

Twelfth Loksabha

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Participants : Jaiswal Dr. Madan Prasad, Rama Devi Smt. ,Goel Shri Vijay, Singh Shri Prabhunath, Rama Devi Smt. ,Bandyopadhyay Shri Sudip, Vajpayee Shri Atal Bihari, Kurien Prof. P.J., Shiv Shanker Shri P., Lalu Prasad Shri , Vajpayee Shri Atal Bihari

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Title : Demand of CBI inquiry on the murder of Shri Braj Bihari Prasad, the husband of an Hon'ble Member Smt. Rama Devi in Judicial custody.

DR. MADAN PRASAD JAISWAL (Betia) : Mr. Speaker, Sir, the former Energy Minister and MLA of Rashtriya Janata Dal, Shri Brij Behari Prasad was the husband of Shrimati Rama Devi, Member of Parliament. He was killed in judicial custody in Sihar in a hospital. The very next day a C.P.I.(M) MLA Shri Ajit Sarkar was also killed. Before this, Shri Virendra Dubey, MLA of Samata Party was killed. Several political leaders in Bihar have been killed in the recent past. At present, there is no Government in Bihar. Terrorism has taken its root there. There are eight Ministers in Bihar Government against whom warrants have been issued. There are media reports that the Rabri Devi Government is giving protection and patronage to criminals. Criminal cases are registered against eight Ministers there. The Rabri Devi Government is protecting kidnapers. Shrimati Rama Devi has charged that two Ministers of Bihar are involved in the murders. These people were a party to these murders and the Government machinery was used to carry out the murders. Mr. Speaker, Sir, I demand that the Government should conduct an enquiry into the matter. This is a very serious matter concerning Bihar and President's Rule should be imposed there. The Prime Minister is present here, I want to tell him that Bihar Legislative Assembly is not functioning. I demand that the Government should conduct a CBI enquiry into these killings...(Interruptions) Today terrorism is spreading in Bihar. I demand an enquiry keeping in view the gravity of the matter.

SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga) : Mr. Speaker, Sir, she is his wife.

[English]

MR. SPEAKER : Shri Fatmi, it is not necessary for you to speak on every matter. I have to call the names of Members who have given notices before 10 o'clock.

[Translation]

SHRI MOHAMMAD ALI ASHRAF FATMI : Mr. Speaker, Sir, she is the wife of the MLA who has been assassinated.

SHRIMATI RAMA DEVI (Motihari) : Mr. Speaker, Sir, I want to speak. If I am not allowed to speak, I won't allow anybody else to speak.

SHRI LALU PRASAD (Madhepura) : Mr. Speaker, Sir, the hon. Member has levelled a charge. I submit that hon. Rama Devi whose husband has been killed should be heard after which we should be allowed to speak.

SHRIMATI RAMA DEVI : Mr. Speaker, Sir, on the 8th instant I made an appeal to this august House that Shri R.K. Singh, a DSP of the CBI is after me and some persons are trying to murder my husband. They took him away when he had high fever. I made a fervent request in this regard and gave you in writing. I was asked to keep quiet. I was threatened that even though I am an M.P., I would also be handcuffed. This is a clear case of disrespect to all M.Ps. irrespective of their being in the ruling party or in the opposition. Even then my submission was not heard carefully. Here an assurance was given that the Privilege Committee would be constituted. I want to ask the hon. Prime Minister as to the time by which this Committee would be constituted. My husband has been killed. I made a fervent appeal in this august House that some persons are trying to kill my husband. Even after being an M.P. I could not protect myself. Then, how can an ordinary woman be able to protect herself? Due respect is not shown to women in this House. Here women are suppressed. On the other hand my husband was killed...*(Interruptions)* None of the MLAs or Ministers of the Rashtriya Janata Dal would like to kill their own Minister. Investigations should be conducted against the person who has committed this murder irrespective of his party affiliations whether it is Samata party or the BJP. He must be punished...*(Interruptions)* Please let me speak. My children have become orphans. Tomorrow someone else may also face such a situation. What would happen then. Do not stand up. I won't tolerate it-Whatever has happened upto now, I want to have its details right now. First of all please make the TV on and show it to the whole country and the world. People should know that justice was not done to me and my husband was killed. Bring my husband back to me. A!! women and other male members in this House had gone to the well of the House and cried for justice but no attention was paid to my request. Why? I want Government's reply now in the House itself...*(Interruptions)* I want a reply. There is no other point except that today every person is facing threat to his life...*(Interruptions)*

MR- SPEAKER : Rama Devi ji please sit down.

SHRIMATI RAMA DEVI : Unless my question is replied to, I would not sit down. I came with that much courage for this question only...*(Interruptions)*

SHRI P. SHIV SHANKER : We are raising your case only.

Sir, this is undoubtedly a very serious matter. You may kindly recall that the hon. Member had raised this issue in the House. She had come right up to the well and gave a written complaint to you. You were pleased to refer it to the Privileges Committee because even her privilege was affected. It is in those circumstances that she said that there was a danger to the life of her husband and herself both. She had also brought to your notice the manner in which that officer had misbehaved with her. She had given a written complaint. That complaint was looked into by you and you referred it to the Privileges Committee. I do not know what happened after that. But no Privileges Committee has so far been constituted and the matter has not gone there. In spite of all hullabaloo in this House and having brought it to your notice and to the notice of the Prime Minister as well as all the Ministers, if her husband is to be killed in that manner, then

what is the protection do we have? No Member will have any protection. Nobody can claim that he has any protection if a Member of this august House cannot seek protection of her own husband then what is the purpose of our being here as Members? This is a serious matter.

Therefore, I call upon the Prime Minister to give a clear assurance. He must refer the matter to the *C.B.I....(Interruptions)*. Action should immediately be taken against that officer. Sir, there is no reason why I should wait any longer. That day a request was made by her to immediately suspend that officer. But that request was not acceded to by you and neither anybody from that side ever responded to this. This is the time when her husband has been killed and I request that officer must immediately be suspended. Thereafter action should be taken against that officer. Proper investigation should be carried out and her grievance should be allayed. The Prime Minister should give a clear assurance to the Members of this House that their rights would be protected.

I [Translation]

THE PRIME MINISTER (SHRI ATAL BIHARI VAJPAYEE) : Mr. Speaker, Sir...*(Interruptions)*

SHRI LALU PRASAD : Mr. Speaker, Sir, please listen to us.

SHRI ATAL BIHARI VAJPAYEE : They have to explain their position.

SHRI P. SHIV SHANKER : Mr. Prime Minister he | wants to say something, please let him speak.

SHRI ATAL BIHARI VAJPAYEE : I have no I objection, I am ready to totally keep quiet

SHRI P. SHIV SHANKER : You must put forth your view point, but let those persons also speak who want to express their views...*(interruptions)*

SHRI LALU PRASAD : Mr. Speaker, Sir, there is no question of playing politics in this case. When hon. Member Shrimati Rama Devi's husband was having fever with a high temperature of 104 degree the CBI arrested him. She is well aware of the misconduct of CBI shown to her and her husband. The State Government had deployed security personnel alongwith commando. He was under custody in the hospital but he was brutally murdered. The State Government and the State *police... (Interruptions)*

SHRIMATI JAYABEN BHARATKUMAR THAKKAR (Vadodara) : Mr. Speaker, Sir, who is running the Government in Bihar and who is in power there? there are five such Ministers in Bihar who during a TV interview threw a challenge that let some one apprehend them. Then only they will say whether they are guilty or not.

SHRi LALU PRASAD : Mr. Speaker, Sir, you can call for the names of persons mentioned in the FIR for the consideration of the House. The State police did not give any name. They have not made any guess about it. The Samata Party and BJP have an alliance and it can be ascertained from the Baye Massacre as to the political parties which are getting protection. Mr. Prime Minister, in the recent bye election, Devendra Dubey the brother of present MLA of Govindganj was murdered. Some people had made a resolve to take revenge of this murder and thus as a sequel to that innocent Brij Behari was murdered.

Inter-state gangs, criminals of U.P. are involved. This alliance is trying to see how to impose Article 356 in Bihar, how law and order position can be deteriorated. The newly elected legislator, I am not talking of any party, Samata Party's MLA and BJP's...(Interruptions) Please listen to me. The newly elected MLA, the brother of Devendra Dubey ...(Interruptions)

SHRI VIJAY GOEL (Chandni Chowk) : Mr. Speaker, Sir, we are not ready to listen to him. It was their Government which deployed commandos, they deployed police...(interruptions). Even then the State Government could not protect him. Laluji you cannot speak like this. We won't allow him to speak anything. This is the case of her husband's murder and he wants to encash the incident. Is it Parliament or a place of making speeches. They are talking about Article 356. It won't go like this, he cannot speak like this. He is about to go to jail...(Interruptions) Some cases have been filed against him. He need not teach us. Is it the way to conduct the proceedings of Parliament. It is wrong. Mr. Speaker, Sir, we are not ready to listen. I did not get up to make any speech.

You are asking them to speak even by making the hon. Prime Minister to yield...(interruptions) The husband of a Member of Parliament has been killed. They want to cash on the issue politically. Mr. Speaker, Sir, now it is your responsibility to maintain order. You please make them sit. Is this the way? There is no law and order in Bihar. They should not teach us...(interruptions)

[English]

MR. SPEAKER : I will allow you. i will allow you also. Please take your seat.

[Translation]

SHR! VIJAY GOEL : Mr. Speaker, Sir, there is no law and order in Bihar. Shri/Lalu Prasad Yadav is trying to teach us. He need not/teach us. We know everything. If one reads the newspapers, one would find the reports of corruption there.

[English]

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

(Interruptions)

MR. SPEAKER : Shri Lalu Prasad, please complete. There are other hon. Members also to speak. I have to allow 20 hon. Members more.

[Translation]

SHRI LALU PRASAD : Mr. Speaker, Sir, i, through you, would like to tell the House that you please ask for the FIR and see the names mentioned in the FIR. This is an alliance of the Samta party and the BJP. Shrimati Rama Devi has herself written that she has no faith in the CBI. Please take her views into account also...(Interruptions) There are news in all newspapers of the country. You please call for a copy of the FIR from Bihar and see the names of the accused... (Interruptions)

[English]

MR. SPEAKER : I have allowed Shri Prabhunath Singh to speak now.

[Translation] , .

SHRI PRABHUNATH SINGH (Maharajganj) : Mr. Speaker, Sir, the murder of Shri Brij Bihari Prasad is a tragic incident. Nobody will support such an incident. Shri Brij Bihari Prasad was a Minister in the State Government. He was made an accused during the CBI inquiry into Medha scandal and accordingly, he was arrested. The State Government has raised a commando force in Bihar and the personnel of this force are provided for protecting those political leaders who in eyes of the State Government, faced threats to' their lives. Shri Brij Bihari Prasad was also provided commandos of this force. Shri Lalu Prasad has rightly said that the criminals from Uttar Pradesh and Bihar have been operating jointly and they have established their bases in both the States and they are doing political murders very swiftly. Who is giving protection to those criminals of UP and Bihar, who are based in Bihar?... (*Interruptions*)

Mr. Speaker, Sir, I do not know whether U.P. Government or Bihar Government reigns over Bihar. However, I would like to tell that I had a meeting with Shri Lalu Prasad and in that meeting, I had told him that some criminal elements from outside Bihar had unleashed a reign of terror in Bihar. I had also told him that the SP of that area was aware of the activities of such criminals, but no action was taken. The Hon. Prime Minister is well seized of the situation in Bihar. The Government of India is also aware of the happenings in Bihar. The hands of the Prime Minister are tied. I do not know about the compulsion of the Government. However, I would like to say that incidents like murder of Brij Bihari Prasad and Ajit Sarkar should not recur and a CBI inquiry should be ordered into these incidents...(interruptions) All the accused who are involved in that incident will be exposed...(interruptions) We should not view this murder with a political angle. It should not be raised in the name of the Samta Party and the BJP. A CBI inquiry should be ordered to arrest the culprits who are actually guilty in this murder case and to expose them... (*interruptions*)

[English] ' . !

SHRI P. SHIV SHANKER (Tenali) : Mr. Speaker, Sir, I am only on a limited point...(Interruptions) I only want to know from the hon. Prime Minister whether the CBI Officer could be suspended or not. This is the first point. The second point is this. What assurance is he giving to the House about the safety of the Members? These are the two points to which I want the hon. Prime Minister to reply. Let him make the points clear...(Interruptions)

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, this House is well seized of the incident. There is no need to repeat the facts. The Union Government is prepared to get this case inquired into by the CBI.. (*Interruptions*)

SHRI P. SHIV SHANKER : I have said whether you are placing the officer of the CBI under

suspension or not because he is one of the accused. Secondly, what we are being assured is that...
(*interruptions*).

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF TOURISM (SHRI MADAN LAL

KHURANA) : You have demanded a CBI inquiry... (*Interruptions*) You can see the *proceedings*... (*Interruptions*)

[*English*]

MR. SPEAKER : Madam, please take your seat. (*Interruptions*)

MR. SPEAKER : Nothing will go on record except the version of Shri V.M. Sudheeran.

(*Interruptions*)" MR. SPEAKER : He has already replied to that.

SHRI P. SHIV SHANKER : He has not replied to that. He was trying to say something. The point is that the allegation against the CBI officer is very serious. The matter was raised here. Mr. Prime Minister, are you, at this stage, going to take action against him?... (*Interruptions*)

MR. SPEAKER : Shri P. Shiv Shanker, he has already replied to that.

(*interruptions*)

SHRI P. SHIV SHANKER : What assurance is he going to give to the Members about their safety? Let him explain... (*Interruptions*)

MR.

SPEAKER

speaks.

Now, Shri V.M. Sudheeran to (*Interruptions*)

MR. SPEAKER : Shri Prabhunath Singh, please take your seat.

(*Interruptions*)

MR. SPEAKER : Shri Mohammad Ali Ashraf Fatmi, the hon. Prime Minister has already given the reply. Please take your seat.

[*Translation*]

SHRIMATI RAMA DEVI : I have still to get a reply to my point... (*Interruptions*)

[*English*]

MR. SPEAKER : The hon. Prime Minister has already given the reply. Please take your seat. Shri V.M. Sudheeran, please continue.

(*Interruptions*)

I SHRI V.M. SUDHEERAN (Alleppey) : Sir, my lung ' power is very bad. So, please protect me. I would like to point out one thing in two or three

sentences... (*Interruptions*)

'Not Recorded.

11.49 hrs.

At this stage, Shrimati Rama Devi came and stood on the floor near the Table.

MR. SPEAKER : Madam, please go back to your seat. Already, the hon. Prime Minister has given the reply.

(Interruptions)

MR. SPEAKER : Shri Fatmi, please take your seat. We have to complete a lot of important business. The hon. Prime Minister has already replied that the matter has been entrusted to the CBI. Please understand this.

(Interruptions) [Translation]

DR. BIZAY SONKAR SHASTRI (Saidpur) : Please get this incident enquired into by the CBI... *(Interruptions)*

[English]

MR. SPEAKER : Madam, please go to your seat. *(Interruptions)*

[Translation]

SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga) : Mr. Speaker, Sir, please hear him also.

[English]

MR. SPEAKER : Shri Fatmi, is it a good way? The hon. Prime Minister has already replied to it.

(Interruptions)

11.51 hrs.

At this stage Shri Mohammad AH Ashraf Fatmi and some other hon. Members came and stood near

the Table,

[Translation]

MR. SPEAKER : i have heard him and the Prime Minister has replied to it. Now, what you are speaking about?

11.51 hrs.

At this stage Shrimati Rama Devi, Shri Mohammad AH Ashraf Fatmi and other hon.

Members went back to this seats.

[Translation]

SHRI LALU PRASAD : Sir, a bench headed by a sitting judge of Patna High Court is already constituted under the Commission of Inquiry Act to look into the lapses, security lapses and background

circumstances...(interruptions) Please listen. Sir, there is a sitting judge. So far as the CBI is concerned, Smt. Rama Devi and I oppose it because it works under the tutelage of the Government and moreover, the accused is an MLA of the Samta-BJP alliance. That is why, we do not talk of CBI inquiry. It is written...(interruptions)

[English]

MR. SPEAKER : The hon. Prime Minister has already replied to it. . . .

(Interruptions) !

[Translation]

SHRI CHETAN CHAUHAN (Amroha) : According to Laluji, the CBI should be disbanded so that there is a reign of terror all around...(Interruptions)

SHR! UTTAMSINGH PAWAR (Jalna) : One should not lose faith in an institution like the CBI...
f In terruptions)

SHRI PRABHUNATH SINGH : Mr. Speaker, Sir, I am not going to make a speech. I just want to give a suggestion...(Interruptions) Sir, I want to suggest that since Shri Lalu Yadav does not want an inquiry to be conducted by the CB!, and inquiry may be got conducted by any other agency except the Bihar Police...
(interruptions)

[English]

MR. SPEAKER : Nothing will go on record. (Interruptions)'

MR. SPEAKER : Shri Prabhunath Singh, I have already allowed you. I cannot allow you again. Please take your seat,

(Interruptions)

MR. SPEAKER : Nothing will go on record. Shri Sudheeran to speak.

(Interruptions)*

[Translation]

SHRI RAJVEER SINGH (Aonla) : Please get the case investigated by Shri Lalu Yadav.

SHRI LALU PRASAD : No, Sir, what happened to his point?

MR. SPEAKER : The Prime Minister has replied

[English]'

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SHRI V.M. SUDHEERAN : Sir, earlier the hon. Prime Minister had assured the House that he would look into the reported move of the Delhi Government to remove the churches from the list of places of worship. Since this is a very serious matter, it is highly appropriate and necessary that the Prime Minister may come to the House with a statement today itself clearing the anxieties, apprehension and confusion generated in the minds of the people and see that the Delhi Government abandon the ill-conceived plan.*

[Translation]

SHRI LALU PRASAD : We do not accept it. Sir, please listen to me. The hon. Prime Minister replied that there were three points for inquiry under the Commission of Inquiry Act...(Interruptions) It is scheduled. It is a criminal case. They have made the CBI a party in the criminal case. Shrimati Rama Devi has given in writing that she has no faith in the CBI. Therefore, you can make out anything of what she has said or what you have said...(Interruptions)

SHRIMATI KAILASHO DEVI (Kurukshehra) : Mr. Speaker, Sir, I want to draw the attention of this House to the deteriorating law and order situation in H ary ana... (interruptions)

11.56 hrs.

At this stage Shri Lalul Prasad and some other hon. Members came and stood near the Table.

(Interruptions)

[English]

MR, SPEAKER : Nothing will go on record. *(Interruptions)*'

[Translation]

MR. SPEAKER : Fatmiji, you are a senior Member, Please go to your seat. The Prime Minister has already replied to it. I have called Smt. Kailasho Devi.

(Interruptions)

MR. SPEAKER : The Prime Minister has already replied. Now, please go to your seats.

11.58 hrs.

(Interruptions)

At this stage Shri Lalul Prasad and some other hon. Members went back to their seats.

PROF. P.J. KURIEN : Mr. Speaker, Sir, this is a question relating to the murder of the husband of an hon. Member of this House...(Interruptions)

MR. SPEAKER : Mr. Prime Minister, would you like to say something on this?

(Interruptions)

PROF. P.J. KURIEN : Mr. Speaker, Sir, I would only submit this...*(Interruptions)*

MR. SPEAKER ; Prof. Kurien, please take your seat.

PROF. P.J. KURIEN : Sir, he is yielding...*(Interruptions)*..The hon. Prime Minister has yielded.

This is a question relating to the murder of the husband of an hon. Member of this House. The hon. Member herself had complained about it in the last sitting also. Now, her husband has been murdered. : Let us not gloss over it. Let us take it seriously. I would request the hon. Prime Minister to please listen to her, come forward and say something which is satisfactory to the hon. Member. All of us are sharing the agony of that hon. Member. It should not happen with any Member whether he is from this side or that ide. and do something So, please react..*(Interruptions)*

SHRIMATI RAMA DEVI : Mr. Speaker, sir, I have IO faith in the CBI. I had raised this matter on the 8th instant and sought justice. All of you know what happened. I am not at all convinced of what you are going to make me believe. ! have...on CBI ... *(Interruptions)*. I have come with papers and I want justice in the matter that was raised that jay...*(interruptions)* I do not have any faith in the JBI...*(Interruptions)* Will you not allow me to *speak?...* *(Interruptions)*

[English]

MR. SPEAKER : Please take it seriously. *(interruptions)*

MR. SPEAKER : I have allowed her, please take your seat.

(Interruptions)

MR. SPEAKER : I have not allowed you. Please [jake your seat.

(Interruptions) .

MR. SPEAKER : Nothing will go on record. *(Interruptions)*'

MR. SPEAKER : I wii! allow you later. Please take your seat.

[Translation]

SHRIMATI RAMA DEVI : Sir, there is no discipline left in this House. One Member is interrupted by another Member and he is not allowed to speak...*(Interruptions)* I have no confidence in the CBI. Shri R.K. Singh misbehaved with me and I had raised this matter in this House. I want a reply in this matter. Keeping in view what happened to me, suspension is not enough. He should be hanged. He is a culprit. I have no faith in the CBI. The Government should do justice if it has a faith in it. Why the justice was not done that day. I want justice. I would not sit until justice is done to me... *(Interruptions)* Let the Prime Minister speak...*(Interruptions)* I urge the Prime Minister to give a reply in the matter...*(Interruptions)*

[English]

SHRI SUDIP BANDYOPADHYAY (Calcutta North-West) : We are accusing CBI *here...* *(Interruptions)*

MR. SPEAKER : Sit down, please.

SHRI SUDIP BANDYOPADHYAY (Calcutta North-West) : They have made certain allegations against CBI Officers.

The hon. lady Member has made an allegation against a CBI officer. But for that we cannot accuse the whole of the CBI which is a prestigious organisation of the country. How can we say that the CBI is totally wrong and that we cannot entrust the CBI's with any inquiry? Is it possible to announce that the whole House is against the CBI totally?...*(Interruptions)* The CBI is a prestigious organisation. We should not make any such comment by which the inquiry system of the total country would lose its prestige. If any hon. Member makes an accusation against any particular officer, it should certainly be looked into but the CBI's prestige should not face such a challenge because we cannot make any inquiry by bringing in intelligence agencies from outside...*(Interruptions)* We should give total protection to the CBI.... *(Interruptions)*

MR. SPEAKER : Please, sit down now. .,/s [*Translation*]

THE PRIME MINISTER (SHRI ATAL BIHARI VAJPAYEE) : Mr. Speaker, Sir, I can well understand

* Not Recorded.

the feelings of hon. Members on this issue. You had decided to refer the whole matter to the **Privilege** Committee the day it was raised. One more person has since been murdered in the judicial custody, in the presence of commandos. It was a brutal murder, i am deeply shocked at the murder of the husband of one of our hon. Members. Now we have a question before us as to what sort of enquiry be conducted into it. This can be decided by this House. One of the methods of enquiry is that this House can decide to broaden the scope of the Privilege Committee to which this matter has been referred to. I am prepared to give it up if the august House likes. The other way out is to get it enquired by the CBI. Now, the enquiry by CBI is being opposed alleging that CBI is a party in this case. I would like to assure the august House that if any officer has failed to discharge his duty or resorted to any action deliberately, action could be initiated by the Central Government by conducting an enquiry against such officer. There is one more option to conduct an enquiry. The Government of Bihar may hold a judicial enquiry in the matter... *(Interruptions)*

SHRI LALU PRASAD : That has been done.

SHRI ATAL BIHARI VAJPAYEE : All right, then we will have to wait for its outcome...*(Interruptions)* I want to assure that action would be taken in case of negligence shown by any CBI officer or his involvement in this crime...*(interruptions)*