

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Apprenticeship Training, Bombay, for the year 1994-95.

(22) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (21) above.

[Placed In Library, See No.LT 9077/96]

Railway Passengers (Cancellation of Tickets and Refund of Fares) (Second Amendment), 1995 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 Suresh Kalmadi, I beg to lay on the Table –

(1) A copy of the Railway Passengers (Cancellation of Tickets and Refund of Fares) (Second Amendment) Rules, 1995 (Hindi and English versions) published in Notification No. G.S.R. 801(E) in Gazette of India dated the 19th December, 1995, under section 199 of the Railways Act, 1989.

[Placed in Library, See No.LT 9078/96]

(2) A copy each of the following papers (Hindi and English versions) under sub-section, (1) of section 619A of the Companies Act, 1956 :-

(i) Review by the Government of the working of the Konkan Railway Corporation Limited, New Delhi, for the year 1994-95.

(ii) Annual Report of the Konkan Railway Corporation Limited., New Delhi, for the year 1994-95, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No.LT 9079/96]

Review on the working of Annual Report of Mishra Dhatu Nigam Limited, Hyderabad for 1994-95 etc.

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (DEPARTMENT OF DEFENCE PRODUCTION AND SUPPLIES) (SHRI SURESH PACHOURI) : Sir, I beg to lay on the Table –

A copy of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 :-

(1) Review by the Government of the working of the Mishra Dhatu Nigam Limited, Hyderabad, for the year 1994-95.

(2) Annual Report of the Mishra Dhatu Nigam Limited, Hyderabad, for the year 1994-95, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No.LT 9080/96]

15.05½ hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

Forty-eighth Report

[English]

SHRI S. MALLIKARJUNAIAH (Tumkur) : Sir, I beg to present the Forty-eighth Report (Hindi and English versions) of the Committee on Private Members' Bills and Resolutions.

15.06 hrs.

COMMITTEE ON PUBLIC UNDERTAKINGS

Forty-ninth Report and Minutes

[English]

SON LDR. KAMAL CHAUDHARY (Hoshiarpur) : Sir, I beg to present the Forty-ninth Report (Hindi and English versions) of the Committee on Public Undertakings on National Small Industries Corporation Limited and Minutes of the sittings of the committee relating thereto.

15.06½ hrs.

JOINT COMMITTEE ON OFFICES OF PROFIT

Thirteenth Report

[English]

SHRI CHIRANJI LAL SHARMA (Karnal) : Sir, I beg to present the Thirteenth Report (Hindi and English versions) of the Joint Committee on Offices of Profit.

15.07 hrs.

COMMITTEE ON HOME AFFAIRS

Twenty-seventh and Twenty-eighth Report

[English]

SHRI KIRIP CHALIHA (Guwahati) : Sir, I beg to present the Twenty-seventh and Twenty-eighth Report (Hindi and English versions) of the Committee on Home Affairs on the Private Security Guards and Agencies (Regulation) Bill, 1994 and Code of Criminal Procedure (Amendment) Bill, 1994, respectively.

15.08 hrs.

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

[English]

SHRI SOMNATH CHATTERJEE (Bolpur) : Sir, I consider it a very sad day for this country and for parliamentary democracy and also for this great insitution

that today we are forced to discuss an issue which shows how our political system has been polluted and tarnished and how some crooks have brought great ridicule and contempt to this House. Unfortunately, today, the credibility of the whole political process in this country has come into question and it has now fallen - I say with pride - on us, the Left parties to provide a principled basis of politics and governance.

Sir, in the midst of - Mr. Mani Shankar Aiyar is not here - mouthing inanities and ring-maroles, the spokesman of the ruling party has said something with which I agree, namely, the dreams of BJP to come to power have vanished. But, Sir, he has been partially correct. What he did not say but he knows very well is that the people of this country will unceremoniously throw away this corrupt Congress party from power. It is a party which is synonymous with bribery and scandal and all the filth that is known and found in the body politic of our country. Sooner they are sent back, as they belong to the dustbin of the country, it will be rendered to the credit of this country. Sir, this is not the first time that the scandal has come to light. The scandal of much greater proportion and magnitude has been known to us and this House has been forced to spend hours together for the purpose of discussing those issues. What is of greatest concern is that none of these scandals has been resolved. Nobody has ever suffered. For years together pretended enquiries are going on. The Prime Minister himself took the responsibility on the floor of this House to personally supervise the enquiry into the Bofors case and he pledged to this House and to the Members that he will personally come and regularly report to this House as to the progress made. The second opportunity did not come. The Prime Minister never condescended to inform the House and the country as to what is happening. And, Sir, that is not the sole incident. We have seen sugar scandal, the security scandal, St. Kits scandal, submarine deal, Airbus scandal and so many other scandals. In every case, investigation is still pending. In Bofors case, in HDW submarine deal which came to light during the Congress Government earlier and in A-320 airbus deal in which allegations were made against one of the persons who is now a member of the Government, the investigations are still pending. Investigations in St. Kits forgery are still pending. Demolition of Babri Masjid inquiry is still pending. Investigation in securities scam is still pending and the CBI was directed to proceed with further investigation. Nothing has come out of it. It is the biggest scandal of the country which was gone into by the Joint Parliamentary Committee and a unanimous report was given but concerted attempts were made on behalf of the ruling party to minimise the effects of that Report and although a commitment was given that the CBI will relentlessly pursue to find out the beneficiaries of this scam, till today not a single person has been chargesheeted or even found guilty.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum) : Mr. Mani Shankar Aiyar was also a Member of that Committee.

SHRI SOMNATH CHATTERJEE : Yes. But his memory is very short. He talks of bribe takers but he does not talk of professional bribe givers.

Mr. Speaker, Sir, this hawala case is one of the serious acts of corruption in the long series of corruption that this country is seeing. Sir, can you forget and should we forget what the Home Secretary of the Government of India did? He submitted a Report which was disclosed here most unwillingly by the Government headed by Shri Narasimha Rao. What has been the Report of the Vohra Committee? According to that Report, there has been a parallel Government running in this country. The network of the mafia is virtually running a parallel Government pushing the State apparatus into irrelevance.

He has referred to CBI's findings, namely :

"Money power acquired is used for the building of contacts with bureaucrats and politicians and expansion of activities with impunity. Money power is used to develop the network of muscle power which is also used by the politicians during election".

What has happened to this Report? We were told that nothing is available with the Government, on the basis of which this report was submitted. A concerted effort is made and still being made to suppress these things from Parliament. Parliament is being made redundant today? Now the Supreme Court has asked them to find. What has happened today. The common people of this country have lost faith in us, they have lost faith in the Executive and they think that the only place where they can get some relief and support, and where there can be some punishment to guilty persons is judiciary. Even the Chief Justice of India had to say, "We hope that our intervention is only for a temporary period". With what agony the Supreme Court is saying that they had to intervene so that justice is done, so that the guilty persons are booked and so that there is cleansing of the political system in this country. Can we blame the common people? They find that there is no other way to find out the truth. I charge this Prime Minister that he is presiding over the liquidation of everything which is to be upheld under the constitutional set up here. Probity in public life today has been totally destroyed. There is nobody who trusts us.

When somebody was saying jokingly the other day, - a Member of Parliament - that he has given up wearing *dhoti* and *kurta* because people are now abusing us to be politicians....(Interruptions) Sir, it is not a matter of laugh, it is not a matter of joke. With great agony and anguish, I am saying this. Therefore, this is the result of this Government: but we are told of the achievements of this Government. I am sure the Finance Minister will come at 5 o'clock and he will again take the people for a ride. Today there are more unemployed, today there is more sickness in the industries. There is total annihilation of the system of our principle of self-reliance more poverty is there in spite of the doctored statistics. Nobody can deny

that price rise is going on uninhibited. These are the problems of the people which are not being solved. There are the problems of security, the problems of unity and the problems of integrity of the country. They are not getting any prominence. This Government today is trying to rule, through all sorts of temporary adjustments – purchase or no purchase, permutation and combination of Members inside the House. They are not even limping; they may limp or go on limping, but the country is going to dogs. We cannot sit here indefinitely and that is why, we have been trying to express our agony and anguish. Can we not discuss these issues properly? We are made to shout and shout and shout to get the Leader of the House to come to the House. Was it not the responsibility of any Government with self-respect to immediately react when these things are coming out and when Ministers are falling like this? They are being charge-sheeted and the Prime Minister has nothing to say to the country. We do not have any version of theirs today. Even Shri Mani Shankar Aiyar has not been able to suggest any reason or give any explanation. The Prime Minister is being accused of taking money, but there is no response; the Prime Minister is being accused of purchasing MPs, but there is no response. When the Parliament is summoned and when Parliament sits and discusses the issue on the floor of the House, we are told constantly by our very amiable and lovable Minister for Parliamentary Affairs that, "He will come". It is very kind of him! He is not doing any charity to us. He has failed to give leadership to this country. That is why, today, we find that the people have lost faith in the legislations, people have lost faith in the bureaucracy and they think that they were here only to feather our own nests.

They think that we are not concerned about solving people's problems and worries. Today, they realise that politicians of Congress and BJP rule and to them, politics have become a tool of making money - illgotten money, tainted money, black money and hawala money. Today, there are even co-sharing with the terrorists and militants. Same money has been distributed between terrorists and militants and these people - the Congress and the BJP MPs and their leaders. This is the finding today and you do not feel ashamed. Prime Minister has nothing to say....(Interruptions).... I did not disturb anybody. Sir, this gentleman is in the habit of saying something or the other....(Interruptions).... It is my duty to provoke you and the people to get rid of you....(Interruptions).... Today, it is being considered by the people that politics has become a tool of making money and the people find today that but for the active intervention of the highest judiciary of the country, acts of corruption of Himalayan proportions would have remained suppressed and kept suppressed by the Prime Minister who is really rightly, treated as the fountain head of corruption and his cohorts are sitting there thumping desks and waiting for the appearance of the Prime Minister.

Sir, what has happened in this country? Of course, to expect any conscience amongst the Congress is asking

for something which is not there. It is impossible. But are they not disturbed in their conscience, if any? When was it found out, Mrs. Margaret Alva? I do not know why you are still in charge of the CBI. I believe you have no voice there at all. Prime Minister is monopolising everything and you are only to get the blame and I am going to blame you....(Interruptions).... Somehow, it puts us in some difficulties. Amongst all these, there are one or two oasis. We do not like to disturb them too much. Let them come directly or through indirect doors. I do not mind. But unfortunately, you have to share the blame. What happened on 25th March, 1991? These dates are important. On 25th March, 1991, a person named Abdul Hussain Lone was arrested. He is Deputy Chief of Hizbul Mujahideen. He was arrested in Delhi; cash and bank drafts were seized from him. It was said that the source of money was somebody in London. A student here in JNU and seven hawala dealers were arrested and they gave clues as a result of which on 3rd May, 1991, there were widely held searches. Why I am troubling you with the dates is because they are important as we are in 1996 now and five years have elapsed. On 3rd May, 1991, there were widely held searches at 20 places including the business and residential premises of the Jains including their farm houses. This is the farm house culture they have developed in this country - the Congress people....(Interruptions).... Yes, with Italian swimming pools....(Interruptions).... They are swimming pool with Italian marbles. I stand corrected.

Alongwith the seizure at the farm house of Jains, two more interesting documents were found. That is what was brought the namesis for them - the diaries. These diaries were found out. We had a laboured explanation from Mr. Mani Shankar Aiyar as: "Well, it had to be decoded, what can we do, they had so many other things to do, decoding takes a lot of time and therefore, nothing could be done". But Sir, they were found to be important documents to have been seized by the police, the CBI and what did they do with these seized documents? When did they start decoding them or reading through them? When did they come to a conclusion, Mrs. Alva? What were you doing? Were you kept informed as the Minister?

Sir, here there are documents, the CBI has said, which shows that these people were indulging in paying bribes for obtaining lucrative contracts particularly in the power sector. In all these matters, these companies were being represented by the Jain brothers.

Sir, chargesheets were filed, but against whom? In March, 1992 - almost one year after the arrest of this person, Ashaq Hussain Lone - chargesheets were filed, but against whom? Only against Lone and the student Shri Ghowri. That too one year later. But these diaries were not mentioned; discovery of incriminating documents against the Jains were not mentioned; no chargesheet was filed against the Jains.

Sir, it will appear from the large sums of money and from the documents seized there - which is not being disputed - in 1991, evidence is there, materials are there

to show that vast sums have been received from sources abroad and they were disbursed by hawala racketeers. Amongst the beneficiaries of these monies were Kashmiri terrorists, militants, politicians, bureaucrats and others. They were the co-sharers. Nothing happened.

Sir, till 1993 everything was kept under the carpet. I salute Shri Vineet Narain, Shri Rajender Puri, Smt. Kamini Jaiswal and Shri Prashant Bhusan for the great public service they did in going to the Supreme Court because for two years - although some information had come out in the newspapers - nothing was being done and they did find out certain information and they went to the Supreme Court. On October 27, 1993, the Supreme Court admitted the petition and in November and December it took up the matter for preliminary scrutiny. On December 15th they issued a notice to the CBI on the basis of that public interest litigation which alleged that 115 senior politicians and bureaucrats were involved in the *hawala* pay offs.

Sir, this House and this country should know that on January 14, 1994 - Shrimati Alva, I do not know whether you were at all informed of this or not - an affidavit was filed by one Shri Mahendra Pal Singh, Superintendent of Police, Central Bureau of Investigation, New Delhi. In answer to that petition in which he said, with your permission I am quoting from the document filed in the Court of law :

"with reference to the contents of paragraph 12-24 of the writ petition it is stated that the facts about making payments to various persons and identity thereto are yet to be established by investigation.

Two to three years have gone, nearly three years have gone by this time.

"Correctness or otherwise of the allegation made in the paragraph under reply can be ascertained only after all the facts are established and verified".

When will it happen? How long time will it take? What did they do? It is stated that

"the notebook and diaries are written on abbreviation and coded language which has not yet been completely deciphered."

Has it been partially deciphered? Who are the persons found out till then?

"...and verified by corroborative investigation is established that the dairies in question have been written by J.K. Jain under the instruction of Shri S.K. Jain. Shri S.K. Jain, in his statement, to some extent, explained the coded entries made in the dairy in question. However, the correctness or otherwise of the information divulged by the statement of the said Shri S.K. Jain is being investigated in India and abroad".

Sir, we are told that this is the most efficient investigating agency of this country to which so many important responsibilities or tasks have been assigned.

For years together crores and crores of rupees of money are admittedly illegally-obtained in this country as a result of the hawala transactions, and the Government takes three years to come to even a prima facie conclusion. I put a direct question to the hon. Minister; I do not want to disturb the Prime Minister. He is probably taking rest. I do not mind if he is taking rest after the lunch; but he should have been here. I expected him to be here. At least his worthy deputy, the Minister of State, is here. Was the matter referred to the Government at any point of time during these three years? I would like a truthful and a detailed answer. Was any consultation held with the Secretaries of higher officials? Did the CBI refer it to the Government asking for help for deciphering these coded abbreviations or whatever they were? Sir, as on January 14, 1994 this was in affidavit.

Then in 1994, 11 adjournments were taken both by the petitioners as also by the CBI. Sir, November 29, 1994 is a very important date in the history of this scandal. We have to pay our respect to the hon. Supreme Court. I do so openly not only because it is the Supreme Court of India which is entitled to highest respect, but also because today we can somehow show our faces to the people because of the fact that at least there is one organ in this country which has taken up this issue with the seriousness it deserved. Because the Supreme Court had done day-to-day supervision on this, which the Government should have done, facts are coming to knowledge and action is being taken against the guilty persons, or at least the presumed-guilty persons.

Sir, are we to believe that the Prime Minister of India need did know that there were allegations of participating in *hawala* transactions against so many of his Ministers? Did he know that there was a Minister in his Government who was harbouring criminals like Dawood Ibrahim? If he did not know, he is not fit to come back and sit there one minute more. If he knew it, what did he do for years, together? It is very easy to say, "the law will take its own course". Sir, even if the Criminal Procedure Code does not come via 7, Race Course Road, the people's judgement will be there. The people's court will deliver the judgement. The 7, Race Course Road will be totally out of his reach in the future. I would like to know as to what did he do for three years. The Supreme Court has said that there is something rotten in the State of Denmark. A judge of the Supreme Court in agony said and I quote :

"It gives us a feeling that the authorities waste their time over matter which are nothing compared to the matter something which is eating into the vitals of the system".

It is not my observation. It is the saying of a learned judge of the Supreme Court, He says :

"I find it hard to believe that one can perpetuate such kind of fraud and get away like this. All you need is courage enough to be a criminal of the highest order and say I can get away doing anything. If you are meant only for punishing people for petty offences and letting the people go scot free who spend lakhs of rupees on birthdays, we had better then close down the courts".

See the sense of agony and shock. He further states :

"If, ultimately, the Central Government finds the law is such that it cannot do anything, it should then express its helplessness and allow the people to know everything. The least the authorities should have done in the matter is to put these persons under some kind of minimum detention. There is a certain amount of credibility expected from people in the high office. The whole thing leaves us with a troubled feeling. It appears that these giants are too hot to handle and the only way to keep them quiet is to let them do what they want".

Do you know, Sir, what the Government of India's lawyer, the Solicitor General - for whom I have the highest respect, a very competent lawyer - who now got into bad company, said? The Solicitor General admitted that unfortunately there was a gap in the investigation between June, 1991 and February, 1993. The reasons are - Would you like to know?

MR. SPEAKER : Somnathji, should we keep quoting this much?

SHRI SOMNATH CHATTERJEE : Can I not quote the Supreme Court? We cannot quote ourselves.

MR. SPEAKER : Is it a judgement.

SHRI SOMNATH CHATTERJEE : Yes, Sir, I will give copies of it.

KUMARI MAMATA BANERJEE (Calcutta South) : I am on a point of order. I want to know from what paper he is quoting.

MR. SPEAKER : I enquired from him. He is quoting from the Judgement and he says that he will leave the copies.(Interruptions)

KUMARI MAMATA BANERJEE : What statement ?

SHRI SOMNATH CHATTERJEE : If the Supreme Court says that these observations are not made by it, then I shall resign.

MR. SPEAKER : No, it is not like this.

SHRI SOMNATH CHATTERJEE : What more can I do ?

MR. SPEAKER : Somnathji, the same thing can be said in your words also.

SHRI SOMNATH CHATTERJEE : But let me quote the worthy Government's lawyer. It was because the then Senior CBI officer supervising the investigation, Mr. so and so was caught demanding bribe from the Jains on the pretext of letting them off the hook. For two-and-a-half years nothing was done. The Government lawyer goes to the Supreme Court and says 'sorry', this delay has taken place because my officer was taking bribe. Then, when was it discovered by the Government, this worthy Government?

SHRI NIRMAL KANTI CHATTERJEE : Not yet discovered.

SHRI SOMNATH CHATTERJEE : After it was discovered, what was done by the Government? Why I am referring to this is to show that this Government did not want disclosure of the facts, totally. They tried their best till the last moment - don't shake your head, it does not behave you - only because that great institution, the Supreme Court of India forced you to do this, there would have been no disclosure; no investigation, nothing would have happened and all this ill-gotten money would have been enjoyed by the people who should not sit there for a second. This is the position in this country.

Therefore, we find that investigating officer during investigation have been bribed - that is the allegation, at least the Government lawyer admitted. Therefore, investigation did not continue and after that what happened before the Supreme Court in November, 1994, the Supreme Court expressed its greatest concern. It said that there was significant inaction on the part of the Government. The CBI Director was called before the Supreme Court, the Secretary of the concerned department was called before the Supreme Court and they were given the direction; they were asked to explain the reasons for the delay. On one occasion, on 27th of March, 1995, the Supreme Court was exasperated. It said, Sir - I do not quote - that the officers who are investigating are not fit to occupy this office. It says that if the CBI conducts inquiries in this manner it is better to have another investigating agency in this country.

We are small mortals, humble mortals; nobody pays any credence to what we say. But at least let us not show disrespect to the Supreme Court and we cannot but salute the Supreme Court, once again, for what has been done. It is because of these reasons today we have got this information; charge-sheets are being filed: But for the Supreme Court, Supreme Court's direction, what was the position? When did the CBI come to the conclusion that chargesheets were required to be filed and on which date? When did they think of applying to the Government of India for permission to proceed against some sitting Ministers ?

Only because of the Supreme Court..now, almost daily or weekly or quarterly the matter is being monitored. Otherwise, nothing would have happened. Even now so

many cases seem to be gone into by them. I would like to know from the Government of India which is that agency. There is an obvious dereliction of duty. So many serious allegations have been made. More than *prima facie* evidence is there, and some persons have admitted to have received money. Therefore these are not imaginary sums. In such cases when did the CBI come to some *prima facie* conclusion and against whom? Who decided that? Where are those papers and documents? If you have nothing to hide why cannot you disclose all these things before the House by taking the country into confidence? Sir, the reason is obvious. It did not suit them. Nobody in this country has any doubt that but for the direction of the Supreme Court, nothing would have come out. We are not surprised to find today that both sides, the Congress and the BJP, have participated in this crime, in this division of loot. I am not making any comment. Personally I have high respect for all of them, particularly Mr. Advani, with whom I have the great privilege of being together in this House since 1971. We were working in so many Committees here. I would be unhappy if he is found guilty ultimately. But, today, the charges are there. It is not a question of my personal preference but it is a question of India's political system, the question of the credibility of this nation, and the question of the prestige of this nation. We talk of our culture to talk of our commitments to certain ideals. We talk of taking this country at the highest pedestal. Everybody is looking at us. You may be watching some of these telecasts from foreign countries. How did they refer to us? How were they referring to our system? There is corruption which is eating into the vitals of this country and today, Sir, the question is that our Government is trying to give explanation to us why something was done or not done. Well, is that sufficient. Somehow, they have tried and manipulated majority. How did they manipulate majority? We have not yet been told what was the principle behind it. How did Mr. Narasimha Rao, who could not enthuse the people of this country to give him majority, could get majority? By mesmerising so many of the Members of Parliament here to switch sides he got the majority? So, suddenly a minority Government had become a majority Government. So by "love, affection and persuasion" they have become a majority Government.

Then, Mr. Mani Shankar Aiyar, described a Member of the House, as a professional bribe-taker. But there cannot be any taker without their being professional money-giver or bribe-giver. By sitting in the company of professional bribe-givers, he is now abusing bribe-taker. But, now, you have come to know each other better. The result is that, you are being giving petrol pumps and all sort of sops. I would like to say that we are not out of the system because we are part of India where the Congress is, unfortunately ruling.

Sir, who is the beneficiary? Every change of sides has benefited Mr. Narasimha Rao. Who was interested in paying money or who was interested in cajoling them or trying to influence some Members of Parliament by assuring them political gains? It is as much a condemnable

corruption as giving money. Only just because before the voting he calls the Member of Jharkhand Mukti Morcha - today Mr. Buta Singh has admitted - he talks with them, gives them assurance. Now Shri Suraj Mandal has found out, of course he is richer by Rs.30 lakh, that he should not have trusted Narasimha Rao. Therefore, he was persuaded to vote against the No-Confidence Motion when some assurance that was given by Shri P.V. Narasimha Rao, the Prime Minister of India. This is the position.

Is it not political corruption? You are giving them sops, you are giving them promises just to get votes. Is it based on political principle? And you think of Jharkhand Mukti Morcha, the Jharkhand Autonomous Council just before the vote of No-Confidence. You had so much time to consider from 1991 to July 1993. For almost two and-a-half years you had no time to think of Jharkhand. You thought of Jharkhand autonomy only just before the voting was to take place. It is wonderful what sort of corruption is this? What is this, if this is not corruption? And it is being openly admitted, 'yes' we tried to get their support by giving assurances, promises. This is the bane of our political life in this country. This is the way our country is proceeding.

Now it has been found out that the money was also utilised for paying the terrorists, militants. The question of national security is involved. Not only corruption has been institutionalised in this country, the question of security of this country is involved in this matter. What was the urgency, it has been shown? What was the seriousness, it has been shown? Now Jains money was going to Kashmir militants and they were allowed to go abroad. They were going about here and there. Nothing is being done. Their statement was taken as early as in November 1995. What action has been taken on this where the Prime Minister was implicated?

I am not saying right or wrong, but investigation has to be made. What investigation has been made? I am asking with sincerity and solemnity. Can somebody remain at the head of an organisation which is supposed to be investigating into his conduct? Is this Justice? Is this fair play? Can you get the people's faith in this system? Is it expected that some junior or senior officer of CBI will inquire into Mrs. Alva's conduct - I do not know she may be sacrificed - but not the Prime Minister's conduct as the head of the organisation responsible to it. Therefore, the least the Prime Minister can do is to give it to somebody else, provided he can find somebody who can touch this hot potato.

Mr. Speaker, Sir, we have been told what had happened for three-four years until the Supreme Court intervene, the CBI was really marginalised. It was not allowed to function and it was functioning, in any event, through officers who were taking bribe, money from those accused persons. Now one officer had the great hardihood to make some investigation, to take down the statement of the Jains when large number of high-ups or important people are implicated. Therefore, he had to go.

Now we are told of Mr. Mani Shankar Aiyar's career in foreign service, when he was sent somewhere, when he was not sent somewhere or he was for 16 days kept extra at a place, etc. But look at the timing. It followed soon after recording the statement of the Jains. Therefore, not only he, because income tax was involved and FERA was also involved, who had to keep company with that gentleman, the Deputy Inspector General of CBI, his Joint Director was to go, was changed.

Then the Deputy Director in the office of the Director-General of investigation had to go in the Income-tax Department. They were all transferred together and whoever had to do something with regard to that enquiry, investigation, they were all being transferred. Although it has been denied subsequently, I find that was a complaint that the Prime Minister he had said that all matters relating to the Minister should be placed before him. He said, 'No'. There was no such order. Should not there be such order? It is understood. Why should there be a separate order for this? All matters must come obviously the CBI will not take any action against any Minister or any high important official or any important Congress functionary, or for that matter, even any BJP functionary without clearance from the Prime Minister himself. Any civilized Government is run by laws and not by men only. It has been said by the Supreme Court rightly that we want a Government of laws not Government of men. If it is under the Government of laws, can anybody even suspected to be implicated in a matter, remain in that position under whom that investigation will supposedly be carried out? This is the peculiar situation which is happening in this country. That today the person accused is supposedly supervising the investigation and he is directly in control of the investigation. Sir, Mr. Mani Shanker Aiyar gave certain explanations. I have stood up after he has spoken on behalf of his discredited Party. He has talked of crusade for democracy. Is democracy safe in your hands? The judgement of the people of this country has been given in so many elections that have taken place. Yes, they are waiting for an opportunity also. What democratic principles you are upholding? What is the crusade you are taking? Crusade for corruption? There is no crusade for fighting corruption. This is a crusade for protecting the corrupt and compromising with corruption.

He has given a long explanation for the delay. He said, fighting the militants and terrorism was more important. Of course, it is more important. Any time it is most important. But today, is this the message? Is this the stand of the Government of India? On behalf of the Government of India and for the Ruling Party, Mr. Mani Shanker Aiyar spoke that because these terrorists and militants are involved, no other investigations will be carried out for years together. He said, to ascertain the magnitude of hawala transactions, it took so much time. He said, the main issue was terrorism. It could not be relegated. Who has asked for its relegation? Therefore some of the agencies should have been given this job; some officers should have been brought in for this purpose. Sir, is this

the stand of the Government of India? I would like to know specifically. He said, because terrorism had to be looked into and, therefore, that delay has taken place. He said there was no *mala fide* for the delay. Delay was there but he says, it is not *mala fide*. *Mala fide* has to be given a new meaning, new interpretation after this. This is a *mala fide* to the core. This type of unashamed dereliction of duty could not be but with conscious deliberations and because all these disclosures which have taken place, have gone against the Congress Party and the Congress Government, you are interested in suppressing. BJP is also keeping you company but you have to save yourself first. Both of you have to go together. That is what we want and the people want.

KUMARI MAMATA BANERJEE : You have pleaded for a hawala case in the High Court. Sir, I am telling you. He has pleaded for a hawala racket master. I can give you the authenticity. I have the documents with me.(Interruptions).... They are double standard people.

SHRI SOMNATH CHATTERJEE : I would have responded it, if there is any sense in what she says.

KUMARI MAMATA BANERJEE : Do not shout. Whatever I am saying is with authenticity.

SHRI SOMNATH CHATTERJEE : I have also appeared for the Government of India in many cases. They are the greatest hawala dealers I have appeared for the Government of India.(Interruptions).... I was requested by the Ministers to appear for them and unfortunately I won for the Government.

Sir, coming to selectivity, Shri Mani Shankar Aiyar said that there could not be selectivity. He was asking why they should sacrifice Shri Scindia, why they should sacrifice Shri V.C. Shukla, the greatest Minister, why they should sacrifice our good friend Dr. Balram Jakhar. Of course, Shri V.C. Shukla has a wonderful record of being in power every time the Government changes. He remains in power. He has mastered the art. But I do not know what is there in the mind of Shri Narasimha Rao. Really, he is a *mauni baba*, never opens his mouth and he would not share his thinking with me. But today we have seen that so many high level persons are implicated, but the charge-sheets were filed only against some of them. Then, on what basis has it been done? Shrimati Alva may tell us. What are the materials against the others. Who else is expected to do?

SHRI PAWAN KUMAR BANSAL (Chandigarh) : The CBI.

SHRI SOMNATH CHATTERJEE : CBI? Under whom? Sir, one thing we know that the people of this country know, nobody can blame this Government of having any sense of shame or self-introspection. Never! Therefore, we do not know unless the materials are disclosed to us, the allegations of selectivity will remain, the charge of selectivity will remain and it is for the Prime Minister to say. The

Supreme Court said that there should be an independent investigative agency. His answer was "Why Janata Dal did not do it?". Wonderful "Why Janata Dal in their 11 months' rule did not do it? Therefore, we did not do". Then, does he follow the Janata Dal in every matter? Is this his answer?

Then comes the question of 11th March statement. Shri S.K. Jain's unsigned statement, uncorroborated statement. People say that there is no reason to answer, that we are trivialising the issue. Shri S.K. Jain has not been set-up by us to make those statements. The Government is acting on the basis of those diary entries. They are not acting on the basis of the oral statement. So, what is the difference between the diary and the oral statement? They would not act by the oral statement because Rs. 3.55 crore is there having been paid to somebody.

(Interruptions).... My friends on that side, if they think that by interrupting me they can go to the people of this country with their head high, they may try their best....(Interruptions)

Some persons are incorrigible. I cannot help it.

Now, therefore today my demand is that this Government has forfeited its right to remain in power. They cannot be trusted with the affairs of this country. They cannot be trusted with the important aspects of security of this country. They cannot be expected to preserve the purity in the administration of the country. Probity has lost all meaning and significance so far as this Government is concerned. Over and above this, we have a statement of a Member of Parliament, who said he thought, he has made a statement. I do not know if he has been traced or not. In respect of him amoeba and hydra have been mentioned. Shri Aiyer said because of this combination of amoeba and hydra some persons change sides. Well, some persons who have changed are now Ministers in the Government. What is there in amoeba and hydra, I do not know. What is the combination of amoeba and hydra so far as these Ministers are concerned? Sir, this is one thing....(Interruptions)

SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga) : This is Parliament, not West Bengal Assembly.

SHRI SOMNATH CHATTERJEE : Sir, in Parliament....(Interruptions)

I am not holding him in high esteem at all.

16.00 hrs

He is a self-confessed person who has taken the money. The B.J.P. has chosen to take him in and even Shri Vajpayee said that they did not know when they took him. But even after knowing this, he is still adorning their Benches. He is very much a Member of your Party. You do not expel him. We know that it is your funeral. Shri Suraj Mandal, an hon. Member of this House, has said that we

are poor MPs and you rich people are going scot-free. This is the impression of a Member of Parliament that all rich MPs are making money and going away scot-free and only poor MPs are being caught. He is openly saying this. This is the impression he is giving to the people of this country. He says: 'All the MPs are making money'.

[Translation]

SHRI SURAJ MANDAL (Godda) : I have not said so....(Interruptions)

[English]

SHRI SOMNATH CHATTERJEE : But I want to repudiate it. I want to repudiate all these allegations and insinuations that he has made. But I want to say only one more thing, nothing personal.

MR. SPEAKER : I think, you may need more time.

SHRI NIRMAL KANTI CHATTERJEE : Yes, Sir.

MR. SPEAKER : You can continue tomorrow. At 4.00 p.m. we will adjourn the House for Budget presentation....(Interruptions)

SHRI RAM KAPSE (Thane) : Mr. Speaker, Sir, you will have to look into whatever hon. Members Shri Mani Shankar Aiyar and Shri Suraj Mandal have spoken and whatever needs to be expunged should be expunged. Otherwise, it will appear in the Press. A lot of things have been said about Shri Lal Krishna Advani by Shri Mani Shankar Aiyar and you have just given an order....(Interruptions) We raise the point that ultimately something needs to be done about it. It will appear in the Press.

[Translation]

SHRI PAWAN KUMAR BANSAL : Have you not been saying things that need to be expunged?....(Interruptions)

[English]

MR. SPEAKER : I will look into anything which will affect the hearing in the courts.

The House stands adjourned to meet again at 5.00 p.m.

1602 hrs

[The Lok Sabha adjourned till Seventeen of the Clock]

1700 hrs

[The Lok Sabha reassembled at Seventeen of the Clock]

[MR. SPEAKER in the Chair]

INTERIM GENERAL BUDGET, 1996

SHRI RAM NAIK (Bombay North) : Sir, I am on a point of order. Under rule 204, the Budget is to be presented today. Similarly, the Railway Budget was presented