

[Sh Ebrahim Sulaiman Sait]

Article 143 What is this? They want to decide the entire matter under Article 143 of the Constitution That is, they destroy all our rights and everything is destroyed and it is a vague and wide reference whether at any time a structure or character existed there or not, a Hindu temple existed there or not 5000 years ago or 10,000 years ago There cannot be a reference of that kind at all So, why all this? Moreover, Sir, you know full well that as per our Constitution a Jain is a Hindu, a Buddhist is a Hindu and a Sikh is a Hindu It is not accepted But according to the Constitution a Jain is a Hindu, a Buddhist is a Hindu and a Sikh is a Hindu You know fully well that so many Buddhist temples have been destroyed in the past. It is a reality Something may be found anywhere of those temples They may say that the temple existed around that place

It is not a reference that when in 1528 Mir Baqir built the mosque, whether Hindu temple existed or not That is not a reference at all The reference is whether and Hindu temple existed or building of Hindu character existed at any point 5,000 years ago, 10,000 years ago It is not justice Moreover, it is an opinion What will be given by the Supreme Court is an advisory opinion That is all and it is nothing more than that

MR CHAIRMAN You can continue your speech after the statement made by the Home Minister

17.05hrs

STATEMENT BY MINISTER

[English]

(ii) Verma Commission of Inquiry

THE MINISTER OF HOME AFFAIRS (SHRIS B CHAVAN) Hon ble Members would recall that the Report of the one-man Commission of Inquiry, headed by justice J S Verma,

together with a Memorandum of Action Taken, was tabled in Parliament on 23rd December, 1992 Since there was not enough opportunity for the House to consider the Report during the Winter Session, the Government continued to review certain critical references therein to the Central Government and its agencies In particular, the Commission had held that the withdrawal of SPG cover to the late Shri Rajiv Gandhi was a contributory lapse and had gone on to recommend that the threat perception to a person in public office arises out of his actions during office and remains undiminished after demoting office, then the security cover to him should continue undiminished thereafter The considerations involved in the withdrawal of SPG proximate cover to the late Shri Rajiv Gandhi have since been further reviewed

It would be recalled that the late Shri Rajiv Gandhi demitted office in November 1989 and SPG cover continued to be available to him up to 31st January 1990 In terms of the decision taken around 1st February 1990, it was decided to withdraw SPG cover from the late Shri Rajiv Gandhi since the Act enabling such security to be provided did not cover ex-Prime Ministers Fresh guidelines were issued, which took care of various security needs and were considered adequate to provide protection to the late Shri Rajiv Gandhi provided these were strictly enforced by the State Police However, the fact remains that the non-availability of SPG cover to the late Shri Rajiv Gandhi had resulted in some dilution in the quality of his proximate security arrangements

In substance, the decision was to continue the security to Shri Rajiv Gandhi largely at the same scale while in Delhi by the Delhi Police and while in the States by the concerned State Government A review of these arrangements after the Report was tabled in Parliament shows that the intelligence Bureau were uneasy with the arrangements made, especially those relating to proximate security, and continued to draw the attention of the Central Government as well as of the State Governments to lapses by the

concerned agencies in regard to the security of the late Shri Rajiv Gandhi. The operational arrangements set in place by the then Government did not, however, prove as effective in practice.

Keeping in view the aforesaid recommendations of the Intelligence Bureau, Government is of the view that the decision of the then Government regarding the nature and scale of security which was made available to the late Shri Rajiv Gandhi from February 1990 proved to be qualitatively inadequate to meet the envisaged requirements.

In the context of the above stated position, the statement under para 4 of the Memorandum of Action Taken, tabled on 23rd December 1992, stands modified.

Government has amended the SPG Act to provide the required security cover to former Prime Minister and their families.

(Interruptions)

SHRI MANI SHANKAR AIYAR (Mayiladuthurai) This is most inadequate. I would like to know whether we will have an opportunity to discuss this matter because I am afraid, there are a number of very important issues which are not being discussed here.

SHRI S. B. CHAVAN You can have full-fledged discussion. There is no difficulty. *(Interruptions)*

[Translation]

SHRI RAM VILAS PASWAN (Roha) The report of Verma Commission cannot be changed in the name of SPG. *(Interruptions)* The same Governor is still there. President's rule was there. Was the Governor not responsible to the Government? *(Interruptions)*

SHRI NITISH KUMAR (Roha) Who was

supporting the Candra Shekhar Government? *(Interruptions)**

[English]

*(Interruptions)**

MR CHAIRMAN Nothing goes on record.

*(Interruptions)**

MR CHAIRMAN Members can ask for discussion in the House. You can see the Parliamentary Affairs Minister.

(Interruptions)

MR CHAIRMAN Let the Advisory Committee decide to have the discussion. No discussion can take place now. Discussion will be fixed by the Business Advisory Committee.

DEMANDS FOR GRANTS (GENERAL)
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MINISTRY OF HOME AFFAIRS

[English]

SHRI IBRAHIM SULAIMAN SAIT (Ponnani) Therefore, as far as the package is concerned, this package gets completely rejected. *(Interruptions)* Instead of acquisition, you should have taken over the area temporarily under custody and referred all the consolidated cases to the Supreme Court, which is the highest judicial body in the country. We prefer to do that. We want a settlement. If it cannot be expedited, take it to the Allahabad High Court. The Government can direct to do it expeditiously and come to a settlement very soon. If that cannot be done, you refer it to the Supreme Court under 138. We are not against any settlement. We want peace. Once it is mandatory, it does not solve the problem. Therefore, it is rejected in your package. We are against acquisition. We are against