

*The motion was adopted.*

resolve the drinking water crisis prevailing in the urban and rural areas of Madhya Pradesh.

13.12. hrs.

2. Regarding arrangement of additional coaches for the Common people and daily commuters without taking any additional surcharge.

*The Lok Sabha then adjourned for Lunch till Fifteen minutes past Fourteen of the clock.*

14.26 hrs

[English]

DR. KRUPASINDHU (Sambalpur): The following items may be included in the next week's agenda:-

*The Lok Sabha re-assembled after lunch at twenty-six minutes past Fourteen of the Clock.*

[SHRINITISH KUMAR- in the Chair]

[English]

CODE OF CRIMINAL PROCEDURE  
(AMENDMENT) BILL AS PASSED BY  
RAJYA SABHA:

THE MINISTER OF HOME AFFAIRS  
(SHRIS B CHAVAN): I be to move:

"That the Bill further to amend the Code of Criminal procedure, 1973, as passed by Rajya Sabha, be taken into consideration."

1. Regarding need to investate the irregularities that have taken place in contract work involving Rs. 20 crores by the Directorate of Telecom Project in the Sambalpur District of Orissa.
2. Regarding urgent need to tackle the service drought situation and drinking water problem in Sambalpur and Bargarh Districts of Orissa.

13.11 1/2 hrs.

THE BUSINESS ADVISORY COMMITTEE  
TWENTY EIGHTH REPORT

[English]

DR. LAXMINARAYAN PANDEYA  
(Mandsaur): I beg to move:

"That this House do agree with the Twenty-eighth Report of the Business Advisory Committee presented to the House on the 5th may, 1993."

MR. CHAIRMAN: The quesation is:

"That this House do agree with the Twenty-eighth Report of the Business Advisory Committee presented to the House on the 5th may, 1993.

The is an increasing realisation all over the world that acts of crime and terrorism are fast acquiring international complexion. This trend has been substantially facilitated by the rapid strides made in recent years in the field of transporatation and communication. The nexus across countries between the perpetrators and supportores of crime and terrorism can be destroyed and guilty brought to book only if widest measure of cooperation is established between the actions of law enforcing agencies of different countries. As a first step in this direction, an agreement between the Government of India and the Government of United Kingdom of Great Britain and Northern Ireland was signed in London on 22nd September, 1992 to cooperate mutually in the investigation and prosecution of crime and the tracing, restraint and confiscation of the proceeds and instruments of crime and terrorist funds. The agreement between contracting States provides inter alia for search,

[Shri S B Chavan]

attachment and forfeiture of property derived from the commission of an offence, assistance in search and transfer of persons wanted for criminal activity, assistance in investigation and furnishing of evidence, etc. In order to implement this agreement it has become necessary to amend the Criminal Procedure Code.

The Bill seeks to amend the Code of Criminal procedure, 1973 to provide for this.

I commend the Bill for consideration of this august House.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Code of Criminal Procedure, 1973, as passed by Rajya Sabha, be taken into consideration."

[*Transalation*]

SHRI RAMESHWAR PATIDAR (Khargone): Mr. Chairman, Sir, the hon. Minister of Home Affairs has introduced a Bill seeking to amend the Code of Criminal Procedure Act. The hon. Minister of Home Affairs was saying that the world has come closer today for good cause as well as for sinister designs. Criminals flee from one country to another after committing a crime. This Bill has been introduced with a view to dealing with such persons. I wonder why there has been delay in bringing this Bill. For years together, at least since 1980, India has been witnessing terrorist activities and the terrorists are taking refuge in foreign countries and from there they continue to carry out their terrorist activities with the help of their agents in the country. The hon. Minister of Home Affairs alone can explain the reasons for delay in reaching an agreement in this regard with Britain which could be signed only in 1992. The terrorists easily manage to flee to other countries to hide themselves there. The extradition Treaty with the Government of Britain in this regard is a welcome step. The Bhartiya Janata Party is in

favour of making such a provision in this Bill.

The hon. Minister was just saying that with the help of this, the Government would be able to effectively deal with such cases. Criminals now cannot escape punishment under the garb of political asylum. Under this treaty comes such as cases of hijacking of planes, abduction, keeping somebody as hostage, committing murders, causing damage to property, possessing arms and explosives etc have been covered. But the point is can we solve the problem of the terrorists taking refuge in other countries by merely signing this accord with Britain? The activities of terrorists could have easily been contained, had a similar treaty been signed with America, Canada, and with gulf countries. It is surprising why the hon. prime Minister who has been participating in the SAARC Summits for several years has not got a similar agreement signed with the members of the SAARC countries. Should there not be a provision to be adopted by each Member of SAARC that its meeting would not be held unless and until each and every member country accepts the provisions of the said agreement? Should we not have put the same condition before Pakistan? Every body is now well aware that the culprits of Bombay bomb blasts have reached Pakistan via Dubai. I would like to know from the hon. Minister of Home Affairs as to what steps the Government have taken so far in this regard? What is the progress? Had there been an agreement with Pakistan during signing of SAARC Summit, India would not have to face disgrace for failure to trace out the culprits of bomb-incident. The disgrace could have been averted.

Mr. Chairman, Sir, the provision made under the agreement aims at combating terrorist activities only, but I do not endorse the view that all the crimes can be attributed to terrorist activities only. With increasing trade interests among the people of different countries there is cultural exchange also. It is a well known fact that a Dubai based noted industrialist or say a notorious person invests money in production of

films in India. There has been infiltration in all walks of life and it has encouraged criminal tendency and smuggling of narcotics. I would like to know whether the attention of the Government has been drawn to this? When that person was investing money in the Indian film industry, did the Government not take note of it. Why did the Government overlook the fact that he was becoming king pin of such activities. Why could the Government not check it? If the attention of the Government could not be drawn to it who is responsible for it? Surprisingly 7 or 9 big officers have also been held in connection with Bombay blast. Does not the Government monitor their activities. The Government does not take notice even if such persons develop and establish nexus with small offenders or with persons having criminal antecedents. The attention of the C.B.I. and other institutions should have been drawn to those facts. Why was it not so. This is why the Government had to go through a crisis. The bomb blasts in Bombay caused great damage. Innocent lives were lost and the country is ashamed of this. I do not feel that passing of such a Bill will alone solve the problem of terrorism. I have said earlier that India and other countries are linked to one another in terms of Social, Cultural and Economic issues and unless we keep an eye on those things and finally overcome criminal tendencies we would not be successful. We will have to make effective provisions or legislate a new law to punish these culprits. I would like to know from the hon. Minister of Home Affairs as to what is being done on the part of the Government to check and break the nexus that certain people of India have developed with such criminals settled abroad.

Such laws should be implemented more stringently so that the citizens of this country may feel secure and the unity and integrity of the nation may be maintained. The process of signing such agreements with other countries should also be speeded up.

The links of under-world criminals with influential persons in India are know to all. Since

these criminals have their links with big politicians, they should also be brought to book and provisions should be made in law so that we may arrest criminals.

Recently a close associate of a notorious man of Dubai visited India met big officers and ex-officers in Bombay and Delhi and went back to Dubai, which is quite surprising. Unless efforts are made to break their mutual links, we cannot succeed. Recently seven members of a family of a Gujarati businessman were murdered in Dubai and the culprit came to India. The Dubai Government asked Government of India for extradition of the said criminal and the murderer who is in India after the incidents of 12th march, and has links with high ups to the extent that the Government of India could not hand over him to Dubai Government or the Government of India refused to extradite him to Dubai Government. Why it is so? If we want to have good relations with other country, then why have we made so much delay in extraditing a criminal who has taken shelter in India? Why has the Government not handed over the murderer of a Gujarati family to Dubai? That is why the Government of Dubai is showing its reluctance in handing over the culprits of Bombay bomb blasts saying that since the Government of India had not cooperated with them in handing over their criminal, they are unable to help the Government of India now. Unless the Government keeps a watch over such incidents thoroughly, it will not be able to check them.

Some time back, a resident of Kerala State, who was serving in Gulf country, stole a sum of Rs. two crore in that country and come to India. The Government of that country awarded him imprisonment for few years and imposed a fine of Rs. 50,000. After that incident the culprit is living in Kerala. His photographs along with a report of sending him back also appeared in local newspaper but the Government of India is not extraditing him. Unless we cooperate with other countries, how can we expect any cooperation from them? Therefore, the need of the hour is that well should enter into an agreement

[Sh. Rameshwar Patidar]

with other countries on all such issues.

Mr. Chairman, Sir, I do not agree that the amendments to Criminal Procedure Code we are going to make are comprehensive because these are not foot proof even today. It is not a comprehensive Bill. In 1974 when the Criminal Procedure Code of 1898 was amended, it came to our notice that a long list of compoundable cases is given in the Code under section 320. Similarly, under section 379 of Cr. P. C. of 1898 it is given that both the parties can compromise in cases of theft up to Rs. 250. when this Criminal Procedure Code was amended in 1973, when comprehensive amendments were made, the words "Rs.250" were not changed. There is no harm if this amount is raised to Rs. 25,000? Therefore, such minor amendments which should have been made by now, have not been made so far. I would like to know why such amendments are not made through the present Bill while there is entire machinery at the disposal of the Government which can assess the practical aspects of such cases. Should the high officers not pay attention to these minor points? I want to say that in other cases of crime in which anti-national crimes are committed either against our country or against other countries, if the parties agree to compound, why should they not be allowed to do so? We should also make such amendment, what harm can be there in it?

I know that many States have suspended the provision of anticipatory bail as a result of which the innocent persons, who are implicated unnecessarily in one case or the other, have to suffer a lot. I would like to suggest the hon. Home Minister through you that an amendment to restore this provision should also be made.

In the end, I would like to add one more thing regarding some recommendations made by the Jaswant Singh Commission. For the expansion and decentralisation of judiciary, the Jaswant Singh Commission had recommended that more benches of High Courts suggested for setting up

of a Bench of Madhya Pradesh High Court at Raipur. Similarly, the Commission also recommended the setting up of Benches of High Courts at Madurai and Agra. But after the lapse of so many years the Central Government has not taken any action on the recommendations. Therefore, I would like to say that it would be beneficial to the people if such amendments are also made in this Bill. With these words, I welcome the Bill.

SHRIMO HAN SINGH (Deoria): Chairman, Sir, the hon. Minister of Home Affairs has moved for the consideration of the House the terrorist and Disruptive Activities (Prevention) Amendment Bill to extend the period of enforcement of the Act and the Code of Criminal Procedure (Amendment) Bill, connected therewith, to confiscate properties under agreements signed with Britain. I regret to say that the Government is not effective in checking terrorists' activities. Sometimes, when militants are in stronger position, the Government make complete surrender before them.

In Andhra Pradesh, when some naxalites were arrested under criminal law while committing violence and lodged in jails there, some of the naxalites kidnapped some distinguished persons in order to mount pressure on Government. With the result, the Government had to compromise with them and had to let off those who were fogged in jails. Similarly, in order to prevent terrorist activities in the country, TADA was enforced in 1985, it was assured by Government that it would be used only in Punjab and Jammu and Kashmir, where terrorists activities were on the increase, and the Government would create such atmosphere within a period of two years that the country will become free from such activities. But the disease is acquiring serious dimensions with every dose of medicine. You can see that terrorists activities are increasing all over the country and our Government is incompetent to check them.

Earlier such agreement was also signed among the SAARC countries to deal with

terrorist activities and to wipe out terrorists activities from this region but after the Bombay bomb blasts, the culprits took shelter in other country and our Minister of External Affairs is saying one thing and the Home Minister is saying different thing on the same issue.

Recently, a summit of Islamic countries was held at Karachi in which the delegates from 51-52 countries participated. A resolution was passed there that if government of India did not stop repressive measures in Kashmir, all the 51-52 Islamic countries would sever their trade and commercial ties with India. Such resolution was passed by those countries in that conference. They have also threatened India that lakhs of non-resident Indians who are serving in Islamic countries would not be allowed to work there if repressive measures were not stopped by the Government of India. Such a resolution was passed at the Summit of Islamic countries.

I regret to say that the Government of India which should have expressed its strong protest, did not so at any stage or at any platform. Recently, there have been news that America has changed its policy, suddenly it has started claiming that it is against terrorism. The Government of America seized the property of the citizens of a few countries like Cuba, Iraq, Iran and Syria which were declared terrorist States by America. However, I would like to ask whether American Government does not involve itself in terrorist activities being run by it in small countries including Cuba. The American Government itself interfered the internal affairs of Cuba by encouraging terrorist activities there, and now it has adopted a new strategy to make fight the countries with each other in the name of being the Champion of Anti-terrorist forces through out the entire world. The Government of India should not be misled through it.

Mr. Chairman, Sir, I would like to submit that if at all the Union Government is serious in this regard, there are clear evidences that some people have earned a huge property by means of Mafia activities in the country. They are the

people who have got political protection of the ruling party. It is due to such political influence that some people manage to get licences issued for the cultivation of opium. There are clear evidences to the effect that such licence holders do more cultivation than they are eligible, and thus they have been working as a big medium for the smuggling of opium to other countries. The black money earned in this manner is misused to encourage terrorist activities in the country. Therefore, I would like the Government of India to enforce strictness with regard to opium cultivation, it may even ban this cultivation. If the Government does not take measures to this effect, the recent agreement made with Britain would in no way help in checking foreign interference in the internal affairs of this country or in discouraging terrorist activities in this country.

Mr. Chairman, Sir, recently an incident took place in Assam, the Union Government reached an agreement with the Bodo agitators and claimed that Bodo agitation had been stopped. The hon. Minister of Internal Security was applauded all over the country for his efforts to control terrorism rising in Assam. However, immediately after this a senior officer of a Tea Exporting Company has been Kidnapped by the Bodo extremists who are demanding a ransom of Rs. 10 crores. It is to be noted that the officer is the son of the great freedom fighter and the first Chief Minister Shri Bardoloi. One of the questions was raised in the House today concerning with the proposal of promoting export of tea and coffee in the next five years through which the Government may earn about Rs. 7500 crores. However, the tea companies in Assam have warned the Government that in view of the increasing cases of Kidnapping of the officials of tea companies and the failure of the Government to provide any security to them, they will have to stop their work in Assam.

The Government enacts laws one after the other and sign international agreements. This House also gives authority to the Government to restore peace in the society and the country. However, Mr. Chairman, Sir, I regret to say that

[Sh. Mohan Singh]

despite having adequate powers, the Union Government has failed to control the terrorist activities. Moreover the officials have continuously been misusing these laws and powers. I would like the Government to assure this august House that the right to confiscate property would not be misused the way TADA is being misused.

With these words I would like to state that despite having so many right and powers, the Government has failed and will fail in future too in checking the terrorist activities in the country, rather these activities are likely to increase. With these words, I thank you for giving me an opportunity to express my views on this Bill.

[English]

SHRISRIBALLAV PANIGRAHI (Deoghar):  
Mr. chairman, Sir, with pleasure I rise to support this Bill.

In fact, this is a happy price of legislation that we are going to enact today.

This Bill naturally is the offshoot or the natural consequence of the historic treaty our hon. Home Minister, Shri S.B. Chavan signed with his counterpart in U.K., the British Home Secretary, Mr. Kenneth Clarke in September. The purpose of the Bill has already been explained and absolutely there cannot be two opinions about the laudable purpose underlying it. There is nothing to oppose, it receives the wide support from all sections of the House. Though the efforts date back to 1985 when late Prime Minister, Shri Rajiv Gandhi visited Great Britain obviously after the assassination of late prime Minister Shrimati Indira Gandhi, a beginning was made and that was not seriously pursued. Anyway, since last one year, there was seriousness on the part of the Government of India and as a result this much needed treaty was signed. All of us know that terrorists after committing heinous offences in our country were merrily fleeing to other countries. One such country is

Great Britain and that was like a haven for them. They are going elsewhere also. Of course, they are getting support from Pakistan, everybody knows it in our country. This is the success story of the least diplomacy on a subject which has aroused such a considerable political passion in U.K. Together with this, India and Britain signed a historic extradition treaty and an agreement on confiscation of extremists assets heralding a new era of bilateral co-operation against terrorism and drug trafficking. Both these new agreements which complement each other are of momentous significance to India's interests. What is required is that these agreements should be properly implemented.

As we know, the terrorism is an increasing international phenomenon. However, whatever we may try exclusively or singularly we cannot contain it. In such a situation, it is imperative that we have to go in for a similar treaty with different countries; with our neighboring country and with other countries also, wherever possible. Therefore, this is a beginning.

About terrorism, there has been some discussion with SAARC countries. But, probably with each of the SAARC countries, such agreements are required to be reached. As we are all aware, that terrorists are not only taking shelter in U.K., in Great Britain but also the terrorist activities in India were being funded largely by some Gurudwaras, situated in London or in different parts of U.K. The flow of funds from British Gurudwaras to terrorists in Punjab is quite known. According to an estimation, about 80 per cent of the Sikh shrines in Britain are the terrorist dens and nearly 10 million are siphoned off annually to Punjab through spurious routes, mostly through Pakistan. Naturally with this treaty and other agreement signed, giving effect to the provisions of the treaty necessitates this amendment to the CRPC. Therefore, from so many angles, this treaty etc. is of vital importance.

I would like to add one thing that a campaign of disinformation is being carried on by Pakistan systematically. We are aware of it and we have

to take necessary remedial measures in this connection. Recently, there was a Conference of Organisation of Islamic countries, which was concluded very recently in Karachi, were they could succeed in passing a Resolution against India on Kashmir issue. Is it not the outcome of such disinformation camp in so ruthlessly carried on by our neighbouring country, Pakistan?

About Sri Lanka, there was a national funeral of Shri Premadasa yesterday, who was also a victim of terrorism. The main accused in the Rajiv Gandhi assassination case Mr. Prabhakar is also taking shelter there. Sri Lanka should co-operate with India in also extraditing this main accused and the government of India can think of some sort of a joint action with Sri Lanka and other countries wherever possible.

About Memon brothers and Bombay blast case, it is in everybody's knowledge where they are hiding; what sort of support our neighboring country Pakistan is giving. This is every useful historic treaty which Shri S.B. Chavan had signed with his counterpart in U.K.

15.00 hrs.

And it is the beginning rather and it has naturally strengthened our bilateral relationship. It has opened up a new vista. This should be extended to as many other countries as possible.

Sir, with these words, I once again support this Bill. I congratulate our Home Minister who has taken the initiative. Earlier there was a beginning and now he has pursued it to its logical conclusion. I wish the purpose underlined in this Bill will be achieved by and large by the sincere and serious action of the Government of India and with the cooperation of all concerned in different political parties.

SHRI M. RAMANNA RAI (Kasaragod):  
Mr. Chairman, Sir, I support this Bill. This Bill is a long felt necessity, particularly when we

realise that all around our country everywhere, we find our enemies hiding and they are waiting to attack the Indian territory and our interests.

Now, the Government has felt that this kind of a Bill is necessary and this Bill was introduced in the other House. It was thoroughly discussed there and it was passed. As far as this House is concerned, we are entitled to go through the Bill and suggest any more amendments etc., if necessary.

1502 hrs.

(SRI MATI MALINI BHATTACHARYA  
in the Chair)

Sir I want to dares on thing. In this country, we are having India penal Code and Criminal procedure Code. During the British Period also we have tried it. Actually it was not implemented wherever it was absolutely necessary; particularly after independence what we see is, instead of implementing or acting according to the provisions of the law, we see that the ruling party is injecting politics while apprehending the criminals. In order to extradite the criminals who had committed offence in India, the passing of this Bill is not necessary. In this country, we have many laws. But when they are implemented, politics is being injected.

Sir, we have many people who had committed offences in India like in the Befors case. They are freely coming here and going out of the country. They are meeting their friends and relatives here and they are safeguarding their interests. We are having sufficient provisions under the law to arrest them when they come into our country and we can put them inside the prison also.

We realise the position only when they come and leave our country. So, my submissions simply this amendment will not be sufficient. The government must have the will to implement it. For example, regarding the Bombay bomb blasts, we hear that some Indian

[Sh. M. Ramanna Rai]

national who is staying in Dubai is behind this and we further hear that he was coming here every three or four months and going to Bombay and Bangalore and he is having his wife also at bangalore. Without any difficulty he is coming there. Now, Dubai is not prepared to extradite him. when he is coming here freely without any obstruction, we are not arresting him. So, my apprehension is, after this Bill becomes an Act, unless the Government is very much interested and very much particular regarding arresting of culprits, then this Bill will also be of no use.

In the past, we had experienced that after some serious crime has been committed, politics is being injected and then everything goes on vain. for example, regarding the Bombay bomb blasts, all the parties in this country are for an inquiry by the CBI, because in this country all the parties now realise that if it is entrusted to the CBI all the necessary persons will be questioned and then the truth will come out. But, at the same time, the Government of Maharashtra is not interested in the CBI inquiry and it is saying that the maharashtra police are capable of pinpointing the culprit. But what kind of pinpointing is there when the culprit is in Dubai? That Dubai-based culprit is having connections with the people in the ruling party in India. In that case, if the case is entrusted to the CBI, then the truth will come out and many political leaders will have to face the truth. So, the mere passing of this Bill is not sufficient. The Government must take all the necessary steps to implement it with all seriousness and sincerity. Then only we will know as to who are our friends and who are not our friends in this country.

With these few words, I support the Bill brought foreword by the Government and I thank the Chairperson for having given me an opportunity to participate in this debate.

[*Translation*]

SHRI TEJ NARAYAN SINGH (BUXAR):  
Mr. chairman, Sir, I support this Bill. It is a matter related to the two countries, therefore, it

is not appropriate to oppose it. The Government has made an agreement according to which America and England have also offered to assist on our struggle against terrorism. Therefore, I support this Bill. At the same time I would like to submit that the Government should contemplate as to why the present situation arose in the country, and why we have been forced to seek foreign assistance in fighting against terrorism. Did we enforce the law stringently? I would like to submit in clear words that if the present laws to this effect—whether Indian Penal Code, Criminal Procedure Code or the Constitution of India are enforced effectively, no extra efforts would be required to check this tendency. these provisions are quite effective to control the situation but I am unable to understand why the Government resists to enforce it when there is a great need of it. Under CPC order 139(1) and (2) permission from civil court has to be obtained to enter into other territory, and the court through that order disallows any person to do so. All citizens of the country are bound to obey the law enforced through the Supreme Court or High Court. However, it is the Government which is responsible for any violation of these orders to this effect. The Government did not provide any legal assistance when the session judge was appointed on 6th December by the Supreme Court to look into the matter regarding the disputed structure in Ayodhya. Had the Government taken legal action, Babri Massaged would not have been demolished. Had Babri Masjid not been demolished, series of bomb explosions all over the country would not have taken place. All this created an impression in the world that the Government of India did not want to enforce law. That is why, as far as I feel, such incidents started taking place. A person like me feel that the Auodhya incident was the cause of bomb explosions in Bombay. Had law not been violated in Ayodhya, Pakistan would not have acted behind the scene to committee those bomb explosions in Bombay. Therefore, my submission is that if at all the Government wants the country to remain integrated, it should enforce Cr. P.C., constitutional provisions, civil procedure etc., in their true spirit. Otherwise the



country cannot remain united at any cost. The Government is aware that the Bangladeshi Muslims have staged a march in protest. What for it was? it was with a motive to safeguard their religion. The Government is also aware that an attack on a particular religious institution in our country invited several attacks on our religious institution in other countries. Temple were demolished in Pakistan, American, England and several other places in retaliation to the attack on mosque in Ayodhya on 6th December. Therefore, my submission is that the Government should first enforce law strictly, then only it may succeed in controlling terrorism otherwise terrorism is likely to spread more and more.

Ceiling Act was enforced since 1956. The Government has not yet distributed the land. The State Governments land is the poor people's land.

But the land is occupied by the rich in the villages. If the poor man protests against him, he is declared a terrorist or naxalite by the Government. I, therefore would like to submit to the Government that the land Ceiling Act and other laws in this regard should be implemented properly.

A lot of emphasis is given here on the issue of kashmir. The BJP Members are also very emphatic in this regard. It is being said that Pakistani muslims are infiltrating into Kashmir. I would like to submit that even 2 per cent kashmiris are not employed in the Government jobs there. 98 per cent of the employees there have come from different parts of the country. If a Delhite works in Bihar, the Biharis will not be at peace. I, therefore, would like to submit to the government that the people of the State should be taken in the jobs existing there. If excesses are done with them, they will also adopt a step-motherly attitude with you. I would like to tell the Union Government whether it is kashmir, Bombay, Bihar or Punjab, if law and order has to be maintained in all the states of the country, the existing laws should be properly implemented. If only one person keeps law in his hand,

the other person is not going to look upon quietly. It is being said that a lot of atrocities take place in Bihar. I would like to say it clearly that nothing happens in Bihar. If atrocities are committed, the people retaliate. But no such atrocities are committed there. Bihar has become infamous due to these incidents. But these incidents take place as people retaliate against the atrocities. I, therefore, would like to tell the Government if laws are implemented properly, this country will remain united. The country will disintegrate if the CRRC is changed everyday. Under the constitution, everyone is free to practice his own religion. If any person is asked to interfere in others religions it will certainly create problems for the unity of our country. This is a secular and if some one wants to play with the religions sentiments of the other people, the Government should expose him before the country. If this is not done, the God will also not be able to save this country.

I support this Bill and would like to request that all the laws under the Criminal procedure Code, the Constitution and the Indian Penal Code should be implemented properly, so that this country remains united. With these words, I conclude.

SHRI SANTOSH KUMAR GANGWAR (Bareilly): Mr. Chairman, Sir, without repeating the things already said, I would like to say that it was necessary to bring this Bill, as under the agreement reached with Great Britain and North-Ireland, an amendment has to be made in the Act. There is nothing much to say in this regard. But as my previous speaker said, these two countries are not only affected by terrorism. Our country is clearly affected due to America, Canada and Gulf countries. In this situation, I will not say that this Bill has been brought in haste, but all these points should have been considered before bringing this Bill.

All such points as the continuous increase in the problems and our relations with our neighboring countries, should also be included in this Bill. By reading the aims and reasons of this Bill,

[Sh. Santosh Kumar Gangwar]

it does not appear that only two countries have been mentioned in it. Instead, we have some intentions about other countries also. So, besides terrorism, other crimes should also be included in this Bill, because somewhere or the other, both type of these criminals are linked with each other. Whether they are drug-mafias or other criminals, they have links with each other. I would like to inform you that in the district of Uttar Pradesh, to which I belong, there are often incidents of theft and murder. The people come to us and complain that the murderer has fled to Nepal with the stolen goods. Nepal is our neighboring country. We will have to tell them that this Bill is only concerned with terrorism. I want that the Government should bring a comprehensive Bill in this regard.

So far as SARRC countries are concerned, this law should be implemented by these countries also. I do not want to repeat about the activities of Dawood Ibrahim and Memon brothers. It is certain that we do not only intend to check such activities in our country but also in all those countries where such things are happening. Bill has to be brought to fulfill these aims. All countries are affected with terrorism. But what is happening with us should be considered seriously. The hon. Minister should give details about the agreements reached with other countries in this regard. The decisions taken by Islamic countries also affect our country. Sri Lanka is also a country to be concerned about. Inspire of our efforts, we have not been able to bring back the main accused in the assassination of Shri Rajiv Gandhi to our country. You are aware of this and the action to be taken in this regard should be considered.

Without taking much time, I support this Bill and hope that the Government will try to solve the problems by bringing a comprehensive Bill in future.

[English]

SHRI SYED SHAHABUDDIN  
(Kishanganj): Sir, I am Chairperson, I rise to

support the Bill. But I also take this opportunity to suggest one amendment and to seek some clarifications.

The hon. Minister in his statement has referred to a universal phenomenon and, in fact, the Bill has been couched in universal language. However, in the Statement of Objects and Reasons of the Bill itself, it is said that the Bill has been occasioned by an agreement signed by the Government of India with the Government of United Kingdom. Now since terrorism is an international phenomenon, we may have to seek similar reciprocal arrangement with many other countries. As has been pointed out, I see no reason why the objects and reasons mentioned in the Bill should be related to a particular agreement signed by the Government of India.

Supposing this agreement had not been signed, even then, there should be such a provision in our laws as there are other international conventions under which members of the international community can interact with each other in apprehending criminals who take sanctuary or refuge in other territories after committing crimes in some territory. Therefore, as members of the international community, they are bound to help each other and come to each other's assistance. If certain provisions are required from from the part of our own Code to make it passable for to cooperate fully in this matter, there was no need at all to mention this particular agreement.

Well, I do, not think that the hon. Minister is going to sign exactly similar agreements with other countries. They may have their own reasons for a particular form of phrases and, therefore, if this Bill is based exactly on the textual wording of our agreement with Britain, then it is going to land us in some procedural difficulties when we come to signing similar agreements with other countries.

That is the point I wanted to make here. Since we do not have the text of the agreement with the UK before us, I cannot give a definite

opinion. But I would like the hon. Minister to clarify this point whether this Bill is drafted in universal language or whether it is based on the actual text of our agreement with UK and whether the Government has similar agreement under consideration with other important countries with which we expect such agreement.

Madam, I have suggested a very small amendment in the very first line of the Chapter 7A. There, the contracting State has been defined. It has been stated here that contracting State means any country or place outside India in respect of which arrangements have been made. I presume the hon. Minister definitely means reciprocal arrangements. Of that there is no doubt. But I wish on a point of prudence that it should have been made clear that these are reciprocal arrangements and there is to be no unilateral arrangement in the matter when we come to signing similar agreements with other countries.

With this clarification, I would like the hon. Minister to tell as and since the Minister of State of Foreign Affairs is also present here, perhaps he could also intervene in this debate about the existing international conventions which can be invoked in similar situations even if there is no bilateral agreement.

With these words, I support the Bill and I hope that the hon. Minister will clarify the position.

MR. CHAIRMAN : Do you wish to clarify?

SHRI S. B. CHAVAN: I would like to reply now.

Madam Chair-person, I am thankful to all the hon. Members who participated in the discussion. Everybody supported the Bill in a clear manner. But one or two hon. Members were not exactly clear as to whether they were supporting or opposing it. Anyway, the points which were raised are similar in nature.

I would like to clarify in the initial stage itself that though we have signed agreement with Government of Great Britain and would like to sign similar agreements with other countries also, the presumption of the hon. Member is not correct. I think he was in the External Affairs Ministry. He knows very well. A number of treaties have been signed. He must have been there when the treaties were signed. Merely because there is an international convention in which the signatories put their signatures there, it does not necessarily mean that they are going to abide by it. It is merely an intention which is being expressed in the convention. But you will have to have agreement for the execution of those intentions. We will have to enter into agreement with different countries.

Since I have very little time, I would like to say that the same thing applies in the case of SAARC. Merely because a resolution was passed it does not necessarily mean that all the countries are bound by it, unless we have separate agreement with all the countries.

There is no denying the fact that there are a number of things which are happening in politics which in fact require a thorough probe as to whether we are going on right lines. The criminalisation of politicians and politicians entering into some kind of a criminal activity, is a fact which I cannot possibly deny.

But that does not necessarily mean that we should not take measures, which, in fact, are called for in implementing what we have in view.

A number of hon. Members would like to cover all the other activities. They opined that smuggling should be covered all other criminal activities should be covered. That is a good idea. So far as this Bill is concerned, we are trying to confine ourselves to the terrorist activity and the funds flowing from the terrorist activity. These are the two things which, in fact, are covered under this agreement. On that issue, I am sure that the hon. members will not have any kind of difference.

[Sh. S. B. Chavan]

Certainly, I would like to go into two special incidents which were mentioned. In Dubai, some incident seems to have happened in which the UAE Government seems to have asked for our cooperation, and those criminals were not returned by us. It is one of the points which was made by one of the hon. Members. Certainly, I would like to go into the details and find out. In fact, it is very necessary that whosoever wants our assistance in returning criminals for the crime they have committed in that particular country, it should be our moral obligation to see that it is extended. If we are seeking some kind of an assistance from them, we cannot possibly take a different kind of a stand. It has to be a principled stand. We should accept that whosoever comes after committing a crime in country, we should be in a position to give those criminals back to that country or those countries for being tried and punished.

I do not think that I should refer to the other points because I would like to get this passed. That is why, I will request the hon. Members to cooperate. I have taken note of all the points which you have made. I will definitely apply my mind to all the issues which were raised here.

MR. CHAIRMAN: The question is:

"That the Bill further to amend the Code of Criminal procedure, 1973, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted*

MR. CHAIRMAN: The House will now take up clause by clause consideration of the Bill. Now, let us take up clause 2.

Shri Syed Shahabudin, are you moving your amendment?

SHRI SYED SHAHABUDDIN: In view of the explanation given by the hon. Minister, I am not moving my amendment.

MR. CHAIRMAN: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted. Clause 2 was added to the Bill.

MR. CHAIRMAN: The question is:

"That clause, The enacting Formula and the long title stand part of the Bile:

The Motion was adopted

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

SHRI S.B. CHAVAN: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

15.29 hrs.

PRIVATE MEMBERS BILLS AND  
RESOLUTIONS.

Twenty first Report

[English]

SHRIP.P. KALIAPERUMAL (Cuddalore):  
I beg to move:

"That this House do agree with the Twenty-first Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 5th May, 1993."

MR. CHAIRMAN: The question is:

"That this House do agree with the Twenty-first report of the Committee on Private Mem-