

to the credit of the Central Government. The amount so paid shall be adjusted against the duty of excise payable by the person on finalisation of assessment. Any surplus left after such adjustment shall be either credited to the Consumer Welfare Fund or as the case may be, refunded to the person who has borne the incidence of such amount.

(c) Does not arise.

Decanalisation of Fertilizers Import

3775. SHRI PRAKASH V. PATEL:
PROF. ASHOK ANANDRAO
DESHMUKH:

Will the Minister of COMMERCE be pleased to state:

(a) whether the Government propose to decanalise import of fertilizers; and

(b) if so, the details thereof; together with the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI SALMANKHURSHED): (a) and (b). At present, there is no proposal to decanalise the import of fertilizers. However, the Export and Import Policy is kept constantly under review and changes are made therein as and when deemed necessary.

12.05 hrs.

RE PREMATURE RETIREMENT
SOUGHT BY SHRI MADHAVAN, JOINT
DIRECTOR, CBI INVESTIGATING
SECURITY SCAM - *CONTD.*

[English]

MR. SPEAKER: No, no.

(Interruptions)

MR. SPEAKER: Let me complete what I have to say.

(Interruptions)

MR. SPEAKER: You comment after I complete.

(Interruptions)

[Translation]

MR. SPEAKER: See, though I did not allow your notice, yet I did not refuse to hear you. I did not allow it not because today is Friday, and the Private Members Business will be taken up from 3.30 p.m. and you will get less time to speak. I had this idea in my mind also. Probably you too had this idea. This was not the reason. I had two options. One of them was that I should leave this House after suspending the Question Hour. The another was that I should allow you to speak. I thought it was better to allow you to speak than suspend the Question Hour. I did not want that you should keep your feelings suppressed. At the same time your strong feelings can be expressed here in a different manner. Therefore, I want to express my gratitude not only once but every time that Shri Vajpayee spoke. What happens here is that whoever rises forcibly to speak in this Hour, only he can speak and one, who wishes to speak remains deprived of the opportunity. Thus, injustice is meted out to several people. This too should be taken into consideration.

(Interruptions)

MR. SPEAKER: Please resume your seat. Are you understanding What I am saying? I do not say that what your leaders have said is not true. We can understand your feelings. Members from the ruling side were rising time and again to speak, I asked them to wait for a while. The Government does not have any opinion different from yours.

(Interruptions)

[English]

MR. SPEAKER: This is exactly what I object. I am trying to facilitate your work and you are not trying to understand. You should not appear to be interested only in getting up and speaking out which is not heard by anybody. At least you should be heard if I am not heard. At least see that you are heard. That is the minimum that you can do to yourself. If you are not doing that to yourself, then, who will do it? Allow me to do it. Allow me to do it in cooperation with all of you.

I have been saying that nobody is going to shut out this discussion. We will have this discussion and we will do it.

All the same, I would not like to labour on this point. We have accepted the suggestion given by all the leaders in this House. We are going to meet here in Delhi on the 23rd and 24th of September to discuss as to how we can help ourselves in conducting the business of the House. This is no aspersion on what the leaders have said. I can really understand their feeling. If I sound like that, please excuse me. I do not mean that. I am just trying to keep the things in order. One can understand your feelings and you have done your duty in your own fashion, may be just by not following the rules exactly. But you have done your duty and nobody can object to it. And I am not objecting to it. I am not saying that what you have done is wrong but I am saying that it would have been better if you would have followed the procedure. Let us end it here. I am allowing Mr. Nitish Kumar to speak. Now it is beyond 12 O'Clock. You have the right to speak now. Afterwards, I will allow the Minister to respond.

(Interruptions)

[Translation]

SHRI RAM VILAS PASWAN (Rosera): We had given notice under Rule 388....(Interruptions)

MR. SPEAKER: All right. You gave a notice.

(Interruptions)

SHRI NITISH KUMAR (Barh): Mr. Speaker, Sir, in a way you called me but our hon. Member Shri Vajpayee...(Interruptions)

MR. SPEAKER: Whatever you like you may speak, I am not to change my opinion in this regard.

MR. NITISH KUMAR: We agree that normally there should be Question Hour and in today's List of Questions. There was a question in my name at members and I was denied the opportunity and I was deprived of the opportunity for getting information...(Interruptions)

MR. SPEAKER: That is why, you have been given chance after 12 O' Clock.

SHRI NITISH KUMAR: The disputed matter was raised during the Question Hour. On that basis certain hon. Members proposed suspension of Question Hour under Rule 388. It is the issue of the resignation by Shri Madhavan. This issue does not pertain to any ordinary officer, rather it is a matter concerning the functioning of the entire Government. It is an issue affecting the credibility of the Government. It is a question of intent of the Government regarding the investigations as a whole. If the intention of the Government is not clear and its credibility is questioned how can other business of the House proceed? If a Government has no integrity? What answer can it give? Though it is more than 12 O'Clock now, and technically the Question Hour is over, yet I request you to suspend the zero hour with retrospective effect.

[English]

MR. SPEAKER: Well, I welcome it very much.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGERET ALVA): Sir, I am not answering to the debate as such or to the points that

have been raised. I am just placing the facts before the House since they have been asked for.

Shri Madhavan had made a representation for change in the recruitment rules in the post of Additional Director, CBI on 27.3.92. The representation had been sent to the Ministry of Home Affairs with the comments of the CBI Head Office. Since all the central police organisations would be affected by any change in the recruitment rules, it would be affected by any change in the recruitment rules, it would certainly take time for the Home Ministry to consider the implications. It is still under the consideration of the Ministry of Home Affairs.

Shri K. Madhavan, Joint Director has served a notice addressed to the Secretary, Department of Personnel and Training Government of India intimating that he would like to go in for voluntary retirement from service with effect from 31.10.92 with retirement benefits as are permissible under the rules. This was received by the Director, CBI on the morning of 20th July, 1992.

I have got the original copy of the letter of resignation. I would read it out, Sir, if they would like to know... (Interruptions)

On 20th July, 1992, Shri Madhavan met the Director, CBI when Shri S.K. Seth, Additional Director was also present. He explained that he has taken a very conscious decision so that he could join the legal profession. He, however, assured Director, CBI that he would continue to supervise effectively the seven bank scam cases which are under his charge presently.

Presently, for these seven cases, he is assisted by three DIGs exclusively, along with a number of DSPs and IOs. Shri Madhavan was asked to specify the circumstances referred to in his notice for voluntary retirement. In his reply, he has stated that whenever any officer seeks voluntary retirement, there are always some circumstances therefor. He feels that for seeking voluntary retirement, circumstances need not be

mentioned in the notice. Therefore, he does not wish to set out the circumstances due to which he proposes to retire. Subsequently he told the Director, CBI on phone from Bombay on 24.7.1992 that it was entirely for personal reasons that he was seeking voluntary retirement.

Shri Madhavan has been handling the Bank Scam cases from the very beginning. This is his area of work also. He has been given full freedom to act and there has been no interference with his work. The Government has sanctioned the additional strength he required for investigation of the Bank Scam cases which are on.

This is all I have to say... (Interruptions)

[Translation]

SHRI LAL K. ADVANI (Gandhi Nagar): Had we got any written statement, we would have pointed out the shortcomings in it one by one. The facts stated by the hon. Minister prove that he is a true officer who does not want to disclose all those things publicly before he relinquishes his charge. But the allegations against the Government which appeared in the newspapers revolve around the question whether Shri Madhavan was asked at any stage that if he came across name of any political person, he should not mention his name in the report. Is it true? If it is true it is a very serious matter. It is right that I did not talk to Shri Madhavan personally but whatever information I have received is very serious. I shall mention it elaborately during the discussion on security scam.

Now it seems to me that this Government has taken a stand regarding the Bofors issue. In this House the motive of the Government was suspected. It was said that it was absolutely and Government was pursuing the matter though Shri Madhavan was taken to from it. Then there was something about Madhav Singh and it is now confirmed that the motive of the Government was not clear. It seems that the word Madhavan is ominous for the Government. Once the Madhav Singh episode called the motive of

the Government in question. Today, the Madhavan episode which is associated with the scam episode but now it has got its independent importance, has again called the motive of the Government in question. In my opinion the Government wants to protect the political leaders and officers who are responsible for this issue which has incurred national loss of more than Rs.5000 or Rs. 6000 crore.

SHRI VISHWANATH PRATAP SINGH (Fatehpur): Mr. Speaker, Sir, it is clear from the statement of the hon. Minister that Shri Madhavan did not give his application in March for his own sake. He did it so for the benefit of all. What is the advantage of illustrating it here? Had Shri Madhavan requested for his own promotion? he did not do it for his own sake. He did so according to cadre rules only which is a general thing. Do not try to put it otherwise. Because according to information received from newspapers and reliable sources such attempts are being made. The second thing is related to the Bofors issue. It seems that they will succeed in the Bofors issue also. In the former case also they had succeeded in their manoeuvres. The credit of success like sealing the accounts of Banks, bringing documents of A.E.Z. services and secret papers of Audit Bureau of Sweden here goes to the former C.B.I Chief Shri Jhakar. But he was removed in the same manner. Now efforts are being made to remove Shri Madhavan also who is looking into the issue of security scam. Therefore, such a situation has been created. We are not being told its reasons. There might have been certain things which he did not want to disclose. It is clear that if he speaks it will be embarrassing for the Government. The second thing which is clear that the Government has power to reject the application of any officer who seeks voluntary retirement. There is no question of wooing him to continue in service. The Government should inform him categorically that it is not doing so. It is very simple that Shri Madhavan is ready to look into the security scam issue. Why the hon. Minister does not say the third thing that no officer puts forth his resignation and says.

[English]

"I am walking out."

[Translation]

He has no right to do so. Therefore, the Government should mention its responsibility and clarify it today. The fourth thing is that if all that has appeared in the press is wrong, I am happy but according to the newspaper reports I do not know whether he knows about it or not. We are not levelling any charges. But a very senior officer from the Prime Minister's office has intervened into the matter. Shri Madhavan was displeased with it and he tendered his resignation. This too should be clarified. I can mention the name also. But this is no occasion for disclosing the name. If the Government has any decency, it should admit that it happened. His application should be rejected and he should be entrusted with duties.

[English]

SHRI INDRAJIT GUPTA (Midnapore): Sir, I would like to know whether on behalf of the Government anybody is prepared to tell the House whether the Government is accepting the application which Mr. Madhavan is supposed to have given for premature retirement or trying to dissuade him from pressing his application. Are they at all interested in retaining his services for this very important inquiry? They have not said a word about whether they appreciate his service, his skill or not. Would they not think at this critical moment that it would be for the benefit of the country and in the national interest if he did not leave and if he continue his work? Are they trying to persuade him to not to press it or are they preparing to let him go?

SHRI SOMNATH CHATTERJEE (Bolpur): I only want to know from the hon. Minister whether the Government has found so far that the work done by Mr. Madhavan has been extremely useful is ascertaining the truth or that he has been proceeding on right direction. If that is so, whether the Government thinks that his services should

be allowed to be continued so that he can go into the depth of the matter? If Mr. Madhavan has been doing his work in a proper manner and he has been able to find out any material evidence, fact which will go to the ultimate finding of the truth, then is it not the Government's duty to try to persuade that officer not to go out of service and to continue and render his service to the country in unearthing the real cause of the scandal and the persons involved in it? It is the Government's duty, about which no word was spoken. Not a word has been said about the Government's response, or Government's reaction to his premature retirement, and what is the Government's assessment of the work done so far by Mr. Madhavan. If the Government feels that his work is useful and he should continue, then Government has to take action. But not a word has been spoken about it. We would like to know what is the Government's reaction on this.

[Translation]

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Mr. Speaker, Sir, I would like to say one thing here that the statement made by the hon. Minister and the statement of the Government spokesman, which appeared in newspapers today, is bit contradictory.

Mr. Speaker, Sir, attempt has been made to create an impression that Shri Madhavan was not promoted, though he wished. Therefore, he decided to quit. What the hon. Minister has said, makes it clear that Shri Madhavan was not talking about his promotion only.

As Shri Vishwanath Pratap Singh said that if non-IPS officers and non-IAS officers are appointed in CBI why cannot they be appointed as Additional Secretaries, if a non-IPS and non-IAS officers is functioning as Joint Director why can't he be promoted to the post of Additional Director. This is a serious issue and it is not limited to just cadre level, but the official spokesman has tried to impress as if he was interested in his own promotion, he did not get it, so he resigned in protest or applied for leave.

Besides, I would like to submit and I hope my colleagues would tolerate it to some extent. We would like to know whether there are any political links in the Banking scam or not. Now the whole responsibility is being thrust on Shri Madhavan. Even the Prime Minister had written letters to all the Ministers telling them to reply whether they had bought any shares or not and if they had, were they involved in the matter or not, and the extent to which they were involved.

THE MINISTER OF WELFARE (SHRI SITARAM KESRI): He has not written any such letter.

SHRI ATAL BIHARI VAJPAYEE: Hasn't he written any letter? O.K., one point is clear. Now I would like to clarify another point. Which the newspapers also have reported.

SHRI NITISH KUMAR (Barh): We know Shri Kesri does not read any letter. I have written a letter to him which he has not read so far. That is why he is not aware whether Prime Minister has written any letter or not.

SHRI ATAL BIHARI VAJPAYEE: I cannot make such statements regarding the people of Bihar.

SHRI NITISH KUMAR: I know, because you yourself are a Bihar.

SHRI ATAL BIHARI VAJPAYEE: Sir, I am pointing towards another issue. If Prime Minister did not write any letter then the reports published in newspapers are really confusing and another issue would be raised whether the Prime Minister tried to gather information or not. Suppose the Prime Minister did not gather information, in that case since the names of certain Ministers are being quoted, these Ministers can voluntarily stand in the House and make a declaration. They should stand in the House and say that they have bought shares and that buying of shares is not a crime, it is not illegal. The job of ascertaining the number of shares in the name of each politician should be left to one officer and CBI should investigate into it and it is not right for politicians then to make

allegation that particular person is not letting the investigation completed. Mr. Speaker, Sir, you are constituting a JPC. They should make statements about their shares, JPC should examine the case of Madhavan first of all. But you are taking a lot of time in constituting the committee.

MR. SPEAKER: All parties have to submit the names.

SHRI ATAL BIHARI VAJPAYEE: The delay is causing many complication.

MR. SPEAKER: This is right. We will expedite the matter.

SHRI ATAL BIHARI VAJPAYEE: The political leader especially the Ministers can streamline the process of announcing voluntarily as to the extent to which they are involved in the scam. If they are not involved in the scam, they should say clearly that they are not involved in the scam. That way the problem can be solved.

SHRI NITISH KUMAR: Shri Kesri did not receive the letter, but others remained silent. This means they have received the letter.

SHRI SITARAM KESRI: I read all the letters very carefully...*(Interruptions)*

[English]

SHRI SOMNATH CHATTERJEE: Sir, no denial some come from that side.

SHRI RAM NAIK (Bombay North): There can be at least one response.

MR. SPEAKER: I do not want anybody to be instigated.

Madam, if you want, you can reply at the end of the debate.

SHRI SRIKANTA JENA (Cuttack): Mr. Speaker, Sir, the news item which appeared in different newspapers reported one aspect and the hon. Minister has not replied to that.

The only point is whether PMO is involved and whether the PMO has interfered in Mr. Madhavan's case.

SHRI KODIKKUNIL SURESH (Adoor): No.

SHRI SRIKANTA JENA: Who says no?

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER): We are all saying 'no'.

SHRI SRIKANTA JENA: Where is the Prime Minister? You are not supposed to say 'no'. This is the only point viz. whether Mr. Madhavan has resigned due to interference by the Prime Minister's Officer or not.

MR. SPEAKER: You are taking that responsibility on yourself.

SHRI SRIKANTA JENA: Yes.

MR. SPEAKER: You have put a question mark

SHRI SRIKANTA JENA: In the interest of the nation, let the hon. Minister tell about her own Ministry and not about PMO as she perhaps does not know about the PMO's affairs. Let the Prime Minister come to this House and explain that PMO is not involved.

MR. SPEAKER: Please understand, if you put a question, it is a different thing; if you assert a thing, it is a different thing; if you assert a thing, then you take the responsibility on yourself.

SHRI SRIKANTA JENA: This point was raised while the hon. Minister was replying about PMO's involvement. So, unless it is contradicted by somebody responsible, by any Minister or by Prime Minister, we will confirm that PMO is involved in this matter. So, let the Prime Minister say that they are not involved.

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI RAJESH PILOT): Mr. Speaker, The hon. Prime Minister gave a statement in this House when it was decided that is Government would not spare anyone, no matter how high post he may be holding in the Government. The Prime Minister has stated in clear terms and asserted again that if Shri Madhavan or anyone else, would give the name of some person involved in the scam he would not be spared. This is the commitment of our Government... (Interruptions)

First listen to me just a minute. Advani has submitted two points here that Government has pointed towards it... (Interruptions)

Just listen to me for two minutes. You have submitted almost everything. I would like to reply all these points. Shri Advani and Shri Vishwanath Pratap Singh have raised one question each but both the members have raised separate issues. Advaniji said that it is apprehended that Government has asked Shri Madhavan to resign. Government never pressurised anybody to resign whether it was Advani ji or Madhavan. The Government is ready to give a reply in this connection. Government would heither allow any such action to be taken nor it has ever allowed any such action to be taken. The Prime Minister has made such statements in the House and in Public also that Government is ready to take action against the people found guilty.

Secondly, Shri Vishwanath Ji has submitted that Shri Madhavan has been relieved from his duties, but Shri Madhwan has tendered his resignation and it is clear from the statement made by the Minister of Personnel Affairs. It is clear from the statement that Shri Madhwan is free to State anything in the interests of the country and Government would react to it and punish the guilty. Shri Madhwan should take initiative. Just to submit that you yourself are involved. Our

Government is not so weak as not to take any action. you may blame us. If our government does not take any action. But Madhwan ji should at least react. They should tell either a Minister or some other person told him or pressurised him to take such a action. But to blame the Government after the statement of the Prime Minister to the effect that nobody would be spared, is not correct. If anyone is found involved in the matter, he would not be spared. Even our Finance Minister Dr. Manmohan Singh has made statement in this regard. It will not be good in a democracy to go on blaming the government inspite of all these actions taken.

JPC would be constituted. Government has got the powers to constitute. JPC if there is a need of any enquiry or any hon. Member got any information regarding any person then he can seek the help of the Government. if the Government backs up, then it should be held responsible. But if you go on making allegation's without providing any concrete information it will not be good for democracy in the country... (Interruption)

SHRI VISHWANATH PARTAP SINGH: Pilot ji, I have submitted a very specific points, I have not used the word 'Government'. I have not made a general statement I have talked about a high official of P.M. Office. This is my information. O.K. If it is wrong all right. His name is*...

MR. SPEAKER: No, No please... (Interruptions)

SHRI VISHWANATH PRATAP SINGH: You have asked for information. So I am providing the information. (Interruptions) Sir he has asked for information that is why I am on my legs. I am only asking a question and not making allegations... (Interruptions)

[English]

MR. SPEAKER: You do not understand the implications.

(Interruptions)

[*Translation*]

SHRIVISHWANATHPRATAP SINGH:
He should deny the allegation, I would be satisfied.

[*English*]

MR. SPEAKER: You please sit down. I do not think it is correct. I understand it. You have not said it. But I think the name should not go. you have given the indication...(Interruptions)

SHRI CHANDRA SHEKHAR (Balija):
Mr. Speaker, why should the name not go on record?

MR. SPEAKER: If you want, I will quote the ruling.

SHRI CHANDRA SHEKHAR: Before your quote the ruling, let me know one thing. How is it that when continuously for one fortnight things are being said about Ministers and officers, the Prime Minister has not come to make a statement? Do not quote the ruling.

MR. SPEAKER: Shri Chandra Shekhar, it is not like that.

SHRI CHADRA SHEKHAR: Mr. Speaker, the other side is telling, "Give the name". Shri Vishwanath Pratap Singh did not volunteer himself. you did not stop this side that they should not ask for the name. There should be somebody in the Government to say that if this allegation or the suggestion of Shri Vishwanath Pratap Singh is correct, that officer will go tomorrow.

MR. SPEAKER: No, no. Please.

(*Interruptions*)

SHRIVISHWANATHPRATAP SINGH:
I am not making any allegation against any officer. What has come out is this information. I want it to be corrected. if my information is wrong, you can correct it. That is all I wanted. (*Interruptions*)

AN HON. MEMBER: Unless and until he is hundred percent sure about what he is saying in the House, he should not say so...(Interruptions)

SHRIVISHWANATHPRATAP SINGH:
This bullying about will not go on.

I will not allow it. This cannot go on like this. (*Interruptions*)

MR. SPEAKER: Please sit down. now.

(*Interruptions*)

SHRIVISHWANATHPRATAP SINGH:
In a more seasoned way try to put the question.

MR. SPEAKER: Shri Viswanath Pratap Singh, please sit down. I would not blame the leader of the Janata Dal, Shri Shri Vishwanath Pratap Singh for having mentioned the name, because he was not mentioning the name. Somebody said, "Mention the name" and he responded. Now, as far as the rule is concerned — please listen — he had given enough indication. The ruler is that the reference to the Government officials by name is not done. I am reading rule 352. I would not allow any other Members of the House also to go on record. I am just following it. Now you please continue.

(*Interruptions*)

MR. SPEAKER: Shri Kalp Nath Rai, if it is absolutely necessary you speak.

(*Interruptions*)

MR. SPEAKER: If it is absolutely necessary, you may speak. Otherwise you can leave it.

(*Interruptions*)

[*Translation*]

THE MINISTER OF STATE IN THE
MINISTRY OF POWER (SHRI KALP NATH
RAI): Mr. Speaker, Sir, during the discussion

hon. George Fernandes said that Power Finance Corporation is also involved in bank Scam. I would like to inform the House that.

[English]

MR. SPEAKER: I will request the hon. Minister to study the point and make a statement. Please do not take it on yourself. Off hand, do not say anything.

(Interruptions)

MR. SPEAKER: Please do not take it on yourself.

(Interruptions)

MR. SPEAKER: We are not interested in getting ourselves into a difficult situations.

(Interruptions)

MR. SPEAKER: I will allow Kalp Nathji to make the statement after he studies it, not off-hand.

SHRI LAL K. ADVANI (GANDHI NAGAR): Mr. Speaker, Sir, the Minister of State in the Ministry of Personnel, Public Grievances and pensions has made a very brief statement. The misgivings, apprehensions, doubts expressed from this side have not been addressed at all. The first part refers to a letter written by Shri Madhavan way back in March, 1992 and which is totally irrelevant in the context of the apprehensions we have expressed. I do not know why that was mentioned. So far as the latter part is concerned, I would like to know what is the considered response of the Government to this letter that has been submitted by Shri Madhavan on the 20th July. What is the Government's response because you would notice that in this House as well as outside this particular official has built up a measure of credibility and the Government has awarded him this year on the 26th January? Therefore, government's response is crucial in this matter. Do you want to take advantage of his feeling of disgust at the moment? A name has been mentioned. P. Ms Office has

been accused and it will not say merely in the general way in which Shri Rajesh Pilot has said that from the Government side we would like all the accused to be unearthed. This is not sufficient. We would like to understand what precisely has prompted or forced or impelled Shri Madhavan to seek pre-mature retirement. Here, he has, as is usual in these cases, sent in his papers for retirement because it is according to the rules. It is upto the Government to allow him to retire or not. It is not his right. He has a right to resign. But, he has no right to retire prematurely. Therefore, in all propriety he has refused to say anything apart from saying that for personal reasons; I want to go into the law practice. But the truth, as is known to very many people, is not confined to Shri Madhavan only. It is known to very many people who even before 20th July were telling me that this kind of pressure is acting upon him and he may be forced to quit. Therefore, what you have said is totally insufficient, it is inadequate to remove all the misgivings that have been expressed in this House and in all the newspapers of the country. I may mention that not a single newspaper has given credit to the Government that it is something personal, it has nothing to do with the scam business. You are trying to hush up the biggest scandle of history and the nation is not going to permit you.

SHRIMATI MARGARET ALVA: Sir, I want to say only one thing. None of us is trying to hush up anything. We have been very categorical about it... (Interruptions).

Secondly, I want to say that we received this letter on the 20th July. It has not been accepted. In fact, there have been two meetings by the Director, CBI with Shri Madhavan asking him what really are his reasons, why is he going and whether it is not possible for him to stay on. We have talked to him. We have not accepted it. The fact is that it is only ten days now and we have not accepted it... (Interruptions) The point is that he has given three months' notice. There is time till the end of October for him to make up his mind. We have not accepted it and it is

still pending with the Government. (*Interruptions*).

SHRI SOMNATH CHATTERJEE: If he has to wait till October for getting the Government's reaction, how then can he function properly?

[*Translation*]

SHRI GEORGE FERNANDES (Muzaffarpur): What was the reason yesterday which compelled you to make that letter public. Why did you leak it out yesterday? What is your intention behind the act?...(*Interruptions*)

[*English*]

SHRI SOMNATH CHATTERJEE: I have asked a very specific question. Does the Government find his functioning proper? Has his investigation been useful to the Government in unearthing the scandle. I would like to know if that is the view of the Government then they must try to see that he continues. There is no reply to that.

SHRIMATI MARGAET ALVA: Sir, I am not here to give an individual certificate to any individual officer in Parliament...(*Interruptions*)

[*Translation*]

SHRI GEORGE FERNANDES: We want an answer not a certificate. Why did you leak it to the Press?...(*Interruptions*)

SHRI MADAN LAL KHURANA (South Delhi): Why did you leak this letter to the Press...(*Interruptions*)

MR. SPEAKER: Hon. Members have tried to present this point in a good and attractive manner. We will discuss this matter also. It will also provide guidance to the Joint Committee which will be formed later. It is 1 O'Clock now. The Private Members' business is to be taken up at 3.30 p.m. Please let it not happen that it is not taken up. Please do not prolong it unnecessarily. If something is wrong people will come to

know. This also your intention. If discussion takes place keeping these it will be things in mind it will be meaningful and helpful.

SHRI RAM KAPSE (Thane): Mr. Speaker, Sir, Madhavan's resignation and discussion on Bank Scam are separate issues. The Prime Minister himself should make the statement. I do not agree at all with Shri Pilot's statement. His presence is must.

SHRI HARI KISHORE SINGH (Sheohar): In the meeting of the consultative Committee of the Finance Ministry hon. Manmohan Singhji had declared that no Minister was involved in the scam. Minister of Commerce resigned after that. The prime Minister wrote a letter...(*Interruptions*) If the Government thinks itself to be so honest, why does it not ask Shri Madhavan? (*Interruptions*)

SHRI NITISH KUMAR: Not only Shri Madhavan is under pressure but also all the members in this House...(*Interruptions*)

[*English*]

SHRI LAL K. ADVANI: Mr. Speaker, Sir, I am grateful to the Minister for enlightening the House about some aspects of the situation. One is that the government has not accepted Madhavan's request for premature retirement. Second is that the Director of the CBI has had two meetings with him, trying to ask him what exactly has prompted him to put in his papers. I am sure, the Government is now in the full know of things and it is not this public version of it that he wants to go in for law practice. he has misgivings about the scam, about the investigation. I do not want to invoke precisely what he told the Director. I can understand the confidences that have to be maintained. But in a situation of this kind, a broad indication to this House would be quite in order, of the Government's information as to why he wants to quit. The CBI Director knows. He has had two meetings - it is not just one meeting, you have said two meetings. Even after that, the Government has not yet accepted his request. What has transpired in these two

meetings? Could the Government inform the House of the gist of these talks? (*Interruptions*)

[*Translation*]

MR. SPEAKER: He does not know all the things. He has also to collect information from others in this regard.

(*Interruptions*)

[*English*]

SHRI NITISH KUMAR: Sir, please rescue the lady Minister. She is under pressure from two male Parliamentary Affairs Ministers..(*Interruptions*)

MR. SPEAKER: It is not a good remark against some person.

(*Interruptions*)

SHRI SAIFUDDIN CHOUDHURY (Katwa): Sir, it has been referred that something had happened in the P.M.O. Some Officer in the P.M.O. has tried to say something to Shri Madhavan. Now, how do we know what happened at the P.M.O.? What is this P.M.O. an unconstitutional and unparliamentary authority? How to know it unless the Prime Minister comes here to give details. how can Shrimati Margaret Alva clarify on it? (*Interruptions*)

MR. SPEAKER: Do you think that we need so much of repetition to understand that point? That has been made clear by many others.

SHRI SAIFUDDIN CHOUDHURY: If that be the case, I stop at this point (*Interruptions*)

SHRI HANAN MOLLAH (Uluberia): Sir, why is it that the reply is not coming? What is the intention behind it? (*Interruptions*)

MR. SPEAKER: Let us take up the business listed in the agenda. Secretary General to report a message from Rajya Sabha.

12.52 hrs.

MESSAGE FROM RAJYA SABHA

[*English*]

SECRETARY GENERAL: Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:-

"In accordance with the provisions of rule 115 of the rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 29th July, 1992, agreed to the following amendments made by the Lok Sabha at its sitting held on the 21st July, 1992, in the India Ports (Amendment) Bill, 1991:-

ENACTING FOMULA

1. That at page 1, line 1,-
for "Forty-second" substitute-
"Forty-third".
2. That at page 1, line 4,-
for "1991" substitute "1992".

12.53 hrs.

RE. PREMATURE RETIREMENT
SOUGHT BY SHRI MADHAVAN JOINT
DIRECTOR, CBI, INVESTIGATING
SECURITY SCAM

(*Interruptions*)

[*Translation*]

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Speaker, Sir, what is going on? Will the Prime Minister come and tell something or the matter is over only with this discussion. I am asking it so that you may not say tomorrow that I am raising this matter again and again.