

Title: Statement regarding Priyadarshini Matoo's case.

12.04 hrs.

THE MINISTER OF STATE OF THE MINISTRY OF SMALL SCALE INDUSTRIES, AGRO AND RURAL INDUSTRIES, MINISTER OF STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING, DEPARTMENT OF PENSIONS AND PENSIONERS WELFARE OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE DEPARTMENTS OF ATOMIC ENERGY AND SPACE (SHRIMATI VASUNDHARA RAJE): Mr. Speaker, Sir, that a young girl, just 25, should have been killed, is a matter of the greatest anguish.

That she should have been from a community which has already been put to such enormous suffering, compounds the anguish... (Interruptions)

MR. SPEAKER: Hon. Members, please take your seats. Supplementary List of Business has already been circulated.

... (Interruptions)

SHRIMATI VASUNDHARA RAJE: That a person should have been harassing her for months so much so that a case had been registered to the effect, and a guard provided to her, and that it should have still been possible to murder her, adds outrage to anguish... (Interruptions)

That the learned Judge should have felt compelled to pass strong strictures on the quality of investigation as well as prosecution is a matter of grave concern... (Interruptions)

For all these reasons, I entirely share the sentiments which have been expressed on the floor of this august House. When an innocent person is punished, that is a miscarriage of justice. It is equally a miscarriage of justice when one who is guilty escapes the law... (Interruptions)

MR. SPEAKER: Hon. Members, take your seats. Please understand that this is only a supplementary business, and it has already been circulated.

... (Interruptions)

SHRIMATI VASUNDHARA RAJE : Mr. Speaker, Sir, permit me to acquaint the House with the sequence of events, and with the steps that Government is taking in the matter.

MR. SPEAKER: Shri Madhavrao Scindia, you have been raising the issue again and again. I am very sorry. Please understand that Supplementary Business is continuing now in the House.

... (Interruptions)

MR. SPEAKER: Whatever Shri Madhavrao Scindia is saying will not form part of the record.

(Interruptions) *

SHRIMATI VASUNDHARA RAJE: Ms. Priyadarshini Matto was a student of the Campus Law Centre, Delhi University. It is on record that from early 1995 she was being persistently harassed by an ex-student of the Centre, Satosh Kumar Singh. A case was registered in the Maurice Nagar Police Station under Section 354 IPC (outraging the modesty of a woman) on 6-11-1995. The Delhi Police had given her a Personal Security Officer.

Ms. Priyadarshini was found dead in the afternoon of 23-1-1996 at her residence in Vasant Kunj. She was alone in the house at the time. The Delhi Police registered a case on that day under Section 302 (homicide) of the IPC. The post-mortem was done at the Safdarjung Hospital on the afternoon of 25-1-1966. The case was transferred to the CBI the same evening.

On the basis of the facts emerging from their investigation, the CBI laid a charge sheet against Santosh Kumar Singh on 11-4-1996 before the Metropolitan Magistrate, New Delhi under Sections 302 (murder) and 376 (rape) of the IPC.

The House will note that the investigation was conducted and completed between January and April, 1996. In particular, the request for DNA sampling was sent to the Centre for Cellular and Molecular Biology, Hyderabad on 31st January, 1996 and the result of the test was received on 20-3-1996.

The Additional Sessions Judge, Delhi framed charges against the accused on 17-7-1997. The trial commenced on 11-8-1997. Arguments were concluded on 18-4-1998.

Following the transfer of the case from the Court of Shri S. C. Mittal, Additional Sessions Judge the case was assigned to Shri G. P. Thareja on 22-4-1998.

After hearing a few Court Witnesses and fresh arguments from the prosecution and defence, Shri Thareja delivered his judgment on 3-12-1999. He acquitted the accused of rape and gave the benefit of doubt in respect of the murder charge.

While doing so, the learned Judge has expressed strong reservations about the adequacy of the investigation. That a court should feel compelled to express such reservations is by itself a matter of grave concern for the Government. Reports which have appeared subsequently in the press have compounded that concern.

Accordingly, three steps are being taken.

I have been informed by the CBI Director, and he has said so in public, that after carefully studying the judgment and consulting legal officers, including the Special Counsel who had been appointed for the case, he has come to the conclusion that there are sufficient grounds to appeal against the acquittal of the accused. I understand that an appeal against the judgment will accordingly be filed in the Delhi High Court at the earliest possible.

That is the route the law prescribes. As the House knows, there is a constitutional bar against a person being tried twice for the same charge. The authority to review the judgment which has been delivered lies with the appellate Court. While doing so, the Court can also ask for aspects of the event being investigated again.

Second, the CBI Director has already commenced an inquiry to determine whether there were lapses in the investigation - in particular, whether any attempt was made by anyone to shield the accused. I would like to assure the House that if any lapses have occurred, then action will be taken against those responsible for such lapses.

These two steps concern the case at hand. They are imperative. They are being taken forthwith. ... (Interruptions) But naturally the concern of the House - as well as of the Government - goes beyond this terrible and tragic death. We have to take steps to ensure that there are no occasions in the future for any of us - much less the Courts - to be struck by apprehensions of this sort. ... (Interruptions) The Government has, accordingly, advised the Director, CBI, that he must strengthen the investigating and prosecution abilities of his organization.

In a word, Mr. Speaker, Sir, the Government entirely shares the concern that hon. Members have expressed; corrective steps have been set in motion; and an appeal will soon be filed against the judgement. ... (Interruptions) I am certain that all of us will - and should - await the judgement of the Delhi High Court on that appeal. Thank you. ... (Interruptions)

MR. SPEAKER: Shri Madhavrao Scindia, please sit down.

... (Interruptions)

SHRI CHANDRA SHEKHAR (BALIA, U.P.): Mr. Speaker, Sir, I am sorry to intervene in such an atmosphere. But if Mr. Speaker may excuse my saying so, there is a method to introduce the Supplementary Agenda in the business of Parliament. Why was such a matter which could have been hardly controversial introduced in a peculiar way? In the midst of all this noise, the hon. Minister has read out the statement, which perhaps nobody has heard.

The same thing happened when hon. Member Shri Vaghela asked a question. That was a very relevant question. I do not question your discretion but you passed on to the next question without asking the Minister to give answer to that question.

I am sorry. I am intervening today only because this is not bringing a good name and grace to this institution because it is being watched all over the country and also by the people outside. What has the Government gained by making this statement on such an issue in such a manner? Mr. Speaker, will you please take care that this type of Supplementary List of Business is not pushed through the House in this manner? ... (Interruptions)

MR. SPEAKER: Hon. Members, please take your seats.

... (Interruptions)

SHRI MADHAVRAO SCINDIA (GUNA): Sir, have you not heard what Shri Chandra Shekhar said?

MR. SPEAKER: The Supplementary List of Business was already circulated to hon. Members. I had called the Minister to make the statement only after that.

... (Interruptions)

SHRI MADHAVRAO SCINDIA : Sir, can I raise a point? ... (Interruptions)

MR. SPEAKER: The House will now take up "Zero Hour" matters.

SHRI MADHAVRAO SCINDIA : Yesterday, the Chief Minister of Uttar Pradesh has made some obnoxious and controversial statements.

MR. SPEAKER: You had asked about the rules. If you see direction 2 of Directions by the Speaker, Lok Sabha, it is there after "Presentation of Petitions".

... (Interruptions)

MR. SPEAKER: Direction 2 gives the relative precedence of the classes of business before the House. As per direction 2, you can see that immediately after "Presentation of Petitions", "Statements by Ministers" can be taken up. Please understand that.

... (Interruptions)
