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Title: Regarding Reported CBI raid at Delhi Chief Minister's Office and resultant infringement on the federal polity.

SHRI SUDIP BANDYOPADHYAY (KOLKATA UTTAR): Hon. Speaker, today the Congress Party is opposing the Governor's action in Arunachal Pradesh. We are opposing on the floor of the House not for their Arunachal issue but we are here for the raid of CBI conducted in the Delhi Chief Minister's Office. It was discussed yesterday a little bit. What I mean is that Parliament is in Session. What is making us very much perturbed is that in a parliamentary democratic system, in a federal structure of the system, why the Chief Minister's Office or the Principal Secretary could be raided in such a manner if the Chief Minister is not communicated on such an issue. What we are telling is that public mandate has made the State Government of Delhi. Public mandate has made him the Chief Minister of Delhi and public mandate had made the Central Government also headed by Shri Narendra Modi ji. So, each State Government is in its position with the public mandate, opinion and support, according to the constitutional system and procedure. But it gives us much pain when we hear that the Chief Minister's Office was being raided, his Principal Secretary, in any way, was being taken up without intimating the Chief Minister, taking up the files.

The Ruling Party of Delhi is alleging that those files are relating to cricket and relating to DDCA. Let CBI raid at CMO be investigated. Let there be a Joint Parliamentary Committee, if necessary and they should investigate all these issues. Then, this issue should be discussed on the floor of the House in detail. Earlier people were saying that CBI means, Congress Bureau of Investigation; now it has been changed to GBI, Gujarat Bureau of Investigation. What I want to say is, the Joint Director and Additional Director of CBI belong to Gujarat Cadre. It may kindly be investigated whether they have been very recently appointed from Gujarat Cadre IPS or not. I would also like to know whether there is any official with the name Mr. Modi. This signifies how CBI is being misused. Shri Venkaiah Naidu asked yesterday as to how the Prime Minister can be condemned for this because CBI is an independent body. No, CBI is totally under the Prime Minister's control. It cannot ever happen that the CBI is operating and doing all these things without the knowledge of the Prime Minister. In a federal structure of governance, we firmly believe that the role of CBI should be investigated properly and the incident which happened in Arunachal Pradesh also has to be taken care of. Now Shri Mallikarjun Kharge may be allowed to speak.

THE MINISTER OF URBAN DEVELOPMENT, MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Madam Speaker, he has not only taken my name but also named the Government of India. It is better if they would have given a proper notice for this and there is a proper atmosphere in the House. ...(*Interruptions*) क्या बैठ में आकर हंगामा करना फ़ौपर है? आप बैठिए... (व्यवधान) सरकार को छिपाने की कोई जरूरत नहीं है।... (व्यवधान) भगवंत जी, बैठिए प्लीज़।... (व्यवधान)

First of all, our friend Sudipji might be speaking out of his own experience because he was a Minister in the earlier regime where the CBI used to take instructions from the Government. That is not the case now. This is point number one.

Secondly, we are an independent country. अटक से लेकर कटक तक, कन्याकुमारी से लेकर कश्मीर तक India is one. You cannot exclude one State. Gujarat is a part of India. That is the second point and it is a land belonging to great people like Mahatma Gandhi to Narendra Modi. ...(*Interruptions*) Madam, see the intolerance. They are not ready to tolerate even the name of Mahatma Gandhi.

Madam, I want to read from the declaration of the Aam Aadmi Party. It says:

"The Aam Aadmi Party welcomes the long awaited judgement of the Supreme Court striking down the 'Single Directive' introduced by Section 6A of the CBI Act and also introduced in the CVC Act, which required the CBI to take the consent of the Government even for beginning corruption investigations against Government officials of the level of Joint Secretary and above. This provision was introduced in 2003 in the CBI and CVC Acts by the NDA Government. Both the NDA and the UPA Governments had taken advantage of this absurd provision to protect senior Babus who were involved in corruption along with the Ministers themselves who, in brazen conflict of interest, then denied permission for even investigating their Babus."

This is the statement of the Aam Aadmi Party saying that there is no need to take permission of the Government and this is the Supreme Court judgement. ...(*Interruptions*)

Madam, coming to the issue, Shri Bhagwant Mann may not be aware and my friends from the TMC may also not be aware that this is not a case of this Government. This is not a case of even the Aam Aadmi Party Government. This is a case relating to 2013 and 2007. The inquiry is going on. It was referred to the ACB. The ACB was inquiring into that. But the Public Prosecutor appointed by the Delhi Government, who had scrutinized the charge sheet in the Rs. 100 crore transport scam, has accused - I do not want to name him - Principal Secretary of Delhi Government of pressurizing him not to finalise the report or face suspension. The Prosecutor, Shri Vinod Kumar Sharma said he was called by some senior officials of Delhi Secretariat, including the accused, and pressurised by them to bring before them the file of the charge sheet before finalising it.

It is pertinent to mention that recently the particular officer and other top officials in Transport Department were summoned by Delhi Government's ACB in connection with the scam. As per PTI story of 4th September, I quote 'The ACB had yesterday filed its charge sheet in a Delhi Court naming nine persons, including two IAS officers, as accused in the case. Special Judge Poonam Chaudhry has fixed September 26 for consideration of the charge sheet.'

Now I come to the important thing. Seeking his withdrawal from the case, the Prosecutor said he was unable to bear the pressure put on him and do justice with the case, and alleged that Delhi Government was trying to delay the matter further. Shri Sharma, the Prosecutor, in his letter to the ACB Chief says, "It is respectfully submitted that scrutiny of challan (charge sheet) of the case was done by me on September 1<sup>st</sup>. Today, September 2, I was called by some senior officials of Delhi Government wherein I was pressurised by them, who are alleged suspect in the case,

including the person – I do not want to take his name because he is not here.

The Prosecutor said, "They directed me to produce the file before them before finalisation." Prosecutor was claiming that he was threatened to be suspended if he did not obey the orders of the officials. Finally, Public Prosecutor said, "I am a sick person of high blood pressure. I am unable to bear pressure and do justice in the case. I may be allowed to withdraw myself from the case." The Prosecutor said in the letter. His prayer is yet to be accepted. ...(*Interruptions*) Prof. Saugata Roy, you are such a senior and seasoned person also.

After this, the ACB has referred the matter to the CBI. And the CBI started investigating. The CBI yesterday raided 14 places. One of the places happened to be the Delhi Secretariat where this particular officer is sitting. They went, searched it and whatever they want to do, they have done it as per the law.

Some people and friends from outside are asking informally, Venkaiah ji, there should be some common sense as Parliament Session is on; they should have seen the timing also. I put the question to myself. To my knowledge, the CBI do not see the *muhurtha* – whether *rahukalam* or proper *kalam* is there; and Parliament Session is on or not. They have to do their duty. It is a continuous activity. ...(*Interruptions*) You may be speaking of your experience where you have misused the CBI.

This Government is very clear. We do not interfere at all. I can tell the House that none in the Government is aware of any raid. There is no raid on Delhi Chief Minister. Let me assure this. The Finance Minister has also stated it yesterday. Moreover, somebody is trying to pressurize and the Public Prosecutor goes on record. I am really surprised. My friends from Congress should ask their Delhi counterpart as to what is happening here instead of sympathizing. For criticizing my Government, you can do whatever you want. I am not going to quarrel with you on that count. But please understand, the agencies must be allowed to function independently. ...(*Interruptions*) A person was caught while violating the one way traffic rule by police. The person told the police as to why he is catching him. Somebody in Karkardooma has also violated. So, you go there first, and then come to me. What you are saying is like that. I am unable to understand. The point is very simple. The Delhi Chief Minister said, the CBI should have informed him; they should have talked to me. This is really a wonderful argument. â€¦...(*Interruptions*)

SHRI SUDIP BANDYOPADHYAY : After Independence, has it ever happened in India? ...(*Interruptions*)

SHRI M. VENKAIAH NAIDU: Sudip da, you are arguing a wrong case. I have the examples also. My point is, the Chief Minister is asking the CBI to inform him beforehand. I must tell you that I have some respect for that Party. A new Party, new ideas; they have generated new hopes; they are talking of high level ethics and principles, etc. The same Party, during the Lokpal agitation of Anna Hazare movement which had shook the nation for some time, has advocated that the CBI need not take the permission of the Government. The Supreme Court gave the judgement. They jumped over that. There are tweets. There is a twitter competition going on -what he said then, and what he said now.? What is the difference? ...(*Interruptions*)

SHRI TATHAGATA SATPATHY (DHENKANAL): You should not bring Twitter messages in the House. ...(*Interruptions*)

SHRI M. VENKAIAH NAIDU: Yes, we should not. ...(*Interruptions*) I have no problem with what Tathagata ji said. Too much twitting will lead to quitting. ...(*Interruptions*) That is what is happening in the case of one of our colleagues here. My point is that you were in Opposition at that time. You wanted CBI to be free and need not take permission or instruction....(*Interruptions*) You have welcomed the direction of the hon. Supreme Court. Now, you are in a position and because one of the officers is connected with your Government is now being sacked, you have been making hue and cry across the country. ...(*Interruptions*) All these matters can be taken into court. We can discuss them in the court. We cannot have a running commentary on the functioning of CBI in the House. ...(*Interruptions*) That is what I want to say. Please do not come to the rescue of the corrupt people. ...(*Interruptions*)

HON. SPEAKER: Saugata Roy ji, you should not do this every now and then.

...(*Interruptions*)

SHRI M. VENKAIAH NAIDU: Please do not come to the rescue of the people who are facing criminal charges....(*Interruptions*) Let the law take its own course. Let the CBI complete its investigation. ...(*Interruptions*) Let the matter go to the court. Let the court in its collective wisdom take a decision....(*Interruptions*) Let the court do it. It is not that we sit in the Parliament and say: "How can you raid? How should you raid? How can you do it on a particular and all?" This is not the duty of the Parliament. ...(*Interruptions*) Parliament is there to strengthen the agencies. Parliament is there to strengthen the fight against corruption....(*Interruptions*) Parliament is not there to obstruct fight against corruption. My friends from other side should please understand this. Our friends in Delhi particularly Congress friends know better as to what is happening in Delhi. What I am saying is, let us be fair to one and all including Delhi Chief Minister....(*Interruptions*) Let him have his say. Let him say whatever he wants to say. Let him also have the patience to hear the counter. ...(*Interruptions*) Without hearing the counter or without waiting for the other side, you call the Prime Minister as 'cowardice'. On the one hand you are saying that the Prime Minister is very bold, प्राइम मिनिस्टर दोश में आओ। प्राइम मिनिस्टर जोश में हैं, दोश में आना है। On the other hand, you are saying that the Prime Minister is 'cowardice'. It is personal. ...(*Interruptions*) Can any Chief Minister make such a comment or such a loose comment? I am really sorry. I have a very good equation with the Delhi Chief Minister. ...(*Interruptions*) He is a youngster and a newcomer. I wanted him, first of all, to focus on the administration rather than joining these unnecessary controversies and all. ...(*Interruptions*) Madam, I would have been happy if my friend Bhagwant Mann has given a notice and met you....(*Interruptions*) If you have allowed him, we would have no problem at all. But he came here....(*Interruptions*) He was standing in front of the Prime Minister. In spite of my personal request to him also, he did not have the courtesy to go back to his seat. â€¦! (*Interruptions*) Now, what is happening here? ...(*Interruptions*) मान साहब, कृपया थोड़ा सम्मान कीजिए। ...(*व्यवधान*) Do you expect Prime Minister to take note of all this and react? Does it happen? That is not our Prime Minister's way of working. ...(*Interruptions*) रिएक्ट किया तो पानी भी पिलाया। ...(*व्यवधान*) ठीक है, अच्छा है। ...(*व्यवधान*) भगवंत मान जी भी मेरे दोस्त हैं, इसलिए मैंने फैंडली सलाह दी। ...(*व्यवधान*) उसे स्वीकार किया या नहीं, यह उनकी व्हाइस है। ...(*व्यवधान*) मैं चाहता था कि वे अपने स्थान पर खड़े हो कर बोलें। ...(*व्यवधान*)

माननीय अध्यक्ष : मंत्री जी, आप क्यों जवाब दे रहे हैं?

â€¦! (*व्यवधान*)

**श्री एम. वैकुण्ठ नायडू :** अध्यक्ष महोदया, मेरा यह कहना है कि अगर कोई गंभीर विषय उठाना चाहता है, तो वह स्पीकर से मिलकर, अनुमति लेकर बोले। केवल सिम्पल नोटिस देकर कुछ भी बोल दें, तो ऐसा नहीं है। ...*(व्यवधान)* यह स्वीकार नहीं होगा। Nothing wrong has been done....*(Interruptions)* Delhi CM's Office is not raided. With regard to the issue related to old case, which was of 2007 and 2013, law is taking its own course. ...*(Interruptions)* Let us not obstruct the procedure of law particularly in corruption cases. ...*(Interruptions)*

**माननीय अध्यक्ष :** मैं इस इश्यू पर किसी को भी बोलने के लिए नहीं बुलाऊंगी।

â€!(व्यवधान)

**माननीय अध्यक्ष :** आप सजैस्ट मत कीजिए।

â€!(व्यवधान)

**माननीय अध्यक्ष :** हर कोई नहीं बोलेगा।

â€!(व्यवधान)