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Title : The Minister of Home Affairs made a statement regarding the findings of enquiry into veracity of Zee News telecast dated 13.08.2006 on Shri Manikrao Hodlya Gavit, Minister of State in the Ministry of Home Affairs.

THE MINISTER OF HOME AFFAIRS (SHRI SHIVRAJ V. PATIL): Sir, on 13.8.2006 Zee T.V. Channel, by using an audio tape, alleged that Shri Gavit, the Minister of State, Home Affairs, had conversation with a criminal in Bulandshahar jail. The allegation was repeated for hours in the days.

Shri Gavit, made a statement in the Lok Sabha and also in the Rajya Sabha, asserting in essence that, he had not at any time, spoken to any criminal in Bulandshahar jail, and that, the voice on the tape played by the Zee T.V. Channel, was not that of his, and that, what was shown or heard, on the said T.V. Channel, was baseless, false and fabricated, and that he did not know the person to whom it was alleged that he had spoken.

He stated that he was willing to subject himself in any manner to any inquiry by anybody or by a committee of the Parliament to ascertain the truth in the matter, and that he would refrain from discharging his executive or legislative functions, until, report of the inquiry was given to the House, and he would not join his duties unless he was acquitted. He also had stated that, he was willing to

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\* Placed in Library See No. LT 4899/2006

accept any punishment, if any iota of evidence was found to fix the guilt on him, and was willing to renounce his political life, if he was found guilty. He had requested that the inquiry should be conducted in an expeditious manner avoiding unnecessary delays.

It appears that in a meeting of representatives of Parliamentary Parties, it was decided that the matter should be inquired into by the Government, and the report could be given by it to the House. A letter indicating this in essence was sent to the hon. Prime Minister by the hon. Speaker. The letter requested that the report should be given expeditiously and possibly by 25<sup>th</sup> of August, 2006.

In pursuance of the said letter, the CBI was asked to inquire into the matter and give the report expeditiously, and before the Parliament was adjourned *sine die* on 25<sup>th</sup> August, 2006.

The CBI collected the tapes from the Zee T.V. and recorded the statements of the relevant persons and collected the voice of Shri Gavit on the tape in the presence of independent witnesses and experts of CFSL.

The relevant tapes were sent to the Central Forensic Science Laboratory (CFSL) at New Delhi to compare the voices on the tapes to find out if they tallied and to give a report, if they were of one and the same persons or different persons. The voices of the tapes were examined on audio spectrography by the experts who have opined that they do not tally and are not of the same person. The report is authenticated and laid on the Table of the House. ...(*Interruptions*) I am laying it on the Table of the House. ...(*Interruptions*)

MR. SPEAKER: On this matter, I am thankful to the hon. Leaders of this House. ...(*Interruptions*)

SHRI L.K. ADVANI (GANDHINAGAR): Sir, this is a very serious matter. In fact, many of us who first saw the report on the television and then heard the hon. Minister in the House felt extremely sad that a person, who does not seem to have anything to do with the matter, should have been maligned in this manner. ...(*Interruptions*) This was the feeling of many of us like me. ...(*Interruptions*)

Yes, it is of the whole House. Even despite that, if an inquiry was suggested and agreed upon, it was because it had been said on that television channel that this is not a private sting operation. This is a part of an official surveillance carried out and which has been given to us.

The hon. Minister of Home Affairs statement today does not deal with that part at all, simply that the voice of the hon. Minister does not tally with it. Therefore, he is innocent. This was evident almost on that very day and many of us have said it in this House and in that House. But even despite that if an inquiry was ordered, the inquiry's objective was to pinpoint how did

this happen.â€ (Interruptions[R2])

MR. SPEAKER: Leader of the Opposition, that is what I am going to direct the Government to do. That was really what we decided in the Leaders' Meeting that first this aspect be determined and then the other thing is inquiry.

SHRI L.K. ADVANI: How was it said that it was an official surveillance? It was not a private sting operation. This was said officially. It was not denied by anyone.

SHRI SHIVRAJ V. PATIL: Sir, may I respond to that?

MR. SPEAKER: I will just make one sentence. I believe the entire House agrees that we should invite Shri Gavit back to the House. He is an hon. Member and Minister who has been exonerated. He should participate in the proceedings. We deeply appreciate the stand taken by him that he would not participate in the proceedings unless he has been acquitted. He has been honourably acquitted. I am sure, you will be benefited by his appearance. My intention is to say that the other aspect which is equally important should be investigated.

Mr. Minister, do you wish to respond?

SHRI SHIVRAJ V. PATIL: Yes.

SHRI L.K. ADVANI: Sir, in fact, on that very day, when I spoke, I said that in this case, *prima facie* what appeared is that something has happened which should not have happened. Who has done it? We do not know that. Therefore, I said that just as in many other democracies of the world where there are laws dealing with sting operation, why cannot we in India also think of something like that. Otherwise, this kind of a thing would not be tackled.

MR. SPEAKER: You said that on that occasion.

SHRI L.K. ADVANI: I said that on that day.

MR. SPEAKER: Yes, you did say that.

SHRI SHIVRAJ V. PATIL: The most important point for us to decide was to see whether that voice tallied with the voice which was shown to be that of Shri Gavit on the television. Shri Gavit had said very specifically that he would not come to the House nor would he go to the Ministry to discharge his duties unless he is given the report of the Committee acquitting him. That was most important. We have completed this. Fortunately, for us, it was possible with the modern technology which is available with the Forensic Laboratory. It was possible. There are other steps which have to be taken.

The second step is who has actually spoken or whether the person in the jail is spoken to or not. That has to be established. We are on that.

The third thing which has to be established is: how could a person in the jail have a telephone? How could he be contacted on a telephone in the jail? If he was having a telephone and he was contacted, how could he have it? That is also to be looked into.

The fourth thing, which is rightly suggested by the hon. Leader of the Opposition here, is that such matters have to be inquired into. We shall have to take some corrective steps by having appropriate laws for this purpose which we are going to do. This matter is continuing. But, at this stage, we do not want to wait until everything has been done and the report is given. We do not want Shri Gavit outside.

We are looking into all these things, these details. It will take a little more time. We will definitely come before the House with the report.

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