Jyoti Basu's regime, it is we who protected the tribals of Tripura from the atrocities of Nripen Chakraborty. It is we to whom even the people of Minicoy turned with regard to some grievances that they had with regard to the people of Lakshadweep. The greatest saviour of the micro-minorities of India is the Congress Party and the Jharkhand Mukti Morcha, which has been subjected to the most illegal economic pressures by the B.J.P. as well as the National Front because I want to know how much they paid Shri Mahato to join them, it is, indeed that Jharkhand Mukti Morcha, looking for succour somewhere, looking for some party that would protect them for reasons other than self-interest, looking for a party that has the greater national interests in mind turned to us. And I ask the Prime Minister here please fulfil their demands'. As far as I am concerned, I deeply believe that the demands made by the Jharkhand Mukti Morcha are honest demands. I believe they are just

demands. I would like us to be far more expeditious in fulfilling those demands irrespective of whether those demands were or were not made that fateful day in July, 1993....(Interruptions)

[Translation]

SHRI ROOP CHAND PAL : Is the former Minister of your party in jail in the national interest ?... (Interruptions)

[English]

SHRI MANI SHANKAR AIYAR : But they are coming to this House and moving a motion under rule 184, in which allegations are made about some pay-offs to M.Ps without investigating them. Shri Atal Bihari Vajpayee says that had he known that this gentleman had accepted Rs. 40 lakh or whatever it is, he would not have taken him into his party. Shri Vajpayee does not even know the man's name. You read the newspaper, he does not know his name. He does not know the name of his party colleagues, and his party colleagues do not even know that that gentleman is not a member of the Scheduled Tribes, that he is one of Nitish Kumar's caste-mates. Atal Bihari Vajpayee admits into his part a man who is a self confessed bribe-taker, whose name Atal Bihari Vajpayee does not know and whose non-Scheduled Tribe status is not known to that party. This is the irresponsibility with which they function with regard to one of their own Members - he is not talking about one of my Members. And then, on the basis of a statement made by this gentleman that he has collected Rs. 40 lakh and he has still got Rs. 20 lakh to spend, they come before the Press and now they come before this Parliament and say why does not the Prime Minister respond? I do not understand this. Would you please ask that gentleman first to get the hell out of your party? Why don't you ask this BJP gentleman whom you only admitted yesterday, to leave the party promptly? Then let us see whether he still sticks to his statement. Let us then ask him how much the BJP paid him in order to take him into the BJP because, after all, if he is professional bribe-taker, surely he can take bribe from people who from Hawala agents have collected Rs. 60 lakh and not even disclosed it to their own party high command. How can we trust this totally corrupt BJP which has made such a stinking name for itself, wherever it has ruled, whether in Uttar Pradesh or in Madhya Pradesh, whether in Rajasthan or in Maharashtra, the name of the BJP has come to be equated with criminality, with corruption and with....(Interruptions), it does not lie in the mouth of bribe-taker to accuse others of being bribe-giver. There is no credibility whatsoever to the statement made by this floating fish that has gone from the JMM into the Congress and then out of it into the BJP. Their party ranks are filled with such people.

I mentioned Yashwant Sinha, another former Member of this Parliament, who was, till recently, the Leader of the Opposition in Bihar. I mentioned him not because I am accusing him of having taken money from anyone else. I

accuse him of having been a member of Chandra Shekhar's party, I accuse of having been a fellow IAS officer, as I was, I accuse him of having been a man who was born into secularism, grew in secularism, stood up for secularism, and then, in order to become the Leader of the Opposition in Bihar, went and joined this lot of this Saffron Brigade. If this is the kind of person, if this is the kind of shifting ideology where one day they apologise for breaking the Babri Masjid, next day say that there was no Masjid, it was a *vivadit dhanca*, and the third day they get up and say it was Advani who did it, if the Leader of the Opposition says he was in Delhi at that time, if this is the shifting sand on which their ideology is built, then I think the last person from whom we should take any kind of charges of this dirty nature that have been levelled, is from the BJP. The BJP is a self-condemned party.....\*

And his little demand for getting the things expeditiously dealt with has been rejected by the Supreme Court.....\*

One on the Babri Masjid and one of this issue...(Interruptions)

MR. SPEAKER : Mr. Mani Shankar Aiyar, I shall look into the matter.

SHRI MANI SHANKAR AIYER : Therefore, Sir, I would like to conclude by saying that if we wish to uphold the dignity of our Parliament, if we wish to uphold the honour of our Members, if we wish to uphold our Parliamentary system of governance, if we wish to uphold the First Republic, the Republic of India declared on the 26th of January, 1950, it is time we stop behaving like school children.

It is time false accusations are not levelled against the Treasury Benches by the Opposition Benches. There are a million issues which are agitating the minds of the people. This Parliament has not discussed the foreign policy even once in four years because it was never given time to discuss the real issues by the Opposition. I would plead with the Opposition and I would plead specifically with Shri Atal Bihari Vajpayee that if he wished to fulfill the noble goal to which he has dedicated himself - saving our democracy - which is a goal with which I am with him hundered percent all the way, then we must conduct Parliament with decorum. It is the Opposition that has failed to do so over most of the Tenth Lok Sabha. Now we look forward to going into the Eleventh Lok Sabha with a reduced Opposition and, therefore, greater decorum.

SHRI JASWANT SINGH : Mr. Speaker, Sir, it is my hope that my apprehensions are not correct. But I do consider it my duty to bring to your notice that an hon. Member of this Parliament, Shri Shailendra Mahato, left his house this morning soon after 10 o'clock for coming to Parliament....(Interruptions) Now I would appeal to the Treasury Benches not to take this lightly. If any Members of the Treasury Benches or on the Ministerial side have been instrumental in restraining him, in detaining him or in influencing him not to come to Parliament....(Interruptions)

\* Expunged as ordered by the Chair.



SHRI KODIKKUNNIL SURESH (Adoor) : Sir, what is it that they are saying? It is all false....(Interruptions)

SHRI JASWANT SINGH : Sir, are you taking what I am saying lightly?....(Interruptions) Sir, you are taking what I am saying lightly.

MR. SPEAKER : I am saying that you need not allege anything against anybody.

SHRI JASWANT SINGH : I am not making any allegation.

MR. SPEAKER : Do not make against the Treasury Benches.

SHRI JASWANT SINGH : Certainly not Sir.

MR. SPEAKER : Are you withdrawing those things ?

SHRI JASWANT SINGH : Sir, I am bringing to your notice that an hon. Member of this House, who is very relevant to today's discussion, left his apartment this morning soon after 10'o clock and has not yet reached the Parliament.

MR. SPEAKER : Yes.

SHRI JASWANT SINGH : Sir, I am bringing this to your notice that the apprehension that....(Interruptions)

MR. SPEAKER : I will request, you to make an application to the police station and we will direct them to look into it.

SHRI JASWANT SINGH : I will make an application. Please hear me. I will certainly make an application to the police station. But, if a Member is restrained, is it not my duty to bring that to your notice?

MR. SPEAKER : Yes, But if you think that he is restrained, you must be knowing who has restrained him.

SHRI JASWANT SINGH : If I say that, then you smile as if I am making an unreasonable request.

MR. SPEAKER : I am neither smiling nor frowning upon you. I am saying that if you are saying about the Treasury Benches and all those things, well these are the kind of statements which have to be made very carefully.

SHRI GUMAN MAL LODHA (Pali) : Sir, the Member has not come after three-and-a half hours. You are not ....(Interruptions)

MR. SPEAKER : You give me in writing.

SHRI JASWANT SINGH : I am saying so on the floor of the House and you want me to give it in writing?

MR. SPEAKER : Yes, because I will send it to the police station also.

SHRI JASWANT SINGH : Sir, is the absence of a Member of Parliament only matter of police station to deal with ?

MR. SPEAKER : I have no machinery to bring a person to this House.

SHRI JASWANT SINGH : Sir, is it not a matter of concern to the Parliament that if a Member of Parliament who is due to come here? And all that I can do when I appeal to you and all that you can tell me is to give in writing and you will send it to the police station?

SHRI GUMAN MAL LODHA : Sir, it is a serious matter....(Interruptions)

MR. SPEAKER : What do I do? You tell me.

SHRI JASWANT SINGH : Sir, certainly I would request you to share my concern.

MR. SPEAKER : I do share your concern.

SHRI RAM VILAS PASWAN : Sir, you direct the Government to find out....(Interruptions)

SHRI JASWANT SINGH : Sir, a Member is not here for the last three hours.

SHRI GUMAN MAL LODHA : Sir, you are taking it so lightly. It is a serious matter....(Interruptions)

SHRI RAM VILAS PASWAN : Why can you not direct the Government?....(Interruptions)

MR. SPEAKER : I am not objecting to Shri Jaswant Singh's raising this matter on the floor of the House. If he thinks that the Member started from his house and he is obstructed and not allowed to come here, he is well within his right - if he knows these facts clearly - to bring this to my notice. And all that is necessary and can be done will be done in this respect. I share his concern. But I would not ask him to jump to the conclusion and point a finger at anybody in the House....(Interruptions)

SHRI GUMAN MAL LODHA : Sir, he has expressed an apprehension and that his apprehension is genuine in the context of things.

SHRI JASWANT SINGH : I am not pointing, Sir, my finger at anyone. I am certainly saying that if any section of this House or if any Member of this House, whether Ministerial or of the Opposition, has had a hand to play in restraining or persuading....(Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (DEPARTMENT OF DEFENCE RESEARCH AND DEVELOPMENT) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : How do you come to that conclusion?....(Interruptions)

SHRI GUMAN MAL LODHA : That is an apprehension.

SHRI MALLIKARJUN : No. The apprehension is wrong. You yourself might have kept him somewhere else....(Interruptions)

SHRI JASWANT SINGH : I have not come to any conclusion....(Interruptions)

MR. SPEAKER : Please take your seats. Let us avoid these interludes here. I have heard some Members saying that he might have been restrained. I am neither going to allow that statement nor going to allow him to say that some Member has done it. I am not going to allow those kinds of things.

SHRI JASWANT SINGH : I am not pointing out that anyone or another has restrained him. I am simply bringing to your notice that restraining of a Member of Parliament from coming to Parliament, what does that amount to?

MR. SPEAKER : Who did it?

SHRI JASWANT SINGH : I do not understand what the Treasury Benches are protesting about?

MR. SPEAKER : Who did it?

SHRI JASWANT SINGH : When I start saying, you say : do not say here, go to the police station.

MR. SPEAKER : It is not that way. Who did it? I will take action against the person who restrained him.

SHRI JASWANT SINGH : Alright, Sir. The action can only start if cognizance is taken of my apprehension.

MR. SPEAKER : I have already said that I have taken cognizance. I have said that I will take action against the person who has stopped him from coming here. But you should tell me who has done it?....(Interruptions)

MR. SPEAKER : When you do not know this, then do not tell such thing....(Interruptions)

SHRI JASWANT SINGH : What am I to do? Please help me. It has come to my knowledge that a Member of Parliament belonging to this House leaves his house three-and-a-half hours back to come to Parliament and he had not yet reached.

MR. SPEAKER : He might have gone somewhere else....(Interruptions)

MR. SPEAKER : How do you know that he is obstructed?

SHRI JASWANT SINGH : I know because he said, he is coming here.

MR. SPEAKER : How do you know that he is obstructed?

SHRI JASWANT SINGH : If you permit me to build this case....(Interruptions)

MR. SPEAKER : I will allow him to build his case. Now this is a serious matter. I will take it very seriously. ....(Interruptions)

SHRI JASWANT SINGH : All that I have to submit is that a Member ....(Interruptions).... What are they protesting about?

MR. SPEAKER : Please do not do this way.

SHRI JASWANT SINGH : I consider it my responsibility to point out, sir, that the protestation that I meet with from the Treasury Benches the moment I point out that this Member left his house soon after 10 o'clock, what are they protesting about?

MR. SPEAKER : No, Jaswant Singhji....(Interruptions)

MR. SPEAKER : Mr. Jaswant Singhji, they did not protest when you said this thing. They protested when you said, if any of the Treasury Benches....(Interruptions)

MR. SPEAKER : Let us have the record correct. Everything is recorded.

AN HONOURABLE MEMBER : Yes.

SHRI JASWANT SINGH : You do not have to point out to me what I have said....(Interruptions)

MR. SPEAKER : Let us not mislead the House.

SHRI JASWANT SINGH : Do you want me to leave the House, Sir?

MR. SPEAKER : I said, do not mislead the House.

SHRI JASWANT SINGH : I have never, Sir.

MR. SPEAKER : You said this thing.

SHRI JASWANT SINGH : I have never misled the House.

MR. SPEAKER : Okay Baba, you build up your case.

SHRI JASWANT SINGH : I am not a Baba, Sir! I am not a Baba!

MR. SPEAKER : Hon. Member, you build up the case.

SHRI JASWANT SINGH : This is an amazing thing....(Interruptions)

MR. SPEAKER : I am allowing you to say.

SHRI JASWANT SINGH : I do not think you want me to say anything, Sir, at this moment.

MR. SPEAKER : I am allowing you to say.

SHRI JASWANT SINGH : No, Sir. Because in every sentence you interrupt me in this fashion.

MR. SPEAKER : I have interrupted you when you pointed fingers to someone else.

SHRI JASWANT SINGH : I may point out to you, I have not, Sir. I am really, sincerely aggrieved that you tell me that I am misleading the House.

MR. SPEAKER : Yes, I will take up both the cases.

SHRI JASWANT SINGH : If I have misled the House ....(Interruptions)

MR. SPEAKER : No, when you said that if the Member was not allowed to come to this House, this is not the way. Not this way please.

[Translation]

PROF. PREM DHUMAL (Hamirpur) : You always treat us like this...*(Interruptions)*

[English]

MR. SPEAKER : I will send the statement to the Privileges Committee to examine it...*(Interruptions)*

MR. SPEAKER : I will send your statement and my statement to the Privileges Committee to examine them...*(Interruptions)*

MR. SPEAKER : Not this way. This is not the way please...*(Interruptions)*

MR. SPEAKER : I will send your statement and my statement to the Privileges Committee...*(Interruptions)*

MR. SPEAKER : Nothing is going on record. If it goes on record I will send it to the Privileges Committee...*(Interruptions)\**

MR. SPEAKER : Jaswant Singhji, it is not fair on your part. I have not obstructed you. I have not done anything like that. Do not get agitated unnecessarily. It is not correct...*(Interruptions)*

MR. SPEAKER : Jaswant Singhji, I will allow you to speak.

[Translation]

SHRI PHOOL CHAND VERMA : You are favouring them...*(Interruptions)*

MR. SPEAKER : You are going too far...*(Interruptions)*

[English]

MR. SPEAKER : Yes, you make your case please.

SHRI JASWANT SINGH : Mr. Speaker, Sir, if you say that I have misled the House, the Chair cannot be wrong. Surely I am guilty and I must have misled the House.

MR. SPEAKER : I am sorry. This is not in your nature. You do not do that way. I do not mean that. You will please make your case. I will allow you to do that. But we do not want to prolong this kind of a discussion. You will make your case please.

SHRI JASWANT SINGH : Sir, whatever case I have to make, I have made. The Chair passed a very severe censure on me by saying that I have misled the House. It is a severe censure. The Chair can never be wrong. If surely the Chair has made this observation, then I must have misled the House.

MR. SPEAKER : I can be wrong and if I am wrong, I will correct it.

SHRI JASWANT SINGH : It is not that way. The Chair cannot be wrong.

MR. SPEAKER : It is not that way please.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : The hon. Member whose presence is very important in this discussion...*(Interruptions)*

[English]

MR. SPEAKER : I feel he should be here.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : He is an hon. Member of the House who was instrumental in revealing the fact. He was present in the press conference. He has publicly made allegations against the Prime Minister. Today the entire House wants to listen to him...*(Interruptions)*

[English]

MR. SPEAKER : That is correct.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Instead of offering our comments we would like that he should come and speak himself. If the hon. Member started in the morning for the House and did not reach here, should we not naturally, be worried for him?

MR. SPEAKER : It is but natural.

SHRI ATAL BIHARI VAJPAYEE : When people express concern it is your responsibility also to say that...*(Interruptions)*

MR. SPEAKER : I will certainly ask the Government to investigate properly and trace the whereabouts of the hon. Member and try to bring him to the House.

SHRI ATAL BIHARI VAJPAYEE : It is okay. I got up for this purpose only...*(Interruptions)*

SHRI RUPCHAND PAL : Now, be happy...*(Interruptions)*

SHRI SURAJ MANDAL (Godda) : Mr. Speaker, Sir, I wanted Mr. Chatterjee and Shri Arjun Singh to speak first since Mr. Chatterjee has given notice under Rule 184 and Shri Arjun Singh has raised a question of Privilege against four persons including myself and a copy of which was given to us by the Lok Sabha Secretariat. It would have been better if I would have spoken after having listened to them. However, if you ask me to speak, first, I shall do so but if subsequently any question is raised, then I should be given an opportunity to respond...*(Interruptions)*

Mr. Speaker, Sir, people who are born with a silver spoon in their mouths, preach and teach every one in the entire country whereas, we are born in rural labourer families and are ignorant. So we would like to be enlightened.

I have been listening to all the speakers including Shri Atalji. They outnumber us and therefore they are trying to interrupt my speech, so that I may not put forth my points in a proper manner.

AN HON. MEMBER : This is their habit only.

SHRI SURAJ MANDAL : Mr. Speaker, Sir, many people fought for freedom of the country and sacrificed their lives. Such people include Birsa Munda, Siddhu Kanoo and Chand Abhairav from our region...*(Interruptions)*

SHRIMATI MALINI BHATTACHARYA (Jadavpur) : Do not mention their names.

SHRI SURAJ MANDAL : I shall not mention anybody's names....*(Interruptions)*

I am strong enough to plead my case. Mr. Speaker, Sir, yesterday, the newspapers published a newsitem about the statement made by one of the hon. Members in the Press Conference. Now they are saying that Hon. Member is missing. It is quite possible that he may have been compelled to make that statement. The weak and poor are always exploited.

The persons who have been Members of Lok Sabha since 1952 and who have been in power since then, are realising today only after a period of 47-48 years' public life that politics of this country is based on corruption. Now that they have enjoyed every sort of luxury, this realisation has dawned upon them, we are late entrants in this field. It was their duty to ensure that the politics of the country was based on honesty *(Interruptions)*. But nothing of the sort has been done. To prevent the entry of less resourceful people into politics, electioneering has been made more expensive which in turn encourages corruption...*(Interruptions)*

[English]

SHRI RAM KAPSE (Thane) : Sir, I would like to know whether this is his personal explanation or whether this is his speech.

MR. SPEAKER : This is his speech.

SHRI SURAJ MANDAL : Mr. Speaker, Sir, we have joined politics quite late and are liable to commit mistakes, which MP in this country does not possess wealth? ...*(Interruptions)* They too know this, I hold Atalji in high esteem. I know him very well. He is a man of secular thinking. He is familiar with my area. He used to stay with my relatives during his visits to my area. Please ask him as to who received Rs. 10 or Rs.20/- lakh as donation in Bokaro? Money is taken for the party as the parties do not have their own source of income. Be it the Congress Party of the BJP or the Communist party. Like the Members of Communist Party, we too contribute to our party fund but that is not sufficient for meeting party's expenditure. The present political system itself is based on corruption. Now people feel that for rooting out corruption from the country,

corrupt politicians should be removed first. It is also a good thing. Allegations have been levelled against us that after receiving pay offs, we voted for a particular party. Please go through the proceedings of that day. I had said in this very House that if the hon. Prime Minister could find a solution to Jharkhand issue, I would support Congress party otherwise not. The hon. Prime Minister had given assurance in the House but after his Government was saved, he did not keep his word, instead secret deal was made with the Government of Bihar. After the council was formed, I kept on meeting and begging the hon. Prime Minister and hon. Home Minister for 4 days. People at large including his own partymen are of the view that the Prime Minister does not stand even by those who help him during distress. I voted for him and it was my right. One day when the Prime Minister was getting into his car, I reminded him that I had voted for him but nothing has been done so far. The SPG personnel prevented me but I said that he would have to take a decision. Thereafter late in the evening he gave me a call and asked me to come over. It was there that the Bill was drafted. A small party and an ordinary person is always defamed by everyone. It was alleged that the party fund was my own money. I am the Vice-President of the Party. Shri Shailendra Mahto was the General Secretary. Could not he deposit money as the general secretary? In my account I have been shown as the Vice President of the JMM. I have deposits in Lakhs but other parties have deposits running into billions of rupees. Let them disclose the source. Then I shall tell you as to who finance these costly silken flags.

The people outside the Parliament are also talking that the hon. Prime Minister and Atalji have joined hands. Atalji was just saying that he has to reach that Chair on that side. It has been mutually agreed that after this election hon. Prime Minister will be made the President and Atalji the Prime Minister...*(Interruptions)*... Mr. Speaker, Sir, I would like to ask you when two parties are fighting why is the third party being dragged into it? People switch over their allegiance and cross floors. But we have to sit here only. The Left-front was not hopeful so far of coming into power, despair in both the camps have made them hopeful. I do not want to level charges against anybody. This is a matter which concerns him only, so let him speak out. At the time of depositing the money, he was our General Secretary. It can, however, be understood why he crossed over to that side. Yesterday's Rashtriya Sahara carried a news item under the caption, "Aise hi jari nahin ho gaya Shailendra Mahto ka Bayan". It has been mentioned in the write-up as to how the statement was extracted. These people have ruined the Janta Dal causing a split in the party. We have also been ruined by the Janara Dal. We do not believe in causing splits in parties. What was the need of causing a split in our party and taking one of our MPs to their side. Please tell us...*(Interruptions)* Devendra ji, you have enticed two of our hon. Members to your fold.

SHRI HARIN PATHAK : We have not caused any split and taken anybody to our side. You have expelled him.

SHRI SURAJ MANDAL : Mr. Speaker, Sir, we have not expelled him and he has aslo not given his resignation. It is very sad as to why has he not yet resigned from the Lok Sabha? He had won on our party ticket. Therefore, it was his moral duty to resign. You should have asked him to resign. But Atalji I never expected that you would go all the way to Ranchi to persuade him to join your party. It is all right that you do not indulge in such things but you have encouraged defection. People of this country hold you in high esteem and expect you to reach the top of political ladder. But if you did not intend to indulge in such a scandal, why did you persuade him to join your party? Who is behind it? A conspiracy is being hatched. I would not like to mention anybody's name but someone is definitely behind it. Those who inform the country, the people and the world about all these things are sitting up there. You repeatedly say that the CBI is an impartial investigating agency. When the big politicians are involved, CBI is called dishonest...*(Interruptions)* If a small leader is involved, then the CBI become honest. They work on political lines. Ram Vilas Paswan ji, you always get an opportunity to speak, let me avail of the opportunity today.

Mr. Speaker, Sir, you know that a person who was present in the press conference at that time is a renowned lawyer. He had been the advisor to Harshad Mehta too. It was he who gave such an advice. If a poor woman or girl talks to someone with a smiling face in Bihar, she is labelled as a loose character. The urban people are uptodate and it hardly matters whatever they do and wherever they go. We are called 'Junglee'. Had our intentions been bad we could have purchased gold but we did not do so. The money was deposited in the bank. Was it possible to run Jharkhand like moment without funds? We have been fighting two Governments through this moment. We have to fight with the Government of Bihar and the Central Government simultaneously...*(Interruptions)* when Atalji can be presented bags containing Rs. 10 lakhs, why cannot we be presented Rs. 2-4 lakhs? The politicians all over the country do politics with the help of money received by means of exploitation of our natural resources, such as coal and iron ore as also with the money received from the industrialists and the officers and you are giving sermons to us. Cannot we people get money? I know the names of the persons who earn money from the iron belt. I tried many time to raise this question but I was never given a chance to speak...*(Interruptions)* The Director, CBI has been given extension by the Government. Why extension was given to the Chairman of SAIL? ...*(Interruptions)* The people of left parties are also involved in it....*(Interruptions)*. I am not referring to you. Iron is being sold through the back door.

"Ham to Doobainge Sanam Lekin Sab Ko

Sath Lekar Doobainge"

Mr. Speaker, Sir, today we are discussing Motion under Rule 184. You might recall that two and half years ago, that I had given a notice for a privilege motion, which is

still pending with the Lok Sabha Secretariat. This news had appeared in newspapers including some newspapers of Rajasthan. What happened was that the name of Shri Anadicharan Das was printed under the photograph of Acharyaji and my name was shown under the photograph of Shri P.M. Sayeed. But the people tend to forget all this. Today I have been given an opportunity to speak. At that time when I used to rise to speak I was asked to take my seat...*(Interruptions)* Today it is being said that money is being received from foreign countries and it is being deposited in the foreign banks. I would like to know from my senior colleague since how long money is being deposited in the Swiss Bank? It is a matter of investigation as to how many people of the country have accounts in the Swiss Bank. The people of the ruling party do pay visits to foreign countries. Why do the people belonging to the opposition parties go to the foreign countries? Wherefrom the money comes? The capitalists give us small donations but they give hefty amounts to them...*(Interruptions)* There is no exception to it. Please let me know the name of a single MP who does not own a petrol pump or has not received doles from the Government. A number of petrol pumps have been allocated to MPs recently, but I would not like to mention their names. Are not BJP MPs not amongst them. You are big people. We find this nexus everywhere. Therefore, leave it aside.

I had voted against that No-Confidence Motion but today I am repenting over my decision because the formation of the Council did not come about as per the agreement reached and hence there is no role for us in the Council. The Act enacted by the Assembly in this regard has not so far been implemented. In this connection, we met the hon. Home Minister several times and also the hon. Prime Minister but to no avail. We hoped that any Government that came to power would do justice to us but things have moved the other way round. It was with this purpose that I alongwith Buta Singh ji called upon the Prime Minister. The Hon. Prime Minister assured us that he would personally look into the matter. Buta Singh ji is a Harijan and belongs to the downtrodden section. He had been the Union Home Minister. He was instrumental in the constitution of the C.O.G.M. Committee. We were the Members of that Committee. He had tried to extend his support to us. Shri Buta Singh said that it was the opportune time to talk to the Prime Minister. He added that our Council can come into being if the Prime Minister intervenes. But, unfortunately, the Hon. Prime Minister also joined hands with the Government of Bihar later. We gave a call for Jharkhand Bandh on March 15 and caused an economic blockade from 16th to 26th. We said that we would cause more economic loss in 10 days than could be incurred in 10 months. It was for them to decide. It is true that the Government was certain to fall but for our votes. That money does not belong to any individual. It is a party fund. Why did not the Government devise any system of filing the returns of the party fund? Had there been one, we would also have filed the returns. They did not file their returns on their own but did so on the instructions of the Supreme

Court. We shall follow suit under a similar Supreme Court directive. That is not our personal account but a party account. Therefore, it is for you to tell as to how much money did we get ?

SHRI DAU DAYAL JOSHI : Rs. 30 lakh.

SHRI SURAJ MANDAL : Mr. Speaker, Sir, while giving a personal explanation, I commend the discussion on Hawala issue being conducted under Rule 184. It is good that a concern is being expressed here on the funding of political parties to enable them to contest elections in this country. A common man tends to follow his leaders. Hence, the cleansing process should start from the top. The water of the Ganges will be pure only if Gangotri is not polluted. Let me assure you that we accepted no pay-offs for voting in favour of the Government. That party fund had been collected by us through donations. People also give us donations. Today, I am speaking under no duress. They might even say that we have abducted him but he is not a child. He is an MP and has got a security cover. The Ministry of Home Affairs has provided security cover to me as well as to him. He must be feeling remorseful. I know a conspiracy has been hatched to extract this kind of statement from him. Many people are inciting him to issue such statements making us the targets. I am least concerned about it as I enjoy the good-wishes of 2.5 crore people of Jharkhand. My conscience is clear. This money neither belongs to Shri Shibu Soren nor to Simon Marandi. We had resolved to keep the money in the fixed deposit and run party affairs with the interest earned therefrom. It is purely a party account. Accounts will be furnished as and when demanded. With these words, I strongly refute these allegations and conclude my speech.

SHRI RAM VILAS PASWAN : Mr. Speaker, Sir, kindly adjourn the House for lunch.

[English]

MR. SPEAKER : It is okay. But I have to make an announcement.

I would like to inform the House that the House would adjourn at 4.00 p.m. today to reassemble at 5.00 p.m. for the presentation of the Interim-General Budget.

SHRI RAM VILAS PASWAN : Will the discussion continue tomorrow ?

MR. SPEAKER : Yes, this will continue tomorrow. The discussion will continue tomorrow, no problem. But then at 4.00 p.m. we will adjourn the House because at 5.00 p.m., Budget will be presented.

Now, I will adjourn the House. We will meet at 3.00 p.m.

14.00 hrs.

[The Lok Sabha then adjourned for Lunch till Fifteen of the Clock.]

15.05 hrs.

[The Lok Sabha re-assembled after Lunch at Five Minutes past Fifteen of the Clock.]

[MR. SPEAKER in the Chair]

[English]

MR. SPEAKER : Now let us take up papers to be laid. Shri Eduardo Faleiro.

15.05½ hrs.

#### PAPERS LAID ON THE TABLE

*Review on the working of and Annual Report of Semiconductor complex Limited for 1994-95 and Statement for delay in laying these Papers etc.*

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK) : Sir, on behalf of Shri Eduardo Faleiro, I beg to lay on the Table -

- (1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 :-
  - (i) Statement regarding Review, by the Government of the working of Semiconductor Complex Limited, SAS Nagar, for the year 1994-95.
  - (ii) Annual Report of Semiconductor Complex Limited, SAS Nagar, for the year 1994-95, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.
- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above. [Placed in Library, See No.LT 9050/96]
- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Society for Electronics Test Engineering, New Delhi, for the year 1994-95, alongwith Audited Accounts.
  - (ii) Statement (Hindi and English versions) regarding Review by the Government of the working of the Society for Electronics Test Engineering, New Delhi, for the year 1994-95. [Placed in Library, See No. LT 9051/96]
- (4) (i) A copy of the Annual Report (Hindi and English versions) of the Society for Applied Microwave Electronics Engineering and Research, Bombay, for the year 1994-95 alongwith Audited Accounts