

Title : Regarding alleged tapping of telephones belonging to senior political leaders.

**श्री दया सिंह चौहान (घोसी):** यह मौलिक अधिकारों का हनन है,...(व्यवधान)

MADAM SPEAKER: Hon. Minister is saying something.

**श्री यशवंत सिन्हा (हजारीबाग):** महोदया, मंत्री जी बोलें, लेकिन...(व्यवधान)

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): Hon. Speaker, I have heard what they are saying. I also have the copies of the notices with me. Immediately after the Question Hour, the hon. Home Minister will make a statement on this issue. ...(Interruptions) I repeat, immediately after the Question Hour the hon. Home Minister will make a statement. ...(Interruptions)

**अध्यक्ष महोदया :** कृपया आप लोग बैठ जाइए।

वेद!(व्यवधान)

**श्री दया सिंह चौहान :** यह मामूली घटना नहीं है,...(व्यवधान)

**अध्यक्ष महोदया :** आप जरा बैठ जाइए। मेरी बात सुन लीजिए। मैं प्रयास कर रही हूँ। जरा सा सुन लीजिए।

वेद!(व्यवधान)

**अध्यक्ष महोदया :** एक मिनट बैठ जाइए। आप लोग बैठ जाइए।

मेरे पास नोटिस आया है वक्शन आवर को सस्पेंड करने और एडजर्नमेंट मोशन का दोनों की मैं अनुमति नहीं दे रही हूँ, लेकिन...(व्यवधान) मैं बता रही हूँ, मेरी बात सुन लीजिए।

वेद!(व्यवधान)

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

...(Interruptions)

**श्री लालू प्रसाद (सारण):** आप हमारी भी बात सुन लीजिए।...(व्यवधान)

**अध्यक्ष महोदया :** जैसा अभी मंत्री जी ने कहा है, या तो प्रश्नकाल के बाद...(व्यवधान) एक मिनट सुनिए।

आप सभी इस बात को कह लीजिएगा, बाद में कह लीजिएगा, जीरो आवर में कह लीजिएगा। शून्य प्रहर में माननीय एल.के. आडवाणी जी से शुरू करेंगे।

वेद!(व्यवधान)

**श्री पवन कुमार बंसल :** मैडम, यह तरीका सही नहीं है,...(व्यवधान)

**अध्यक्ष महोदया :** हमारा प्रयास है।

वेद!(व्यवधान)

**अध्यक्ष महोदया :** आपसे मेरा अनुरोध है कि प्रश्नकाल के तुरंत बाद आडवाणी जी बोलेंगे।

वेद!(व्यवधान)

SHRI PAWAN KUMAR BANSAL: We have the highest regards for Shri L.K. Advani. But I have submitted that immediately after the Question Hour, the hon. Minister will make a statement. That is what I said. ...(Interruptions) What is this? ...(Interruptions)

**अध्यक्ष महोदया :** आप लोग बैठ जाइए।

वेद!(व्यवधान)

**श्री पवन कुमार बंसल :** मैडम, ये लोग अपनी बात कह देते हैं, उसके बाद भी हाउस नहीं चलने देते हैं। Everyday that is happening. ...(Interruptions)

**अध्यक्ष महोदया :** आप लोग बैठ जाइए।

â€¦(व्यवधान)

**श्री पवन कुमार बंसल :** हाउस के बाहर कह रहे हैं कि हाउस नहीं चलने देंगे, तो फिर यहां क्या कहना चाहते हैं। ... (व्यवधान) बाहर बोलते हैं कि हाउस चलने नहीं देंगे। ... (व्यवधान)

**अध्यक्ष महोदय :** आप लोग बैठ जाइए।

â€¦(व्यवधान)

**11.04 hrs.**

*At this stage, Shri Shailendra Kumar came and stood on the floor near the Table*

**अध्यक्ष महोदय :** आप वेल में क्यों चले आते हैं। हर समय वेल में क्यों चले आते हैं?

â€¦(व्यवधान)

**अध्यक्ष महोदय :** आप जाइए। आप अपनी सीट से बात कीजिए।

â€¦(व्यवधान)

**अध्यक्ष महोदय :** आप वहां जाइए। आप बैठ जाइए।

â€¦(व्यवधान)

**11.05 hrs.**

*At this stage, Shri Shailendra Kumar went back to his seat.*

**अध्यक्ष महोदय :** आप अपनी सीट पर बैठिए।

श्री लालकृष्ण आडवाणी जी।

**श्री लाल कृष्ण आडवाणी (गांधीनगर):** अध्यक्ष महोदय, मैं आपका बहुत आभारी हूँ कि आपने मुझे अभी बोलने का अवसर दिया। इसका एक और कारण भी है और मैं माननीय मंत्रीजी को बता देना चाहता हूँ कि 12 बजे राष्ट्रपति भवन का पोस्टेज रितीज का कार्यक्रम है, मैं उसमें विशेष अतिथि हूँ इस कारण मैं उस समय नहीं होऊंगा। हमने इसलिए अनुमति मांगी थी कि अभी समय मिल जाए तो मुझे जो कुछ कहना है मैं कहुंगा। आईपीएल घोटाले की बात तो बहुत हुई... (व्यवधान)

**श्री लालू प्रसाद :** बात नहीं हुई है, अभी शुरुआत है। ... (व्यवधान)

**श्री लाल कृष्ण आडवाणी :** मैं मानता हूँ कि उसी संदर्भ में एक और समस्या पैदा हुई है जो इस देश के लिए बहुत गंभीर है। ... (व्यवधान)

**श्री मुलायम सिंह यादव (मैनपुरी):** माननीय आडवाणी जी, आईपीएल गंभीर इसलिए है कि इसमें कौन-कौन हैं, बड़ी लंबी लाइन है। ... (व्यवधान)

**अध्यक्ष महोदय :** आप उन्हें बोल लेने दीजिए।

â€¦(व्यवधान)

**श्री लाल कृष्ण आडवाणी :** हमारी बहुत बड़ी ताकत लोकतंत्र है। मैं कभी भूल नहीं सकूंगा कि इस देश में 19 महीने ऐसे बीते जिसमें लोकतंत्र सर्पेंडिड था, देश के दो पूर्व प्रधानमंत्री श्री अटल बिहारी वाजपेयी और श्री चन्द्रशेखर जेल के भीतर थे। ... (व्यवधान) मैं प्रधानमंत्रियों की बात कह रहा हूँ। आप भी थे और हजारों लाखों लोग थे। वह काल ऐसा था जब फोन टैपिंग बहुत बड़ा अपराध नहीं माना जाता था, यह

रोज होता है, ऐसी कोई बात नहीं। जब 1975 के 20 साल पूरे हुए तो 25 जून को अटल बिहारी वाजपेयी जी ने प्रेस कॉन्फ्रेंस करके कहा -

"I have known for a long time, that my phone as well as that of my party colleague Advani have been under surveillance. But lately I have gathered that the telephones of many other senior leaders like Chaudhary Charan Singh, Jagjivan Ram and Chandra Shekhar and journalists like G.K. Reddy, Arun Shourie, Kuldeep Nayar and G.S. Chawla also are being regularly tapped. But what has really left me flabbergasted is that the Intelligence Bureau has had the temerity to tap the telephones of the President and the Chief Justice also. All this is not only politically immoral but unconstitutional and illegal also."

This is a statement made by Shri Atal Bihari Vajpayee in a Press Conference on the 25<sup>th</sup> June, 1995, 20 years after the Emergency. Now, suddenly, we discover this....(*Interruptions*)

The *Outlook* has come out with a full story saying that the telephones of a Junior Minister, telephones of a Chief Minister, telephones of a Congress Office-Bearer and the telephones of the CPI (M) Leader Shri Prakash Karat have also been tapped. Here is this *Outlook* story. I am not going to quote the whole thing. I feel that this is something which is extremely serious. On this, no one else but we would like to hear the Prime Minister....(*Interruptions*)

This House will not be satisfied until the Prime Minister comes to the House and give the explanation on this. This is my appeal to you, Madam. I feel that you also should help the Parliament in insisting upon the authority of Parliament and seeing that the Executive responds....(*Interruptions*) I am not going to quote what the Supreme Court has said.

The Supreme Court also had given a judgement in this regard as to what is the authority given by the Indian Telegraphs Act to the Executive as to what it can do and what it cannot do. I feel satisfied that when the NDA Government was there, it laid down very clear guidelines as to what can be done and what cannot be done.

I feel what has been done now is a clear violation of the Supreme Court's directives which have been now incorporated in the law also. The Supreme Court clarified it very clearly. I quote:

"Section 5 (2) of the Indian Telegraph Act does not confer unguided and unbridled power on the investigating agencies to invade a person's privacy. Telephone tapping is only permitted in two circumstances, on the occurrence of a public emergency in the interest of public safety and that too if it is in the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, preventing incitement to the commission of an offence. Otherwise, the Central or State Government cannot resort to arbitrary phone tapping."

This is what the Supreme Court had said. Having said that, what is being done now is a total violation of the Supreme Court's judgement and, therefore, nothing short of a clear statement by the Prime Minister that this will not be done is required. Not only that. I would plead with you and, through you, to the Government that let there be a new law in this regard which completely eliminates all the possibilities of abuse of the Government's executive authority in this regard.

Democracy has to be defended. We must ensure that there is no such emergency once again in the country. We will not suffer it and, therefore, nothing short of a categorical statement by the Prime Minister in this regard will satisfy the House.

MADAM SPEAKER: Thank you very much. I will allow rest of the matters to be raised in the 'Zero Hour'. बाकी आप जीरो ऑवर में उठाइयेगा, अब आप पूंज काल चलने दीजिए।

â€¦(व्यवधान)

अध्यक्ष महोदया : ऐसे तो पूंज काल नहीं चलेगा। 12 बजे सब लोगों को बोलने का मौका मिलेगा। आप 12 बजे यह मुद्दा उठा लीजियेगा। मुरली मनोहर जी, आप बैठ जाइये। आप क्यों खड़े हैं, आपकी बात तो हो गई।

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): Madam, what I am going to say has the reference of what hon. Member, Shri L.K. Advani, demanded in the morning. Shri Advani demanded in the morning that a statement should come....(*Interruptions*) Madam, please ask them to listen to me for one minute, I am responding to their Leader. Shri L.K. Advani demanded that the Prime Minister should make a statement on the telephone tapping.

I checked up the matter from the Prime Minister. The Prime Minister is ready to make the statement at 3.30 p.m. Because the President of Afghanistan is having a meeting with him...*(Interruptions)* Please listen for a minute.

President of Afghanistan is having a meeting with him. As soon as that meeting, followed by lunch, is over, the Prime Minister will make a statement on the floor of the House. If the hon. Member agrees to it, we have no problem. Otherwise, if the hon. Member wants, immediately after this, the Home Minister will be in a position to make the statement...*(Interruptions)* I will request the Home Minister to make the statement because the issue will be clarified as soon as he makes the statement. â€¦*(Interruptions)*

MADAM SPEAKER: The Home Minister is making a statement.

...*(Interruptions)*

MADAM SPEAKER: Let the Home Minister make a statement.

...*(Interruptions)*

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): National Technical Research Organisation (NTR) is a technical organization of the Government, and I make the statement on behalf of the Government. ...*(Interruptions)*

A Group of Ministers had recommended for such an organization be set up. The Organisation was notified on April 15, 2004. ...*(Interruptions)* Government have seen the allegations against the NTR contained in the story in *Outlook* magazine of May 3, 2010. I wish to state categorically that no telephone tapping or eavesdropping on political leaders was authorized by the previous UPA Government. Nor has the present UPA Government authorized any such activity. ...*(Interruptions)*

After the issue of the magazine was available late Friday, April 23, 2010, the allegations in the story were thoroughly enquired into. Nothing has been found in the records of the NTR or elsewhere to substantiate the allegations. ...*(Interruptions)*

Our intelligence agencies function within the law. They are fully accountable to the Government. Under the Telegraphs Act and the Information Technology Act, each case of monitoring of telephone or electronic communications has to be approved by the Union Home Secretary personally and is subject to review by an Oversight Committee chaired by the Cabinet Secretary. ...*(Interruptions)* Such monitoring as may be necessary to fight crime, for national security, or for our counter-terrorism effort, is subject to multiple checks and oversight. ...*(Interruptions)* Both this Government and the previous UPA Government have respected and upheld the laws of the land. We are committed to defending the rights of every Indian citizen including the right to privacy and will uphold the rights of the individual citizen enshrined in the Constitution of India. ...*(Interruptions)*

Further enquiries are being made into the allegations in the magazine. ...*(Interruptions)* If any evidence is forthcoming or discovered, the matter will be thoroughly investigated by the appropriate agencies. ...*(Interruptions)*

अध्यक्ष महोदया : Now 'Zero Hour'. श्री शरद यादव।

â€¦*(व्यवधान)*

ऑ. रघुवंश प्रसाद सिंह (वैशाली): महोदया, हमारे आईपीएल के नोटिस का क्या हुआ?...*(व्यवधान)*

अध्यक्ष महोदया : उन्हें बोलने दीजिए, आपकी भी बारी आयेगी। आपका नाम लिस्ट में है। हम आपको बुलायेंगे।

â€¦*(व्यवधान)*

अध्यक्ष महोदया : श्री शरद यादव जी, आप बोलिये।

â€¦*(व्यवधान)*

अध्यक्ष महोदया : श्री मुलायम सिंह यादव जी।

ॐ! (व्यवधान)

अध्यक्ष महोदया : श्री मुलायम सिंह यादव जी, आपका नाम लिस्ट में है। क्या आप बोल रहे हैं?

ॐ! (व्यवधान)

अध्यक्ष महोदया : श्री रघुवंश प्रसाद सिंह, क्या आप बोलेंगे?

ॐ! (व्यवधान)