

expenditure incurred by them is being collected and will be laid on the table of the House.

12.02 hrs.

RE : INCREASE IN THE INCIDENCE  
OF CRIME IN DELHI

[Translation]

SHRI ATAL BIHARI VAJPAYEE (Lucknow) : Law and order situation in Delhi is deteriorating day by day and recently several such incidents have come to the light to assert the truth of this claim. These incidents are gruesome and involved cruelty beyond all limits. Public life has been disturbed and there is resentment among people over such incidents. Therefore, I sought your permission to raise the issue through this Adjournment Motion. Delhi has an elected Legislative Assembly and Government but law and order does not come under its Jurisdiction. Central Government is responsible for Law and Order situation in Delhi and it is also accountable to this House. How we can say that we are performing our duties properly if in this very House on pretext of Rules and Scarcity of time we are not given an opportunity to discuss the Law and Order situation in Delhi, in view of the world wide discussed Tandoor Murder Case and you are not helping us to make streamline the procedure.

Today is the opening day of the session. The whole country is looking towards this House to know the Government's stance over it. That spot of crime is not very far away from the Parliament. My House is quite near to that place. Mr. Speaker Sir, the I.T.D.C. Hotel..... (Interruptions)

SHRI SOMNATH CHATTERJEE (Bolpur) ; My house is just adjoining to it.

[English]

I am in danger.

SHRI INDRAJIT GUPTA : (Midnapore) : He would not fit into any tandoor.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir., perhaps you are allowing to discuss the issue because.....

[English]

MR. SPEAKER : No, no, Mr. Vajpayee, you cannot discuss the decision taken by me but discuss the incidents that took place. Whether an Adjournment Motion can be admitted or not, if you are on a legal point, I am ready to hear. But

supposing you are on the fact and saying why the Adjournment Motion is not allowed, that cannot be done. I am giving the opportunity for you to ventilate your views and you will have ample opportunity to ventilate your views.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : No, Mr. Speaker, Sir, it is not so. Please let me complete. Besides raising and discussing issue it is also equally important in a Parliamentary democracy that how the matter is raised. Otherwise why the provision of Adjournment Motion was made under the Rules.

[English]

MR. SPEAKER : Adjournment Motion is a device available to the Members to raise a matter of public importance. If you want to argue that this matter could be admitted under Adjournment Motion, you have the Rule Book, you have the Commentary Review, you please show me under which rule, under which provision it could be admitted under the Adjournment Motion. If you convince me, I will admit it. But it should not be a matter for the admission of the matter under the Adjournment Motion. If you want to ventilate your views, I am allowing you to do that.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : No, Mr. Speaker, Sir I want to condemn this Government. How that would be done?

MR. SPEAKER : In my chamber, I will tell you that how it can be done.

SHRI ATAL BIHARI VAJPAYEE : No, not in chamber.

[English]

MR. SPEAKER : It is not possible for me to guide each and every Member as to how it could be done on the floor of the House. Then every Member will ask for my advice and I will be required to give the advice.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, this issue does not relate to me only but the whole House is concerned over it. I want that Members from Congress Party should also not miss the opportunity of giving clarification which they will get from it. Charges are levelled against the whole party that ..... (Interruptions)...

Efforts are being made to save the big wigs ..... (Interruptions) several Ministers are also alleged to be involved in it.... (Interruptions) Mr. Speaker, Sir, please see my proposal ... (Interruptions)

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT) : We have said on record that the Government have nothing to hide. We are ready to face any charge here.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Please discuss the issue.... (Interruptions)

MR. SPEAKER : Are you going to discuss the issue with each other. I think that an issue which has created such an excitement and has hurt the feelings of the Members, can be debated in the House. The hon. Members can discuss it under the Rules. Rules should be followed, simply because if one rule is violated today, others will be violated in future and anything can be said against any one. There is no restriction in holding discussion but it should be in accordance with the rules. Facts from both the sides should be brought before the House. But I think we never get an opportunity to discuss the rules in this House... (Interruptions)

SHRI DATTA MEGHE (Nagpur) : Mr. Speaker, Sir, Vajpayeeji is saying that Congress Party is in the dock. These words should be expunged from the proceedings..... (Interruptions)

MR. SPEAKER : I have listened to your points. You will be given an opportunity if you want to refuse them. All the Members, who have any point to say against the statement made by any Member or would like to make any clarification, will be given a chance to do so.

(Interruptions)

SHRI INDRAJIT GUPTA : Which clarification, you are mentioning.

MR. SPEAKER : Please sit down. You have not listened to the whole matter. I will tell you later on.

SHRI INDRAJIT GUPTA : No, no. not later on..... (Interruptions)

[English]

MR. SPEAKER : This kind of a dialogue cannot go on. They have alleged certain things against the Congress Party. They may also allege certain things against them. You may have to explain to each other.

SHRI INDRAJIT GUPTA : What is being asked here is, instead of reading all the stuff which is coming out in the Press every day, it is better to have a discussion here

MR. SPEAKER : I will allow you also to speak afterwards.

SHRI INDRAJIT GUPTA : They have not objected to a discussion. We also have no objection to have a discussion on this.

MR. SPEAKER : Please understand it. What is it exactly that we are doing when I have allowed Vajpayeeji? Are we not discussing it?

SHRI INDRAJIT GUPTA : You should have allowed him to speak on a motion.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, it seems that the whole House wants to discuss this serious issue. Now it is to be decided that how this issue should be taken up. My suggestion is that the discussion should be taken up through Adjournment Motion. The alternate suggestion can be given by the ruling party because they have to make clarifications as to refute the charges levelled against them. (Interruptions) Mr. Speaker, Sir, it was decided... (Interruptions)

MR. SPEAKER : Please tell the Rule about Adjournment Motion.

SHRI ATAL BIHARI VAJPAYEE : Now I am saying another point.

MR. SPEAKER : No, you were saying Adjournment Motion. I will quote.

SHRI ATAL BIHARI VAJPAYEE : I am saying that you should find out another, method to discuss this matter.

MR. SPEAKER : You are raising an issue regarding Adjournment Motion.

[English]

I will give a ruling.

"Adjournment Motion is moved against the Government for anything done by the Government."

If you are alleging that some crime has been committed by the Government, then it is a different issue.

SHRI LAL K. ADVANI (Gandhi Nagar) : May I quote Kaul and Shakhder, Sir? As far as I am concerned, I was under the impression that yesterday it was decided that we would discuss this issue on the very first day. At the moment, from our side and I am sure from the other side also, we think this is a matter which should not just be talked out. Here is a matter on which we, sitting on this side, would like to censure the Government through an Adjournment Motion. It says :

MR. SPEAKER : You may quote the rule first.

SHRI LAL K. ADVANI : I am reading from page 447 of Kaul and Shakhder. It says :

"Generally speaking, the subject-matter of an Adjournment Motion must have direct or indirect relation to the conduct or default on the part of the Government of India and must be in the nature of criticism of the action of the Government of India either for having done some action or for having omitted to do some action which was urgently necessary at the moment."

Our contention is, as my Leader, Vajpayeeji has just now said, that the situation in Delhi in respect of law and order, in respect of crimes being committed for which the Government of India is directly responsible and not the State Government, is such that the whole country is convulsed or agitated about it. This agitation is sought to be reflected by us. We think it is our duty to reflect it in the form of an Adjournment Motion. We can have a discussion on it either in the form of an Adjournment Motion, Short Duration Discussion, etc. etc. but in this particular case, I am sure the House and may be some Members on the other side also would like to censure the Government for its failure to do what was necessary.

Sir, this could be done by a No-Confidence Motion also. I repeat the words, "this could be". Instead, we are confining ourselves to a limited issue namely lawlessness in the Capital, criminality in the Capital because of the nexus of criminals with politicians and political leaders, and the criminalisation of politics. These are issues which could be raised through the Adjournment Motion moved by Shri Vajpayee. I do not see why simply on the basis of a technicality of the rule this should be kept out.

MR. SPEAKER : I am giving my ruling on this point. Now, this is the Motion moved by Shri Vajpayeeji.

"Unprecedented rise in the crimes in Delhi recently as also in offences showing nexus between criminals and politicians, and failure of the Central Government to control law and order situation in the capital".

This is the Motion. Now, let us read the Rule.

"subject to the provisions of these rules a motion of an adjournment of the business of the House for the purpose of discussing a *definite matter* of urgent public importance may be moved with the consent of the Speaker".

On a definite matter, for example, if war has taken place, if somebody has suffered because of a drought, if an accident of a very grievous nature has taken place, you can discuss them under this. A notice of the Adjournment Motion shall be given on these things. However, here you are trying to discuss the entire gamut of the law and order situation in Delhi. If you want to do it, nobody will disallow you. But you shall have to come in a proper fashion and then you shall have to do it. I am not in a position to find out exactly what it is that you want to discuss by giving this notice. When you are going to discuss the entire gamut of things, something which has been reported in the newspapers or many other things, the Government has to be ready for that. You shall have to be ready for that. If you want this to be discussed, nobody is disallowing you. But if you want it to be discussed in a particular manner, come within the limits of the rules which are provided by you, or you change the rules yourselves.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Now you have given your ruling.

MR. SPEAKER : Don't discuss my ruling, take up the main issue for discussion.

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, it must be in your memory that when we met you, the Minister of Parliamentary Affairs was also present there. It was then decided that the Tandoor incident as well as criminalisation of politics will be taken up for discussion.

[English]

MR. SPEAKER : That is correct.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Hon. Minister for Home Affairs will make statement. Most of us had demanded that the report of the Vohra Committee should be laid on the table of the House but there is no mention of it in today's List of Business.

[English]

MR. SPEAKER : We will ask them what is their stand on that.

SHRI LAL K. ADVANI : Therefore, we have brought this.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Had it been brought earlier.....

[English]

MR. SPEAKER : This is matter which was decided in the Committee. Now if you give the notice I can take it on that and if they give a notice I can give it. But if they have some explanation to give about that, let them give it. In response to what Shri Vajpayee has said, and what we have discussed in the Committee, if the Government has anything to say, I would ask the Government to make a statement on the points which are made by Shri Vajpayee.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum) : Sir, there is a defintie matter, if you permit me.

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA) : Sir, after discussing this matter in your Committee room, we had considered this matter and we have decided that N.N. Vohra Report will be laid on the Table of the House. We also want a discussion on this general matter under appropriate rule, under whichever rule which is appropriately usable in this particular context. We would like to have a discussion on this matter because criminality is not limited to one particular party; it is prevalent everywhere. Therefore, there should be a thoroughgoing discussion on this matter. We would welcome a discussion on this, Sir, please find time for this.

Regarding Vohra Report we have discussed with the Home Minister. There was no Committee as such but Vohra Report will be tabled in the House. Let the hon. Members who have been asking for it study it. I think that contains about 100 pages.

MR. SPEAKER : If you say when it will be tabled...

SHRI VIDHYACHARAN SHUKLA : We would like to table it tomorrow itself, Sir. We have to have it translated into Hindi and then have to make sufficient copies for both the Houses. I checked it up with the Home Minister, my colleague, who said that he would try and do it by tomorrow. There should be no delay. Even if it means working throughout the night for doing it, we shall try and do it. Then, we can discuss it in the House on an appropriate Motion which is admissible under the rules.

Sir, this is very very objectionable if anybody makes a comment like this that the Congress Party is in *Katghara*. Actually when Mahatma Gandhi was murdered by Nathuram Godse, these people were in *Katghara* and not us. (*Interruptions*)

MR. SPEAKER : I think all are prepared to hear and allege things. Let us wait and hear what they have to say.

(*Interruptions*)

SHRI INDRAJIT GUPTA : Sir, I have a suspicion to what the hon. Minister of Parliamentary Affairs has said just now. He said that we would like to have the forthcoming discussion, whenever it is going to be held, to be confined within the contents of this N.N. Vohra's Report. We are not agreeable to that.

SHRI VIDYACHARAN SHUKLA : No. I am sorry, Sir. I would like to make it clear that there is no such intention. The nexus between criminals and politicians, as a subject, can be discussed. We do not want to limit it, particularly, to N.N. Vohra's Report. I would like to add one more thing. We have discussed N. N. Vohra's Report in your Chamber. Everybody wants to see it. So, as an exception — it should not be treated as a precedent — I would request you that this Report may be allowed to be placed on the Table of the House. It should not be treated as a precedent and they should not ask on this basis or as a matter of right, to place all the internal Reports of the Government on the Table of the House. This Report will come. But, Sir, kindly put it on record that the Government is doing it, as an exception, on the basis of the demands made by the Members. It should not be treated as a precedent.

SHRI INDRAJIT GUPTA : Sir, the Hon. Minister of Parliamentary Affairs, in your Chamber, has also said that the Hon. Home Minister will make a comprehensive statement on the Government's perception of this particular thing which is taking place, viz., this growing criminality in politics. Of course, I object to it, if confined to politics only criminality is growing now in all sectors of public life. So, the politicians should not only be attacked for this. It is there in the media; it is there in the business world; and it is there all over. But anyway, he said that the Home Minister would make a comprehensive statement, including any information which might be available to him. On that basis a discussion can be held. So, what has happened to that now ?

SHRI VIDYACHARAN SHUKLA : In the meeting we did not decide whether the N.N. Vohra's Report will be laid on the Table of the House. Now, the Leaders have been asking for this Report to be laid on the Table of the House. Once the Report is laid on the Table of the House, there would be a

comprehensive discussion. As Mr. Indrajit Gupta is suggesting, it is absolutely right that criminality is not limited to politicians alone, it has spread wide all over the country. It is there in the business field; it is there in the industrial field; and it is also there in various other fields.

Therefore, Sir, I am suggesting that as soon as the Report is available to the Members, let them study it and under the rule—under whichever rule, Sir, you permit—let us hold a comprehensive discussion on this matter. We would welcome this discussion and we would like that discussion to be as comprehensive as possible. *(Interruptions)*

MR. SPEAKER : Let us not confuse the issue. You have the original document. Why do you want an interpretation of that original document? You have the original document on the Table of the House. Now, you are asking for a interpretation of that document.

*[Translation]*

SHRI SHARAD YADAV : (Madhepura) : Mr. Speaker, Sir, I think that Ataljee has now put up this issue as his adjournment motion was not admitted. I would like to submit that amid the controversy in your chamber a consensus was arrived at on the point raised by Shri Indrajeet Gupta. In your presence, it was decided that Home Minister will make a comprehensive statement in the House. The crime overshadows Delhi but the nexus between politicians and criminals all over the country is a matter of great concern. The crime is a common phenomenon in the whole country. Hands of the people are chopped off; they are burnt alive on the pyre but as these incidents occur in the remote areas, we do not discuss them here. About this it was decided that an elaborate discussion will be held. It was also agreed to that crime pervades not only politics but every walk of life. Therefore they all will be discussed.

So far as Vohra Committee report is concerned, I have also read some pages of it. So far as I gathered from the report, I think that, it will not yield any surprising fact.

Mr. Speaker Sir, had the things been in an orderly manner, there would have been no dispute over Shri Ataljee's standing for speech.

MR. SPEAKER : Sharadji, Your's will be done. I will tell you later on.

SHRI SHARAD YADAV : It is a very serious matter. Unless people take interest in the discussion, it can not be a good and healthy discussion. I fully support the issue raised by Shri Ataljee. Crimes do happen but due to these crimes people become restless and feel ashamed of and you gave your ruling.

*[Translation]*

MR. SPEAKER : Dont give your ruling on the ruling given by me

*[English]*

that is a breach of privilege.

*[Translation]*

SHRI SHARAD YADAV : I am not doing this.

MR. SPEAKER : Alright, yours will be done.

*[English]*

SHRI NIRMAL KANTI CHATTERJEE : Sir, I am seeking your opinion on one point. That opinion is, you have referred to the fact that there should be a definite matter in the Adjournment Motion. In a Government organisation like ITDC certain things had happened. Does that not facilitate us to criticise and bring in an Adjournment Motion? A tandoor has been utilised for burying a particular body. I am asking you, whether or not that is definite enough for bringing an Adjournment Motion.

MR. SPEAKER : Please sit down.

SHRI NIRMAL KANTI CHATTERJEE : You have referred to a definite matter.

MR. SPEAKER : That was not his notice. Please sit down.

SHRI NIRMAL KANTI CHATTERJEE : That is what I am suggesting.

SHRI SOMNATH CHATTERJEE (Bolpur) : Every section of the House is agitated and it is a very serious matter.

MR. SPEAKER : Somnathji, I can understand what you are leading at. Probably I am in a position to give what you and Sharadji want. If you allow me to say something, afterwards I will allow you.

*..(Interruptions)*

MR. SPEAKER : Rajnath Sonkarji, I am allowing you. I will not go to the next item without giving you a chance.

*[Translation]*

SHRI RAJNATH SONKAR SHASTRI : (Saidpur) Mr. Speaker Sir, we are sitting here in Lok Sabha and all this is happening there. Tandoor case has already taken place....

MR. SPEAKER : Please sit down, I will allow you later on. Geetaji what are you going to say?

[English]

SHRIMATI GEETA MUKHERJEE (Panskura): Sir, I gave a notice of an Adjournment Motion on a matter of urgent public importance. If you do not call this heinous murder committed in such a manner in a place where the Government hotel is located and then the people of the ruling party being involved in a big way, then what can be said? They themselves set up a Committee and then withdrew that Committee. So, do we not have the right to censure this Government on this score?... (Interruptions)

MR. SPEAKER : What was decided in yesterday's meeting was whether the report should be tabled on the floor of the House or not.

.....(Interruption)

SHRI BASUDEB ACHARIA (Bankura): What about the statement? ... (Interruptions)

MR. SPEAKER : Why do you not keep quiet for my sake for two minutes please? And then there was a view expressed by some Members that it was not necessary to table the actual report but a statement on the report.

(Interruptions)

SHRI BASUDEB ACHARIA : A comprehensive statement ... (Interruptions)

MR. SPEAKER : There was a suggestion made by some hon. Members, I think, Vajpayeeji and other Members also, that the discussion should not be confined only to the report but to the incidents which had taken place after the report also. That is the intention of the Members. I do think that a matter which can be discussed should be discussed on the floor of the House.

(Interruptions)

SHRI BASUDEB ACHARIA : When ?

MR. SPEAKER : I am asking the Government to table the report tomorrow. If they do not have enough copies, they can make copies in one or two days' time and circulate those copies to the Members but at least one report should be placed on the Table of the House. That is number one.

It appears that the Members are not satisfied with that report alone. They want to discuss the entire situation that is prevailing in the country and all sections of the society.

(Interruptions)

SHRI INDRAJIT GUPTA : Because that is an old report: (Interruptions)

MR. SPEAKER : I do think that the Government should prepare some report on the criminal situation and on the law and order situation—how many crimes have taken place, how many have been convicted, in what areas the crimes have taken place, against the women, against the agriculturists, against the labourers, against the industrialists, against the business people, against the politicians and others — and that also should be placed on the Table of the House. A comprehensive report as far as possible should be prepared and I do think that it will require some time. May be within two or three days' time, the report should be placed on the Table of the House.

(Interruptions)

MR. SPEAKER : Please sit down. I do think that the report given by Shri Vohra and this report also should be taken up in one form or the other for the discussion on the floor of the House. As to how it can be discussed, let the leaders sit together and decide the form in which it can be done and it will be done.

SHRI VIDYACHARAN SHUKLA : Sir, I welcome your ruling and your suggestion. We will comply with this.

MR. SPEAKER : Thank you.

[Translation]

SHRIMATI SUMITRA MAHAJAN (Indore) : Mr. Speaker Sir, this matter has been taken so seriously that the question of comprehensive report does not arise. Several reports have been laid on the Table of the House.

(Interruptions) How do you propose to discuss this matter?

SHRI RAJNATH SONKAR SHASTRI : Mr. Speaker, Sir, Tandoor case is being discussed here. There is no doubt that there should be discussion on this case but I am going to raise an issue before you and the House, which is more serious.

Mr. Speaker, Sir, the whole House and the entire country is aware of the fact that Kashi is a religious city. This city has ever been a centre of peace. No religious activity has ever been interfered here for the last thousand or more years. Today is the third Monday of Shravana. On the third Monday people worship Lord Shiva. But today Bajrang Dal and Vishwa Hindu Parishad are going to worship Lord Shiva in an objectionable manner. According to an information received just an hour before, a mob consisting of one lakh people has gathered there. People belonging to Bhartiya Janta Party are also there and they are organising a meeting. In this meeting there are Shiv Sainiks also and all these people... (*Interruptions*)

Such a serious situation is there. Shiv Sainiks like army are marching in the whole world of Varanasi city and are going through four or five lanes to sprinkle water on Lord Shiva. Law and order situation there has been totally disrupted. Not only this it has also been stated in the speech delivered in the morning that they would hoist the saffron flag on the dome, a prohibited area and in protection of the Government at present. In the function of sprinkling water on the status they are entering forcibly in the lanes of Varanasi in an army style and entering the innerparts breaking the barricades, and are causing inconvenience to the people. The Government is watching the happenings helplessly .... (*Interruptions*). A meeting is being held there in townhall ground. Organising a procession from Nai Sadak, Godaulia etc. they are marching like army. Breaking the barricades of the police, people, instead of going to the place of sprinkling water, they have entered the Gyanvapee temple. Organisers of Bajrang Dal, Rashtriy Swayamsewak Sangh have stated if the coming generation of the Muslims wants to save its life, it should learn how to live in a country. They also stated that the status of Muslims in India is like that of a tenant. Not only they stated that if the Amamath Yatra was not completed safely, they would block the road leading to Ajmer Sharief and Hanuman Chalisa would be recited in Jama Masjid. They have also challenged to stop the procession of Tajjya. The situation has become very worse there. The situation in Varanasi and that of eastern Uttar Pradesh has become explosive. At any time any serious accident may take place. I would request you to instruct hon. Home Minister to make statement on this issue so that the true picture may come out. The whole administration along with D.M. has become paralysed.

[English]

SHRI SOMNATH CHATTERJEE : Sir, this is a very serious matter. We want the Government to make a statement today, in the course of the day. (*Interruptions*)

SHRI BASUDEB ACHARIA : It is a serious matter.

[Translation]

SHRI IBRAHIM SULEMAN SAIT (Ponnani) : He must make a statement right now, this is really very serious matter.

[English]

SHRI BASUDEB ACHARIA : This is a very serious matter.

MR. SPEAKER : Now, if the matter is serious, take it seriously, please, and speak one after the other.

... (*Interruptions*)

SHRI BASUDEB ACHARIA : Sir, we are taking it seriously. That is why, we are raising this matter .... (*Interruptions*).

MR. SPEAKER : I will allow them afterwards.

... (*Interruptions*)

MR. SPEAKER : I will allow you also.

[Translation]

SHRI RAJVEER SINGH (Aonla) : We should also be given an opportunity to give our explanation.

HON. SPEAKER : I will let you too speak. You please sit down.

SHRI SHARAD YADAV : Mr. Speaker, Sir, the issue raised by Rajnath Sonkar Shashtri has been read by us in some news in newspapers. I do not say that the news is all true.... (*Interruptions*).

MR. SPEAKER : I will allow you also.

(*Interruptions*)

SHRI SHARAD YADAV : Mr. Speaker, Sir, there has been a news in today's newspaper on the matter raised by Shri Rajnath Sonkar Shastri. I do not say that the news is fully correct but the hon. Member belongs to Banaras. (*Interruptions*).

SHRI RAJNATH SONKAR SHASTRI : This incident took place today morning. I hail from there only. Now we have talked on telephone. You are saying a wrong thing.... (*Interruptions*).

[English]

SHRI SOMNATH CHATTERJEE : We want the Government to respond to it immediately. We want to know what is happening.

[Translation]

SHRI RAM VILAS PASWAN (Roseera) : The incident has taken place on 6th December. If the incident occurs, then the Govt. of India and Home Minister will be responsible for it. The Government of India must make it seriously. Today, B.J.P. is in power in U.P. At that time also, it was Kalyan Singh's Government in U.P. They could stoop to that extent to do any heinous act, so we must take it seriously.... (Interruptions)

SHRI IBRAHIM SULAIMAN SAIT : There is a threat to Gyanvapi. This Govt. must make a prompt and serious step ....(Interruptions)\*

[English]

MR. SPEAKER : Nothing is going on record.

SHRI E. AHMED (Manjeri) : Even now it is going on.

MR. SPEAKER : It is not going on record.

[Translation]

SHRI SHARAD YADAV : Mr. Speaker, Sir, I want to urge about the issue raised by Hon. Sonkar Shastriji that the Govt. must take the issue seriously in order to ascertain the truth. The Govt. must take up this issue with the same seriousness with which he has raised the issue. But keeping in view the issue raised here and the way the incident has taken place last time, following which the country faced disturbances and people breeds resentment, I could urge upon that whether whatever Mr. Sankarji has said here, is really a news? The Govt. has got a machinery, you have got a way to know the things and so you must produce the facts here so that the House and the country could not feel distressed. This anbusness must be removed to. I want to say that in the House...(Interruptions)

[English]

SHRI SOMNATH CHATTERJEE : The Government should say something. (Interruptions) The Government must make a statement. We would like to know what the view of the Government is because the Hon. Member is saying that he is coming from that place. We have suffered very severely in this country just because of Government's inaction.

[Translation]

SHRI SHARAD YADAV : Mr. Speaker, Sir, finally I want

to say that this matter should not be blown out further after it has been once raised. So what is necessary is that the Government must give definite informations to the House in a capable manner. Somnathji rightly says, that you should give a very prompt reply so that the work of the House could go on.

SHRI CHANDRAJEET YADAV (Azamgarh) : You must speak as to what the Govt. has done. We do not want just an information. What are you doing? The job of the Govt. is to stop them. You tell...(Interruptions)

MAJOR GENERAL (RETD.) BHUVAN CHANDRA KHANDURI (Garhwal) : We too should be given the opportunity to speak... (Interruptions)

SHRI RAM VILAS PASWAN : Who are giving fill up to criminality in politics? Why they do not listen to? Why it so happens that one who excuses himself, accuses himself?

SHRIMATI SUMITRA MAHAJAN : Mr. Speaker Sir, if one lakh people go their indevotion, then he is being asked to give his statement and they cannot allow me to speak on atrocity on female if it takes place. (Interruptions)

[English]

AN HON. MEMBER : They should tell us what is happening.

[Translation]

SHRI RAMVILAS PASWAN : There comes a time in a year when some people try to flout the tradition of this country.. (Interruptions) This happens once in a year.

From October to November it appears that all the people are trembling. I want to tell you as to what happens in the name of religion.. (Interruptions) I have come here from Andhra Pradesh, I have come here from Bider in Andhra Pradesh..(Interruptions)

Mr. Speaker, Sir, you have allowed me but they are not letting me speak... (Interruptions)

SHRI DAU DAYAL JOSHI (Kota) : They are trying to undermine our culture, you are not speaking here but you are definitely damaging our culture... (Interruptions)

[English]

MR. SPEAKER : Please take your seat. Let us understand that the issues are very complicated. If you want some relief....(Interruptions)

AN HON. MEMBER : What relief?

SHRI EBRAHIMSULAIMAN SAIT : It is a dangerous matter.

[Translation]

SHRI DAU DAYAL JOSHI : This question is related to our sentiments... (Interruptions)

[English]

MR. SPEAKER : You should raise this matter in such a fashion that you would be able to come to certain conclusions. I cannot understand anything if all Members stand up and speak. How can you arrive at certain conclusions? Mr. Paswan, I will allow Home Minister to speak and then I will allow Mr. Katiyar also to have his say and then the others. Mr. Paswan you have already made your point...

(Interruptions)

[Translation]

SHRI RAM VILAS PASWAN : I want to say that in U.P., it is BJP's Government and they can get anything done... (Interruptions)\*

[English]

MR. SPEAKER : What Mr. Paswan is saying is not going on record.

[Translation]

SHRI RAM VILAS PASWAN : I want to say that the Government of India must exercise all possible caution. Otherwise, I had apprehension earlier also, and today again. I want to give a warning to the Govt. that the Govt. should not be in any dilemma. There, it is the B.J.P.'s Government in power.

SHRI VINAY KATIYAR : (Faizabad) : Mr. Shastriji has got good information about the issue raised here by him. This is the month of Shrawan in which people go to Kashi Vishwanath temple on every Monday for offering prayer. He has said that the number of devotee's is one lakh. I say that lakhs and lakhs of devotees pay visit to the said temple. Even during the last two Mondays, the people offered prayer there but the way they have discussed it, has aggrieved me and with grief I could say that they have not got proper information, and if really so, then

they may find out because the programme being talked about was organised in the town Hall, which is away from Kashi Vishwanath. A meeting was organised there.

This meeting pertained to Bajrang Dal and Vishwa Hindu Parishad and not in connection with the statue of Baba Vishwanathji. Being the Chief of the Bajrang Dal, I want to state with full responsibility that a programme was there regarding preparation for the proposed 'Integration March' to be held in the country. As far as the Jalabhishek Programme (water anointment) is concerned, that is not a new programme for (conserving with water). Hindus organise 'Jalabhishek programme' at 14 other places, there apart from here where Shivalinga is offered water. But for the last one and half two years such circumstances has been created there due to which religious people, devotees of Lord Shiv are not able to reach there. Let me express my views... (Interruptions)

Mr. Speaker Sir, not only this, Central and State Government have together propagated in such a way that only two kinds of voices are heard there—either the voice of boots of para-military forces or rifles. No other voice is heard.

Mr. Speaker Sir, in the temple of Kashi where echo of Jai Shankar used to be heard, today only forces are seen. Government have blocked both the shrine so that the Jalabhishek Programme may not be done. Not only this, a hospice is there, where in the month of Shrawan of Shivratri mela is organised, devotees or pilgrims stay there. Entry of such people has been prevented. Today Mr. Paswan may recall the Public meeting held there.... (Interruptions)

MR. SPEAKER : you come to your line of thinking. Do not follow the line of Paswanji.

SHRI VINAY KATIYAR : Mr. Speaker Sir, Mr. Paswan usually forgets his earlier sayings but today he remembers even the subject of the public meeting... (Interruptions)

[English]

MR. SPEAKER : You please leave that aside.

[Translation]

MR. SPEAKER : If you follow the line of Mr. Paswan, you will leave your own track.

SHRI VINAY KATIYAR : When he was speaking, I was not interrupting him. Today, if Ms. Mayawati is your rival, you talk to her. why do you interrupt me.... (Interruptions) Mr.

Speaker, Sir, the point raised by Mr. Shashtriji is of serious concern. It is a matter of concern because these palaces have been closed for several years. We, therefore, request the Government of India that these places should be opened for the public. Perhaps Shashtriji does not know that this is the order of a court. *(Interruptions)*

You express your views. I am ready to listen to you. I have been in Kashi for a long time. Perhaps they are not aware of this order of the Court. If you see its basement as well as its land, it is in the possession of Hindus as per court's order. This is the order of the Court. You are mentioning the order of the Supreme Court but the same Court had issued an order on the two communities Sias and Sunnys and you have not been able to settle the dispute of the two Mazars till date. Why did not you obey the Court's order? Whenever Such issue is raised here, you interrupt the proceedings resorting the order of the Court. *(Interruptions)*

*[English]*

MR. SPEAKER : you please conclude now.

*[Translation]*

Please see, I have not given you time for mutual discussion here.

*[English]*

Otherwise I shall have to say that nothing is going on record.

*[Translation]*

SHRI VINAY KATIYAR : Mr. Speaker, Sir, I politely request that if anyone plays with the sentiments of the Hindus or anyone plays with our sentiments in the name of appeasement many people were killed during Amamath pilgrimage and one Saint belonged to Ayodhya was also killed therein all this is not bearable. You should have made full arrangements for Amamath pilgrimage but no one spoke in this regard. Paswan jee is not able to muster up courage. Sharad jee says that he is a devotee of Hanuman jee. I also agree with this but I request.....

MR. SPEAKER : Mr. Katiyar, I say, you will have to conclude now.

*[Translation]*

SHRI VINAY KATIYAR: Mr. Speaker Sir, I request that the programme going on there should not be deserted. Shashtri jee has just now said that about one lacs of people have gathered there. But on ensuing Monday of the month of

Shrawan, several lacs of people will gather there. No one can stop them. If anybody tries to stop them, there will be serious consequences. No body can play with religious sentiments...*(Interruptions)*

SHRI RAJNATH SONKAR SHASTRI: Mr. Speaker Sir, threat is being given in the House. Jalabhishek programme was organised there last Monday. *(Interruptions)* we are also Hindus and perform Jalabhishek. But they are not aware of this...*(Interruptions)*

*[English]*

SHRI SOMNATH CHATTERJEE: Sir, he has held out a threat on the floor of the House.

*[Translation]*

SHRI ATAL BIHARI VAJPAYEE: MR. Speaker Sir, Shashtri jee has raised this issue and Vinay jee clarified it. Gathering in that place is on account of Monday of Shrawan month. I do not want to say anything more in this regard. I am saying that Sshashtri jee is wrong and you are saying that Vinay jee is wrong. I. therefore, suggest that the Minister of Home Affairs may be asked to collect all the facts and make the House aware of the position.

*[English]*

SHRI BASUDEB ACHARIA (Ballia) : Sir, we want to hear from the Home Minister, what steps the Government is going to take.

*[Translation]*

SHRI CHANDRA SHEKHAR (Ballia): Mr. Speaker, Sir, today proceedings of the House began with obituary reference. Thereafter, in the second item Leader of the Opposition said that Congress Party is in the dock. We did not think that within an hour or so such a situation will be created when their party will be in the dock. But I am saying very seriously that the whole Parliament is in the dock. I was stunned when Atal jee raised this question and two different opinions were expressed. I do not think that it is proper that on such an issue on which entire women folk of the country is concerned a feeling should go that this house is divided. That should have been condemned by the whole House unanimously, We have so many differences of opinion with Congress Party but this is not right to say that the whole Congress Party is full of criminals. If a Member of that party commits an offence, it is not proper to say what Atal jee has said in the House that the whole Congress party is a party of criminals... *(Interruptions)* I do not know much Hindi but I can understand Atal Jee's language...*(Interruptions)* That time Ataljee said that whole Congress Party is silent.

SHRI RAJVEER SINGH : The Government is in the dock.

SHRI CHANDRA SHEKHAR: It is right that the Govt. is in the dock. Leader of the Opposition is also a part of the Government. I want to say that we also felt awkward when the members of the ruling party kept silence but when Sonkarjee spoke, Ataljee also kept silence. I do not know what is transpiring in your Chamber but the Parliamentary traditions which I have heard and gone through....(Interruptions)

MR. SPEAKER : We invite you also but you do not come.

[Translation]

SHRI CHANDRA SHEKHAR: Mr. Speaker Sir, today you have mentioned it. So, I am replying to this. I do not come to the Chamber because I have learnt in the Parliament that the points discussed in the Chamber should not be repeated in the Parliament.

[English]

MR. SPEAKER : That is correct.

[Translation]

SHRI CHANDRA SHEKHAR: But the members of my party do not think this tradition proper. I cannot go with that tradition. That is why I do not attend your meetings. I have some limitations. I am not a man of so strong personality that I may stick to my words only, violating all traditions, rules and conduct. I do not want to know all these things but I would like to say that we should have some limitations. If we raise controversies on those points which can create frenzy, in such a way as we are quarrelling, now, this Parliament will not be able to conduct its business. As Hon'ble Member Shri Indrajitjee said that criminals have entered into every field. Some criminals have come or will come in Politics. This is very bad and should be condemned. But that is not the criminalisation of Politics. Entry of some criminals in politics is not the criminalisation of politics. But to connect politics with criminal mentality is certainly criminalisation of politics. We have to pay our attention to this fact that if we create malice between the people and they begin to fight with each other and hundreds of persons die, whether that is the criminalisation of Politics or not, that too we should think over.

Therefore, I wonder when we try to incite the emotions, you stand up to give suggestion or direction to this party. I do not know, whether that is a suggestion or direction but they keep mum on each issue and when they keep mum, it seems that they also have committed some crime. Therefore, I would like to urge upon the Hon. Home Minister that the Government should make its stand clear on some issues. Why hitch in

every thing? Why there is consternation on every point? This panic or hitch and raising big questions on the party line shows the sense of responsibility with regard to the nation.

Mr. Speaker Sir, my submission to you is this much only that if we can understand these things under your leadership then it is very good.

SHRI RAM NAGINA MISHRA (Padrauna) : Mr. Speaker Sir, I too live near Banaras. I will put forth my views in a moderate way. Please let me have a chance to speak for two minutes.

MR. SPEAKER : All right.

SHRI RAM NAGINA MISHRA : Mr. Speaker Sir, my submission to you is that our old colleague and leader Shri Chandra Shekharji has given vent to this views just now. After listening to our leaders, my submission is that it is a universal fact that all those who have faith in Hindu religion and wherever there is a temple of Lord Shiva, people consecrate the Shivalinga with water brought from Haridwar in the month of Shravana (Interruptions).

13.00 hrs.

The question raised by Shastriji and supported by Shahabuddinji that demolition of the mosque totally wrong. This is not the issue. Just now our friend has said that the ritual of consecrating Lord Shiva with and other Gods with water will be performed in the other temples, which have been lying closed for the last two years. The name of B.J.P. is being mentioned due to some special reasons.... (Interruptions) I would like to submit to Shri Chandra Shekharji....(Interruptions)

MR. SPEAKER : Do not say anything to him. whatever he has said is true and in our favour....

(Interruptions)

SHRI RAM NAGINA MISHRA : I am also right, please listen to me. Has Chandra Shekharji not read the statement of Kesriji that Harijans should proselyte as Muslims or Christians? Has he concerned it even for once? (Interruptions) Secondly, I would like to submit whether is not a fact that it has been decided to provide rupees 30 million, to the Imams of the country? Should not the poor priests of the temples be given the salaries on the same lines? ....(Interruption) I also belong to Bhartiya Janata Party which believes the Hinduism and the unity of the country and intends to make the country prosperous. This does not mean that it is pro Brahmins and Thakurs. These

people stoke the fire of riots on the name of religion. (Interruptions). We fight to protect India and Hinduism. (Interruptions)

[English]

SHRI VIDYACHARAN SHUKLA: Mr. Speaker, Sir, he is unnecessarily implicating a Cabinet Minister's involvement. Shri Sitaram Kesrai had already denied that he had ever made any statement like that. He has denied it. Therefore, this kind of statement should not be made in this House after the denial of the Cabinet Minister.

[Translation]

SHRI RASHEED MASOOD (Saharanpur): Just now, what our colleague has opined that for the last two years the consecration to Lord Shiva with water has not been allowed, is totally wrong consecration with water has never been allowed at those places. (Interruptions)

[English]

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): Mr. Speaker, Sir, as suggested by the Leader of the Opposition, Atal Bihari Vajpayeeji, we will definitely get all the facts on what is being alleged. I am sure that the entire House will be interested in maintaining communal peace and harmony in the country. It is entirely the responsibility of the State Government. But at the same time, I can assure the hon. House that whatever decisions are being taken, normally it is our responsibility to see that communal harmony is maintained. The leader of the Opposition and all other friends, they are supporting the party which is in power in Uttar Pradesh and partly they are also equally responsible for maintaining peace in that area. As far as possible, we will try to find out as to how amicably this entire thing should be got resolved.

SHRI RAM VILAS PASWAN : Should it be like 1992?

SHRI S.B. CHAVAN: The year 1996 is very much in your mind. I know that.

SHRI RAM VILAS PASWAN : I said 1992. I referred to 6th December, 1992. (Interruptions)

SHRI S.B. CHAVAN: 1992 was there, 1996 is there and I know that I have greater information and that is why, I have got in touch with the State Government and made necessary arrangements. But in spite of that, if anything were to happen in that area, the entire responsibility will be on the Uttar Pradesh Government and also the Central Government. We cannot escape our responsibility. We will have to maintain

peace in that area and whatever be the consequences, I stand committed that we will give them the full protection and see that nothing happens to that mosque about which, in fact, everybody has been saying here.

But I cannot entirely depend on what others say. I have to discharge my own responsibility and I can assure the House that if the State Government were to fail in this matter, the Central Government is equally responsible to see that the sanctity of the shrines is being maintained... (Interruptions)

[Translation]

SHRI DAU DAYAL JOSHI : Will the hon. Minister assure that the traditional consecration of Lord Shiva with water shall be performed peacefully? (Interruptions)

SHRI VINAY KATIYAR : Mr. Speaker Sir, I want just one assurance. Is the hon. Minister ready to give this assurance... (Interruptions) Mr. Speaker Sir, the hon. Home Minister has assured that the mosque will be protected. Besides it I would like to know if such an assurance will be given for protection of the temples in Kashmir.

[English]

MR. SPEAKER : This is not going on record. (Interruptions)\*

SHRI NIRMAL KANTI CHATTERJEE : Sir, have you heard the statement that if anything happens to Amarnath Yatris, no one would be allowed from Bombay to leave for Haj? Have you seen that statement? What steps are you going to take on that? (Interruptions)\*

MR. SPEAKER : This is not going on record.

[Translation]

SHRIMATI VIJAYRAJE SCINDIA (Guna): Why we are turning a blind eye on the atrocities on women and the way this shameful and painful incident happened.

I agree with, with what sister Geeta Mukherjee has said that a chance should be given to us to discuss it.

MR. SPEAKER : When will you discuss? Just now?

SHRIMATI VIJAYRAJE SCINDIA: Whenever you allow?

MR. SPEAKER : I have no objection if you want to discuss right now.

SHRIMATI VIJAYRAJE SCINDIA: Let it be right now.

SHRI GUMAN MAL LODHA (Pali): Let it start right now.

MR. SPEAKER : You are just like mother to us and we honour your sentiments. It being a serious issue, we will discuss it seriously. If the issue has been taken up and something is being spoken against someone then the rules provide that notice should be served. On such people that something is going to be said against him. After it the leader of the House and the leaders of the opposition parties should hold discussion on the issue that is being raised.

I have said that full report of the Vohra Committee will be laid on the Table of the House. Later on, datewise information of developments in various fields, like industry, trade, media, politics, and society will be collected and based thereon a report will also be laid.

After this if you want to discuss any specific incident, you will have to think whether you can discuss it or not. Once you have weighed all these aspects, I shall provide you as much time as you demand. But let no one have an impression that we are not discussing a heinous incident which intends to criminalize the politics. You will get the desired time to discuss this issue in a broader perspective. But if you dictate me the terms to provide time and conduct the discussion as per your wish, it will malign the dignity of the House and I do not know who will cost aspersions on whose character. I also do not know as to who would get over this besmirching spree since every one of you will be involved in allegation against one another. This situation should not arise here. In spite of this, if you want to speak on that issue, I will not object.

[English]

SHRIMATI GEETA MUKHERJEE: Sir, we would like this Government to find out from the Congress President about the report on the basis of which the Delhi Pradesh Yuva Congress Committee was dissolved. We want them to get that report and let the Minister place it before us.

[Translation]

MR. SPEAKER : Let the discussion start, then you can speak whatever you like. If it is possible for them, they will reply to it and if they have no reply, they will accept your arguments. If you act in this manner after every moment, it will create a problem. When I do not let him reply, he sits silently. Chandrashekharji remarked that he does not speak. This is true that I told him not to speak again and again. In this case he sits silently. He complains to me that I did not let him speak elaborately. Therefore, take this issue for discussion in a

civilised manner and you will get as much time as you need.

[English]

SHRI S.B. CHAVAN : May I submit one thing. (Interruptions)

MR. SPEAKER : The Home Minister is on his legs.

SHRI S.B. CHAVAN : As far as the Vohra Committee Report is concerned, by all means, certainly we will get the Report. There are only three copies available with us. We have made arrangements to translate that into Hindi and I hope that within two days' time it will be made available. But if the area is going to be widened by including whatever things that have happened thereafter either in the industrial field or in any other field, it would be better if the hon. Members give pointed questions saying that this is the question on which they would like to have the information. Certainly, by all means, we are prepared to give that information.

MR. SPEAKER : May I explain, Mr. Home Minister? Please do not interrupt me, otherwise I will be confused more than anyone else.

(Interruptions)

[Translation]

Please take your seat, I am speaking.

SHRI GUMAN MAL LODHA : Mr. Speaker, Sir...

[English]

MR. SPEAKER : Even Lodhaji gets up when I say that you should not interrupt me.

What I had said is that. Let us understand it correctly. One is that a statement on the Report is not to be made, but the Report itself has to be laid on the Table of the House. That is one thing. But then, hon. Members were rightly agitated on the point that that Report covers only a limited area; there are other areas. If we are discussing about the criminalisation in the society, in politics and in the country, then the area will be widened. So, I had said that information about the number of crimes that had taken place, the punishment given, the number of areas in which the crime had taken place, these statistics can be collected, and I am not asking that the report should be laid on the Table of the House tomorrow itself.

The Report given by Mr. Vohra should be laid on the Table of the House tomorrow itself even if enough number of

copies are not available. One copy can be laid on the Table of the House.

SHRI S.B. CHAVAN : I can lay one copy on the Table of the House.

MR. SPEAKER : Further copies will be distribute later. But for collecting this information and laying it on the Table of the House, you require two or three days' time. We will give you that two or three days' time and then, all the leaders will sit together and they will find the date and enough time for discussion of it. We will do it according to your wishes. We will not contradict your wishes; we will do it according to your wishes. Maybe, I may request one or two lady Members also to participate so that they can also contribute in that. This is what I had said.

.... (Interruptions)

SHRI SUDHIR SAWANT (Rajapur) : Sir,, I have given a specific notice regarding Naina Sahni murder case and it was not discussed. I am also entitled to express my views. I have not been allowed to speak.

MR. SPEAKER : On what?

SHRI SUDHIR SAWANT : I want to speak on the Naina Sahni murder case.

MR. SPEAKER : Which murder case?

SHRI SUDHIR SAWANT : I want to speak on the Naina Sahni murder case.

MR. SPEAKER : Which Naina Sahni case?

SHRI SUDHIR SAWANT : I am referring to the Tandoor murder case. I have given a specific notice on a specific subject of that murder case. If you are not allowing me to speak on that, I do not think it is proper because this Naina Sahni murder case cannot be glossed over like this. The discussion on N.N. Vohra Committee Report is a different matter all together. The broader aspect of criminalisation.

MR. SPEAKER : Have you given a notice to discuss that issue?

SHRI SUDHIR SAWANT : Let me put my point of view, Sir.

MR. SPEAKER . Let me understand whether you have given the notice or not.

SHRI SUDHIR SAWANT : I have given the notice.

MR. SPEAKER : Saying what?

SHRI SUDHIR SAWANT : I wanted to speak on the Naina Sahni murder and the ITDC connection. This I have mentioned in the notice that I have given today... (Interruptions)

SHRI KODIKUNNIL SURESH (Adoor) : Sir, I have also given the notice.

MR. SPEAKER : I will allow you.

Mr. Sawant, is it a zero Hour Notice?

SHRI SUDHIR SAWANT : Yes, it is a Zero Hour notice. I have given the notice and, therefore, I should be allowed to put my point of view.

MR. SPEAKER : But what is that notice? Let me have a look at the notice.

SHRI SUDHIR SAWANT : I have given the notice regarding the Naina Sahni murder case and the ITDC connection.

MR. SPEAKER : Have you discussed with your own Party members?

SHRI SUDHIR SAWANT : Sir, I am the Secretary of my Party; I have been elected as Secretary by my Party.

MR. SPEAKER : I am very sorry that the Secretary also does not know what can be raised and what should not raised.

....(Interruptions)

SHRI SUDHIR SAWANT : I have given a notice. I want to put forth one limited point. The matter is important. I would like to speak on this matter.

MR. SPEAKER : You should understand first of all the Rules. You should have consulted the Rule Book and if you have not consulted the Rule Book, at least the Parliamentary Affairs Minister should have been consulted. Now they have their stand and they have conveyed their stand to me and your stand appears to be quite contrary. If you are to speak in that fashion, I have no objection.

SHRI SUDHIR SAWANT : I have given a notice to raise a matter of public importance and it relates to a murder case which, we all know, has shocked the sensitivities of all people.

SHRI S.B. CHAVAN : Normally, it is not the practice of the House to discuss matters which are *sub judice*. I have

gone through the Rule Book. I have also gone through Kaul and Shakhder. In fact, the charge-sheet is filed. The court is seized of the matter. We do not want to prejudice anybody and specially the courts, when the court is seized of the matter. That is my decision.

SHRI SUDHIR SAWANT : Evidence is being destroyed by the ITDC management and pressure is being brought on the people who are investigating the matter. This is the matter which I am going to raise here. The matter may be *sub judice*, but the action taken by the ITDC management is totally objectionable and that is the matter which I want to raise and discuss here.

PROF. P.J. KURIEN (Mavelikara): I have also given notice. I want to raise this matter.

MR. SPEAKER : Yes, You have raised this matter. You sit down.

SHRI SUDHIR SAWANT : This matter has shocked the sensitivities of the people of this country and this House cannot just keep quiet. It has to be discussed immediately.

MR. SPEAKER : You first understand what I am saying. When we allow discussion of this matter and when we take up this matter for discussion, if it can be discussed as per the Rules, then you can speak on this matter. But you are insisting that it should be discussed now. Otherwise, why should I not allow Shrimati Sumitra Mahajan and others to raise it? Why should I prefer your statement to their statement? You have first of all to stick to the Rules.

SHRI SUDHIR SAWANT : I have given notice according to the Rule.

MR. SPEAKER : Giving a notice is not enough. I have to admit it and I have to allow you. Thousands of notices are coming.

SHRI SUDHIR SAWANT : This matter is very important. I am demanding a statement from the Minister for Tourism. He has to give a statement on what has happened.

SHRI GUMAN MAL LODHA : I want that Shri Sudhir Sawant must be allowed. I want to convince the Hon. Speaker that he must be allowed. Political cover-up of this matter should not be allowed. We all know that he is not discussing the case in the court.

SHRI SRIKANTA JENA (Cuttack): Shri Sudhir Sawant is not only a Member, but he is the Secretary of the Congress Legislature Party. We are thankful to him for making this

demand. Shri Chandra Shekharji, former Prime Minister, made a statement. We have heard that it is reported in almost all newspapers. His statement is being covered up. This matter should not be dropped like this in this august House. I fully agree with the Secretary of the Congress Party that this matter should be discussed immediately. Let the Home Minister say what has really happened to the ITDC management and all other matters connected with this should be brought to the limelight. Let there not be an impression that the Hon. Speaker is not allowing this matter to be discussed in this House.

The impression should not go. Let the House discuss it.

MR. SPEAKER : I will refer this matter to the Privileges Committee.

...(Interruptions)

MR. SPEAKER : This statement of yours, I will refer to the Privileges Committee.

...(Interruptions)

MR. SPEAKER : I will refer this matter to the Privileges Committee.

SHRI SRIKANTA JENA : I am not alleging anything against you. We are interested in the impression only...(Interruptions)

SHRI CHANDRA SHEKHAR : It is very unfortunate that some of the hon. Members refer to my speech made in the House in such matters. I am neither interested in what he says nor I am interested in the matters in which they are so exercised. But I have never said that this matter should not be discussed.

MR. SPEAKER : You never said that.

SHRI CHANDRA SHEKHAR : Some Members try to be very brave in this House. I have not got that bravery at my disposal. I do not talk in such an irresponsible language to which some Members are accustomed. I have never said that this matter should not be discussed. I said that this matter should be discussed with dignity.

MR. SPEAKER : Yes, in a proper manner.

SHRI CHANDRA SHEKHAR : I said that this matter should be discussed with dignity, with grace where the whole nation should feel that the House is not divided on this.

SHRI SRIKANTA JENA : This is what I said. I think you have heard wrongly.

[Translation]

SHRI LAL K. ADVANI : Mr. Speaker, Sir, as Shri Chandra Shekherji has said that this is not proper for this august House to give an impression that the House is divided on this issue. I suppose that there can be no greater proof of the fact that the House is not divided on this issue when Sawantji with a mention of this notice, raised this issue. After all Sawantji is a respected Member of treasury bench and also holds a post therein. He has given a formal notice for Zero Hour on Naina Sahni murder case and ITDC connections. He has said that he wanted to raise the issue. At this Hon. Home Minister at once raised the objection and said that as the case was subjudice, that should not be discussed here. Since he has tried to stop this Member from expressing his views on pretext of issue being subjudice. I, therefore, would like to draw your attention to this issue.

[English]

SHRI SAIFUDDIN CHOUDHURY (Katwa) : The ITDC connection is not subjudice.

SHRI LAL K. ADVANI : He has said even about the murder case and the ITDC connection.

MR. SPEAKER : I want to know which page you are referring to.

SHRI LAL K. ADVANI : I am referring to page 946. This is a self imposed restrict.

[Translation]

The House has full right to discuss any issue.

[English]

It is the absolute privilege. Sir, I would like to draw the attention of the Home Minister also to this that it is the absolute privilege of the Legislatures and Members thereof to discuss and deliberate upon all matters pertaining to the governance of the country and its people.

[Translation]

SHRI LAL K. ADVANI : If there is any issue is subjudice and discussing that can lead to contempt of court, that cannot be published in any newspaper. The newspaper cannot publish that. This situation should not exist that news concerning any thing is being published widely in the newspaper but

we can not discuss as the matter is subjudice. It further reads as follows :

[English]

"Certain restrictions on this freedom have, to a limited degree, been self-imposed."

[Translation]

Still we agreed not to act in a way that affects the court and prevents the court from taking the right decision.

[English]

"One such restriction is that discussions on matters pending adjudication before the courts of law should be avoided on the floor of the House so that the court's function uninfluenced by anything said outside the ambit of trial, in dealing with such matters".

[Translation]

I am not reciting the whole rule. I am only giving thrust on the point that speaker has got full right in this matter. Further page 948 says :

[English]

"The Speaker may, in his discretion, allow any such matter being raised in the House on an adjournment motion, resolution, motion or cut motion as is concerned with procedure or subject or stage of inquiry if he is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority performing any judicial or quasi-judicial functions, or commission or court of inquiry."

MR. SPEAKER : Please note the words "likely to prejudice this matter".

SHRI LAL K. ADVANI : Yes, Sir. Therefore, what he is exactly going to say is material. The mere fact that he is referring to that case, the tandoor case which is agitating the whole country, that cannot be a basis for the objection raised by the hon. Home Minister. This is my submission.

Therefore, he should be permitted to have his say. And then if at any point of time, you feel that something is being said which is likely to prejudice the court, which is likely to prejudice the trial, you can certainly exercise your discretion. But he should not be gagged at this stage. I would like to plead with the ruling party also that it is not in their own interests to gag their own Member in this House. That is precisely what is being done.

SHRI VIDYACHARAN SHUKLA : We are not gagging anybody...*(Interruptions)*

MR. SPEAKER : Now it seems that this matter has again been opened, I will allow Members to make their submissions on legal points. And then I will give my final ruling.

SHRI VIDYACHARAN SHUKLA : I want to submit that after hearing the Members who raised this matter initially, you have given your ruling on this matter. And also you have given certain directions to the Government... *(Interruptions)*

SHRI HARIN PATHAK (Ahmedabad) : You have given ruling for adjournment motion not about the matter... *(Interruptions)*

*[English]*

SHRI VIDYACHARAN SHUKLA : I want to say it very clearly that we are not interested in gagging any Member on this. We want a full and frank discussion on this matter. I think, more fault lies with such people who are raising this matter than anybody else. There is no question of gagging anyone. We are open to discussion. We welcome the discussion. He has suggested a way in which the discussion can be held. We have accepted it. The whole House has accepted that. Now after that to re-open that matter again and allow the Members to make a submission on legal points—you have already said that there would be a certain method followed, a report will come, all matters will come so that a full and comprehensive discussion could take place on this matter—in my opinion is not conducive to a proper discussion in the House. The country would like to know as to what are the ramifications of these kinds of things.

MR. SPEAKER : You do not have to explain these things to me. It could have been explained to your own Members.

SHRI VIDYACHARAN SHUKLA : I am only trying to say that even our Members, if they say anything which is against your ruling, it is not correct and it should not be allowed. I must make it clear that we welcome a discussion on this matter. The Government is not afraid of a discussion. We want this matter to be fully and openly discussed. But again after having given the direction to us and after having given the ruling, to allow the Members to make submissions on legal points, may not be in conformity with your own earlier decision. That is my submission.

*[Translation]*

SHRI GUMANMAL LODHA : Mr. Speaker Sir, I would like to draw your attention.

*(Interruptions)*

*[English]*

MR. SPEAKER : Lodhaji, you have been a jurist, a lawyer, a judge and a Chief Justice. I would very much like to be guided by your advice.

SHRI GUMAN MAL LODHA : I am grateful to your Honour for reminding me of my responsibility.

MR. SPEAKER : I am seeking a help from you.

SHRI GUMAN MAL LODHA : The point which Advaniji has made out is that it is your discretion and all discretions are to be exercised judiciously, here if anybody talks about the merits of the case whether 'A' is guilty or 'B' is guilty or 'C' is guilty or the court is functioning in this manner or that manner, that is a matter which is *sub judice* and one should not be normally required or allowed to go deep into that matter. The court has got full discretion and independence to decide it one way or the other. But the point which is being raised here is, with all respect, I may submit that there is a clear cover-up which has been given and that political cover-up like that of watergate, should not be allowed. I would not mention any name on this point. But the chargesheet says, "such and such with many others".

I would not name them. That is a matter which is to be discussed.

Secondly, the Government should not have interfered in this matter.....*(Interruptions)\**

SHRI VIDYACHARAN SHUKLA : How can you allow this kind of... *(Interruptions)* The Home Minister has denied it. Already it has been denied. *(Interruptions)* You cannot make allegation of cover up. There is no question of cover up. It is in the court of law...*(Interruptions)*

SHRI GUMAN MAL LODHA : The statement of the accused mentioned two or three names. Those names should not have been avoided ....*(Interruptions)*

MR. SPEAKER : I will just read out the relevant portion. You will guide me again.

...One such restriction is that discussions on matters pending adjudication before courts of law should be avoided on the floor of the House, so that court's function uninfluenced by anything said outside the ambit of trial, in dealing with such matters."

Now, you are making a statement saying that 'many others' are connected with some political persons. Will this statement influence the judge or not?

*(Interruptions)*

SHRI GUMAN MALLODHA : Kindly permit me. You have read out the relevant rule. The matter to be decided by the court is whether the persons who have been chargesheeted by the court....*(Interruptions)*

MR. SPEAKER : You are giving the interpretation. You are taking on yourself to interpret 'any other person' here. Can this statement be made in the highest forum of the country.

SHRI GUMAN MAL LODHA : I submit, Sir... *(Interruptions)*

MR. SPEAKER : This is what you are saying and in the interest of the justice should you say this?

*(Interruptions)*

SHRIGUMAN MALLODHA : Yes, it is a matter which should be discussed. This is one point which should be discussed...*(Interruptions)*

SHRI VIDYACHARAN SHUKLA : This kind of allegation cannot be permitted. There cannot be any allegation on the people like this...*(Interruptions)*

MR. SPEAKER : This interpretation given by Lodhaji about 'any other persons' will not form part of the proceedings.

*(Interruptions)*

SHRI GUMAN MAL LODHA : It is your power... *(Interruptions)*

MR. SPEAKER : Don't put me in the wrong box always by saying that this is your discretion and within your power. I am just on the facts in the book.

*(Interruptions)*

SHRI GUMAN MAL LODHA : What I am saying is ... *(Interruptions)* The other points on which the people are

agitated is that there were two medical reports and in the first medical report....*(Interruptions)*

MR. SPEAKER : You are arguing the case again. It is a matter of chargesheet.

*(Interruptions)*

SHRI VIDYACHARAN SHUKLA : It is highly objectionable.

MR. SPEAKER : This is not going on record.

*(Interruptions)\**

MR. SPEAKER : I am not going to argue the case here. You should not be arguing as a Defence Counsel or as a Prosecution Counsel.

SHRI GUMAN MAL LODHA : I am not arguing, Sir. I am submitting only this much, Sir... *(Interruptions)* The only question is whether it should be allowed by your honour or not.

MR. SPEAKER : Leave that discretion to me. I will not use your discretion as my discretion. My discretion should be my discretion.

SHRI GUMAN MAL LODHA : Your discretion should be judicious, not arbitrary... *(Interruptions)*

MR. SPEAKER : It will not be your discretion.

*(Interruptions)*

MR. SPEAKER : The Speaker has no arbitrary discretion, but the Speaker has no discretion of Lodhaji.

*(Interruptions)*

SHRI GUMAN MAL LODHA : That is what I am requesting... *(Interruptions)*

SHRI VIDYACHARAN SHUKLA : I take very strong objection to this statement... *(Interruptions)*

MR. SPEAKER : Mr. Lodha is a judge and he is using the legal parlance which is generally used in the law. They say that when the discretion has to be used it has to be used judiciously. He has said that and I accepted that statement. I am saying that I will use my discretion and not his discretion.

SHRI S.B. CHAVAN : He has used a word that the discretion of the Speaker has to be judiciously exercised, not

▲arbitrarily. That gives an indication that you have been giving your rulings arbitrarily also. ...*(Interruptions)*

MR. SPEAKER : Please do not say that which he has not said. This is a decision given by the Supreme Court and that is a legal point.

SHRI GUMAN MAL LODHA : What we want to discuss is not the merits of the case, but the political cover-up like Watergate which should not be allowed. That is all I have to say.

SHRI VIDYACHARAN SHUKLA : He has again used the wording 'political cover-up'. Again and again he repeats it. I have denied it. But he again and again uses it.

MR. SPEAKER : Right, you have denied it.

SHRI VIDYACHARAN SHUKLA : We want it to be openly discussed... *(Interruptions)*

SHRI GUMAN MAL LODHA : An accused never accepts that he is guilty....*(Interruptions)*

SHRI SOMNATH CHATTERJEE : The rule of *sub judice* was based on the principle that earlier there was a jury trial and it was felt that discussion in public on matters pending adjudication should not be held because laymen who comprised the jury should not be affected or influenced. That is the basic principle of it. Now that has been advanced further that even after the abolition of the jury trial in our country, the court should not be influenced in deciding a particular issue. No today can say that 'A' is guilty or 'B' is not guilty in respect of matters which are now pending. Of course, it is very serious. Unfortunately we are having trial by the media sometimes, trial by us sometimes, trial by Parliament or Legislature. This is happening. But there are certain matters which are so important from the public point of view, in the public interest we can certainly draw a line and discuss that matter although it is *lis pendens* or *sub judice*. If I am not mistaken, there must have been occasions when the hon. Speakers have said that although it is *sub judice*, they are permitting it because of the great public interest involved. Certainly this is a matter which is agitating everybody.

Sitting in the House, speaking in the House, certainly we can draw the line. We cannot accuse somebody as guilty or not guilty. That will be beyond the jurisdiction, propriety and legality also. But we can discuss the basic issues. That is what we have been requesting. Therefore the question that Shri Chandra Shekhar has raised about the connections is concerning everybody. Everybody is worried. Therefore, maintaining the principle of *sub judice* or *lis pendens*, we can

discuss this issue certainly. We would not as responsible Members of Parliament—I believe surely all of us here are; no doubt about it refer to issues which will impinge on a fair trial. We should be able to do that.

But here what Shri Sawant wanted is different. ITDC's role is not a matter of trial. ITDC's role can be discussed. That will not come under the *lis pendens* or *sub judice* rule because the ITDC is not an accused here. ITDC as an organisation cannot be an accused here; nor is it a witness here. Therefore what was ITDC's role, how it came up with this lease to somebody, etc. is a matter which certainly can be discussed. We should be permitted to say that. That is my respectful submission because this will also allay some of the misgivings which the country has and the people have. We in this House have that kind of a misgiving. How can ITDC, a very important public organisation, indulge in activities which have resulted in a gruesome incident like this? We want to know how this came about. Therefore, that does not impinge on the *sub judice* rule.

MR. SPEAKER : You have made a very valid point and there is a lot of substance in it. One has to go by it. I will read out something which is very relevant to that also. While using my discretion and not Lodhaji's discretion, I have to weigh these points :

"A question on a subject under police investigation is not disallowed on the ground that the matter is *sub judice*. However, questions regarding matters under police investigation have been discouraged; members in possession of any particular and reliable information about a matter under police investigation have been advised to pass on that information to the Minister concerned."

Now, with all these niceties, what happens? I am trying to be correct, balanced, and in the process, some of them have gone to the extent of giving the impression, if not, at least suggesting that there is somebody sitting in the Chair who is not interested in the discussion.

SHRI SOMNATH CHATTERJEE : I did not say that.

MR. SPEAKER : That kind of impression should not go round. Those who are trying to do.

*(Interruptions)*

MR. SPEAKER : Let me complete it. I have read it out. 'If a Member has the information'—it is exactly on this point. Now, he is a Member of the Ruling Party; he is an office bearer of the Party. He can approach the Minister and tell him. And instead of that, he is raising it here and if you all want I shall

have no objection to raising this point here.

(Interruptions)

[Translation]

SHRI NITISH KUMAR (Barh) : Mr. Speaker, Sir, Shri Sawantji wanted to raise this matter here. I object to asking him to consider it within his party circles because he is a member of the ruling party. In reply to that he said that he is the Secretary of his party. I do not think that there was any need of giving a reply. A Member of this House enjoys the prerogative of raising any matter of public interest or importance anytime here and for that there is no need of seeking any prior permission from his party. Therefore, he has every right of giving expression to his thoughts here in the House. The House does not need to be informed whether he has or has not taken the opinion of his party, nor can his voice be suppressed on this ground. The question he wished to raise here is 'the Naina Sahni murder case and its connection with I.T.D.C.' Shri Somnath Chatterjee stated that you gave the ruling that a Member having some pertinent information with regard to a matter pending police investigation should pass it on to the Minister concerned.

[English]

MR. SPEAKER : I have read it out from the book.

[Translation]

SHRI NITISH KUMAR : We listened that.

MR. SPEAKER : Have you ever read it?

SHRI NITISH KUMAR : To some extent and that is why you allow me to occupy that chair at occasions. Mr. Speaker, Sir, the chargesheet has been submitted. In a way, the police investigation is over. After the filing of the chargesheet, he has been able to gather some information on the basis of which he wants to raise the question that there is an endeavour of annihilating the evidence in I.T.D.C. This question goes beyond that point. This question succeeds the chargesheet episode. It is a matter of tampering with evidence. He wants to raise this question which assumes greater significance because he is a member of the ruling party and also the Secretary of the Congress Legislative party. He is a responsible Member. The House, and through it the whole country should be informed of it.

Lastly, I would reiterate my submission that this misgiving should not be allowed to ferment on one pretext or the other. Though you have time and again clarified and indicated that it is being continually discussed in the media, as also

throughout the country. Hence, it should certainly be discussed in the House by suspending the rules and conventions of the House temporarily. You have talked of discussing it. The House agrees to that. It has a comprehensive base. Discussion will be held on a comprehensive subject. The Vohra Committee report is only a general report. There are cases of kidnappings. The cases of kidnappings are settled but there is no case-wise discussion. A general discussion is held on that. You would give the ruling that the person concerned is not present here and a discussion can not be held on that where a specific case is referred to. A discussion can not be held even if there is a relevant information.

MR. SPEAKER : Please do not drag it long. That is enough now.

SHRI NITISH KUMAR : I am not dwelling on it at length but he should be allowed to raise the matter in this regard if he wants to raise it. This makes it amply clear.

MR. SPEAKER : You don't listen. You only go on speaking. I read it out once again.

[English]

"A question on a subject under police investigation is not disallowed on the ground that the matter is *sub judice*. However, questions regarding matters under police investigation have been discouraged; members in possession of any particular and reliable information about a matter under police investigation have been advised to pass on that information to the Minister concerned."

[Translation]

still, I have said the House belongs to you. Do whatever you please.

[English]

I am not objecting to it. But for God's sake, please do not give the impression that there is one person who is objecting to it. If you want to discuss it—it appears that the ruling party Members also want to discuss it—you can discuss it on the floor of the House and I have no objection. But when a matter will be raised in this manner in future against any of the Member in the House, you shall have to carry that cross on your shoulders. Please bear it in mind.

....(Interruptions)

SHRI SUDHIR SAWANT : Sir, may I say something? ...  
(Interruptions)

MR. SPEAKER: If you insist, you are allowed.

...(Interruptions)

SHRI SUDHIR SAWANT : Sir, I do not know why there is a misapprehension. With due respect, I would say that I do not want to discuss any matter which is *sub judice*. ... (Interruptions)

SHRI BHOGENDRA JHA (Madhubani) : Sir, I Want to know this. I am also a Member. I want to know whether Naina Sahni's murder ....(Interruptions)

MR. SPEAKER : You cannot question my directive. Please sit down.

...(Interruptions)

MR. SPEAKER : I have to decide. I cannot decide upon each and every hon. Member's wish.

...(Interruptions)

SHRI BHOGENDRA JHA : Sir, you need not be provoked by us....(Interruptions)

MR. SPEAKER : You give very good suggestions, I know. But how do I control when each Member wants that the House should be conducted in a particular manner?

...(Interruptions)

SHRI BHOGENDRA JHA : Sir, the whole House is responsive and responsible. The whole House has the country on its head. ....(Interruptions)

MR. SPEAKER: The country on the head!

...(Interruptions)

SHRI BHOGENDRA JHA : Yes; and they all know it.

The charge-sheet in this case has already been submitted and there is no question of police investigation now. That part is finished. Now the matter has been referred to the court. Even in the court any prosecution evidence has got the right to mention any other name; and then court can decide on the merit of the case so that any new name can be added. That is, as regards the murder case.

But here in the rule that has been read by you repeatedly, there are two parts. One is the murder case on which the charge-sheet has been submitted, which is under *sub judice*

and for which we have conventions and rules; and the other is ITDC connection. I request you to permit a full discussion on this part because that is a public organisation. I mention only that. ....(Interruptions)

MR. SPEAKER : I have permitted him already and you are asking me to give permission.

...(Interruptions)

Dr. KARTIKESWAR PATRA (Balasore) : Sir, I am on a point of order ....(Interruptions)

SHRI SUDHIR SAWANT : Sir, let me clarify my position. ....(Interruptions)

DR. KARTIKESWAR PATRA : Sir, kindly hear my point of order, ....(Interruptions)

MR. SPEAKER : There is no point of order during Zero Hour. Everything is out of order. Please sit down.

...(Interruptions)

DR. KARTIKESWAR PATRA : Please hear my point of order, Sir....(Interruptions)

MR. SPEAKER : There is no point of order now.

...(Interruptions)

DR KARTIKESWAR PATRA : Sir, if any Member raises the point of order, it should be heard. .... (Interruptions) Sir, you hear me first and then allow anybody else, I do not have any objection. But you should hear my point of order.

Sir, under Rule 56, you have refused to give your consent to have a discussion or to admit the Adjournment Motion or any motion of such nature, once and for all. You have decided this and you have declared it in this House. ....(Interruptions)

MR. SPEAKER : I am all the time wrong and you are all the time correct.

...(Interruptions)

DR. KARTIKESWAR PATRA : Please hear me first. One thing is this. You have decided and you have declared; and the matter has ended there. That matter will be discussed when the time is given. It will also be notified as to when it will be discussed. The ITDC case is involved in this matter. When we discuss the ITDC case, that matter will also be brought before

the House automatically and automatically there will be some questions.

Whatever you have read from that Article will also come automatically. This is my humble submission before you, Sir. Please decide that it will be discussed on a separate day and the subject will be closed today.

SHRI SUDHIR SAWANT : Sir, first of all, I would like to put across certain views because there seems to be a misunderstanding and I do not want to discuss anything which is under police investigation or which is *sub judice*. This matter is slightly different.

First of all, I have raised this matter because this gruesome murder, as an heinous crime, has sent shock waves throughout the country and everybody is concerned about it. I feel that this matter, as a subject, should not be glossed over. Sir, if you remember, I was the person who initiated the demand for having an investigation into the nexus of criminals, politicians, bureaucrats and industrialists. I took the signatures of 90 MPs who had asked for this demand which the hon. Minister of State for Home Affairs, Mr. Rajesh Pilot, immediately accepted in those days. So, I welcome your decision to have a discussion on this subject. But I want to draw the attention of this House to the gruesome murder, that heinous act, which this House should discuss in short and there should be some statement from the hon. Home Minister. This is what I feel.

The second aspect is about the ITDC. The allotment of the Restaurant to the people who are involved in the murder case and the procedure involved thereto are matters which are not directly linked with the murder case but the procedure which was followed was certainly totally faulty.

MR. SPEAKER : Does it come out of your notice that the allotment of that Hotel is not as per rules? What comes out of your notice is the connection between the ITDC and the murder case.

SHRI SUDHIR SAWANT : Sir, let me put it across.

MR. SPEAKER : How do I know that that was in your mind?

SHRI SUDHIR SAWANT : Sir, let me put across my point of view and then you can decide on that.

MR. SPEAKER : I have already decided but allowed you also to speak.

SHRI SUDHIR SAWANT : The question involved in this case is that there is an attempt today by the ITDC management

to suppress the investigation which is going on and that is what I want to bring to the notice of the House. The security officers and the vigilance staff of the ITDC have, time and again, brought to the notice of the management that the procedure and the business in the restaurant was not conducted in a proper form and the incidents occurring there were not proper and the ITDC staff were threatened time and again. This is all a matter of record. Now, there is a plan today to transfer the officers who are conducting the investigation to Jammu. That is what is happening. My point of raising the matter today is to stop that and I warn today because the CMD, where he is, has given the allotment of this restaurant to a particular person on a single tender. I am apprehensive that there is something definite about that person because after the murder, he went to Bangalore the next day. I would request the hon. Minister for Tourism to make a statement now that he will investigate the case in full details, that he will stop any act of harassment or suppression of those people conducting the investigation in ITDC and also that he will punish those involved in flouting the procedures in allotment of restaurants in that place. Thank you, Sir.

SHRI LAL K. ADVANI : Sir, I have with me the interim report of the investigation in respect of what Mr. Sawant has just now said. If you permit me, I am willing to lay this on the Table of the House duly authenticated. It is a serious charge sheet. It says that the allotment of Bhagiya Restaurant to these people who are involved in this murder is, in itself, something against all rules and regulations.

MR. SPEAKER : I will read out the rule. I am very sorry that I have to go the book and then say that this is the rule and all that. Even without my saying, it should have been referred to by the hon. Member.

"No allegation of a defamatory or incriminatory nature shall be made by a Member against any person, unless the Member has given adequate advance notice to the Speaker and also the Minister concerned, so that the Minister may be able to make an investigation into the matter for the purpose of reply."

SHRI SUDHIR SAWANT : He can reply now.

MR. SPEAKER : Now that you have raised, it should not go without reply. If the Minister wants to reply now, he can and if he wants to reply...

THE MINISTER OF CIVIL AVIATION AND TOURISM (SHRI GHULAM NABI AZAD) : Sir, first of all, let me say that there is no connection whatsoever between the murder taken place and the ITDC. I condemn it from the core of my heart that it should not have happened the way it has happened. It

should not have happened at all. It is most unfortunate ... *(Interruptions)* ... Do not miss the first part.

SHRI SOMNATH CHATTERJEE : No, Sir. It is not a cent per cent.

SHRI GULAM NABI AZAD : It is most unfortunate.

But as far as the connection between the murder and the ITDC is concerned—it is most unfortunate on the part of my very good friend, an hon. Member of Parliament—I do not think that there is a connection between the two. If it were not an ITDC or suppose this particular restaurant would not have been with him, or if he were not operating this restaurant—as the murder took place earlier—he would have opted for another option of destroying ... *(Interruptions)* So, just connecting that the ITDC is a party to the murder is not correct. I want to say that the ITDC is not a party to the murder ... *(Interruptions)* Please listen. What I want to say is that the ITDC or the restaurant has nothing to do whatsoever with the murder.

Now the second part ... *(Interruptions)* Please listen to me.

MR. SPEAKER : Let him complete his statement.

SHRI GHULAM NABI AZAD : Now, the second part.

I think the relevant point which has been raised by Shri Advaniji is that there were some irregularities while allotting this particular place.

SHRI LAL K. ADVANI : Do not try to minimise it by saying 'some irregularities'. It is 'illegalities'.

SHRI GHULAM NABI AZAD : 'Illegalities' in allocation of this particular place.

Sir, I would like to inform this august House that we have already instituted an inquiry by no less a person than the Director-General of the Tourism who is also of the rank of the Additional Secretary, and he is supposed to submit the report by today evening. I had a meeting with him in the morning and I had told him that it should be submitted as soon as possible.

Sir, I would also like to assure this House that if there have been any irregularities, those persons who were concerned, there is a committee of high people who have been doing it.

I would also like to bring it to the notice of this House that it is never being done at the Minister level or MOS level. To be

very frank, I also read from the newspaper that this thing had happened. I was not here. I had been to London for operation. I read about this there.

It is never done at the Ministers' level that I would like to assure them. It is done at the ITDC level. There is a five-Member Committee for this where the vigilance is also there.

If they have committed any irregularities, they will be given severest punishment, let me assure this. *(Interruptions)*

SHRI SOMNATH CHATTERJEE : What about the proposed transfers?

SHRI GUMAN MAL LODHA : There should not be any victimisation.

SHRI GHULAM NABI AZAD : No. There is no question of any victimisation. But unfortunately or fortunately my friend is the patron of the Officers' Association of ITDC.

SHRI LAL K. ADVANI : So, he knows the facts.

SHRI GHULAM NABI AZAD : No. He knows not facts. He is the patron of the Officers' Association of ITDC, I would also request him that any bickering between patron and the top management—should not be brought into this.

SHRI LAL K. ADVANI : My submission is ...

MR. SPEAKER : Advaniji, one minute please.

SHRI SUDHIR SAWANT : Sir, this should not go on record.

MR. SPEAKER : It will go on record.

SHRI SUDHIR SAWANT : Sir, there is no bickering in the management.

MR. SPEAKER : You will not decide whether it would go on record or not. Please sit down.

Now, his question is, a very relevant question, those who are connected with this—are they being transferred in such a fashion so as to protect them.

SHRI GHULAM NABI AZAD : Sir, I did not know. I have heard of this for the first time. I can assure you that any person or individual or individuals who are connected with this directly or indirectly...

MR. SPEAKER : ...will not be protected, Right?

SHRI GHULAM NABI AZAD : Yes Sir, They will not be protected. I have said that as per the rules in the Ministry and the Department, they would be given the severest possible punishment. There is no question of any cover-up.

SHRI LAL K. ADVANI : Here is an admission by the Government that the grant of the Bagiya Restaurant lease to this particular party, which included the alleged murderer, Shri Sushil Sharma, Youth Congress Leader, was basically wrong. My submission is that corruption and criminalisation are two sides of the same coin and the grant of this Bagiya Restaurant was a case of corruption. This has led to this *tandoor kand* which is a case of criminalisation.

SHRI GHULAM NABI AZAD : Sir, who has proved this corruption?

SHRI LAL K. ADVANI : Here is the proof of this corruption.

SHRI GHULAM NABI AZAD : Sir, I would like in this floor of the House only to be told who was the political person who wanted this particular place to be given to this person, and who was the person who has taken the money ... (Interruptions) so that we can initiate action against him ... (Interruptions) I would like to know about that ... (Interruptions) I would like to request the hon. Home Minister—howsoever big he may be — to arrest him just today right now. Mere allegations for political purposes will not do.

MR. SPEAKER : Now, what actually happened...

(Interruptions)

[Translation]

SHRI ABDUL GHAFOOR (Gopalganj) : I was listening to the arguments and counter-arguments of the Members of different political parties in the House right now with rapt attention. You were appreciating their speeches. Vajpayeeji made a mention of Chandra Shekharji and the latter gave his clarification. It was followed by things of different types. Our friend, Shri Ghulam Nabi Azad challenged just now to produce before him the person labeled as corrupt. I have also been a Minister here. I have been the Chief Minister also. The Chief Minister of a State today accuses them of resorting to scientific rigging. Can you name even a single person—a third person—who is a witness to an exchange of bribery? There was a Minister who had a great respect for me. I was not a Minister then, but an ordinary M.L.A. He was first class first in English from Patna University. One day, he took me home and complained that his wife served him ordinary rice, pulses and

a potato preparation only. He asked me to arrange *Kababs* etc. for him and he would pay for the feast. Then other subjects were discussed, I asked that he worked so hard—I would not name the person—was a witty person and cleared so many files... He replied that when I become a Minister, I should remember that the files go to Delhi. The telephone is an instrument of intrigues. As a Minister, one can ask the I.T.D.C. to give a particular person on phone. Can the person at the other end dare say 'No'. \*Today, I am saying it honestly that I do not mean that everybody in the Youth Congress is a dishonest person but a system of the sorts has developed. On asking why does not he join the ranks of the Youth Congress, he replied that any Youth Congress worker can tell you who is an honest Minister. I was told that one is scared of going to Chavan Sahib's residence, Scindia Sahib's residence and one refrains from meeting the Finance Minister. The Youth Congress people will tell you ..... (Interruptions)\*

[English]

SHRI GHULAM NABI AZAD : This is highly objectionable. This is very objectionable.

[Translation]

If I point out his shortcomings then... (Interruptions)

He is an elderly person and I do not want to malign his image.

(Interruptions)

[English]

SHRI RAJESH PILOT : We are in the Government. If any hon. Member has got anything against any individual member of the Government, he is most welcome to say so. But he cannot make a mockery of the House like this. We have got self-respect.

SHRI CHANDRA SHEKHAR : Mr. Speaker, I can understand some people making allegations. I cannot understand people making charges against Minister. But this House should not be brought down to this level. There should be some limit to it. Mr. Speaker, I am sorry to say that you have opened a Pandora's box where all types of things will happen. It will happen from both the sides. Mr. Speaker, I did not understand why did you want a legal point of view on this question. You are a legal luminary yourself. That matter should have been ended there. I am sorry to say this. (Interruptions)

MR. SPEAKER : I have to fight against all odds.

SHRI CHANDRA SHEKHAR : But you have got the right to say " No further discussion on this and I am adjourning the House". (*Interruptions*)

MR. SPEAKER : Let us understand. I have been repeating, not only repeating, but I am reading now. I am going to read this for the third time.

"No allegation of defamatory or incriminatory nature shall be made by a Member against any person unless a Member has been given adequate advance notice to the Speaker and also to the Minister concerned so that the Minister may be able to make investigation into the matter for the purpose of reply."

I really do not appreciate the persons who are alleging against the Members and the Ministers in the House without giving them the notice indicating that this is done by them. This is not going to form part of the record. This is exactly what I want to say. You are the cream of the society elected by 92 crores of people. You are influenced by what appears in the newspapers. Do you think a single judge sitting there or a few judges sitting there would not be influenced by what appears in the newspapers and what you discuss on the floor of the House? You think that they have a sterner stuff than you have here. You think that they would not be influenced and yet you want justice to be done. This is exactly why the matter *sub judice* has not been discussed on the floor of the House. Now this can happen to anybody, anywhere in the society. If you are not taking care of them while trying to do justice and trying to keep things above board, well, I do not know who is going to help you.

(*Interruptions*)

SHRI CHANDRA JEET YADAV (Azamgarh) : Sir, please close this now. Enough damage has been done on this matter. Please close it right now. (*Interruptions*)

SHRI MANI SHANKAR AIYAR (Mayiladuturai) : Mr. Speaker, Sir, I am not from Maharashtra. To my deep regret I do not know the Marathi language. But the English newspapers have reported that the Samna which is the party organ of one of the ruling parties in Maharashtra has carried a statement by the leader of one of those two ruling parties that he is attempting to establish a nexus between the Amarnath Yatra and the forthcoming Haj pilgrimage and has stated that he would not permit the Haj pilgrimage to take place if there are any difficulties with regard to the Amarnath Yatra. Sir, I do not think there is any Member of this House who would be behind-hand in urging the Government to ensure that the Amarnath

Yatra takes place successfully, fully and peacefully. But by making the kind of a statement, by issuing the kind of challenge that that gentleman has issued through his party organ, he is attempting to pretend that all the Muslims of India are trying to prevent the Amarnath Yatra from taking place. He is trying to draw a parallelism between what the *Harkat ul Ansar* of the *Hizbul Mujahidin* is doing in Kashmir and the actions of the ordinary Muslims of India. I think it is utterly objectionable that the ruling party chief in that State of Maharashtra should be allowed to get away with making a statement in which he threatens all the 12 or 15 crores Muslims of India with a denial of the fundamental right to go on a religious pilgrimage because of what is happening in one State of India. I think it is absolutely essential that the Home Minister takes against this man the same kind of action that he is taking against the *Harkat ul Ansar* because this amounts to a form of terrorism unleashed against the largest community in India. I do not think this House should stand with it for one moment. I think it is equally necessary that since we have as the leading Opposition party in this House, the party which is in alliance with that party, the Shiv Sena, in Maharashtra that we should get an assurance from the Leader of the Opposition that under no circumstances will a false nexus be allowed to be established in Maharashtra between the Amarnath Yatra and the Haj pilgrimage and that the Haj pilgrims will be permitted, encouraged and assisted in undertaking their Haj pilgrimage whatever might or might not happen with regard to the Amarnath Yatra. I think, Sir, it is utterly unacceptable that the Muslim community of India should be held hostage in this manner by no less than a leader of the ruling party in Maharashtra, a man who is on record for having repeatedly stated that the whole of Maharashtra Government runs under his remote control and when this gentleman who is running the Maharashtra Government by remote control makes a statement that he challenges any Muslim to go on a Haj pilgrimage if there are any difficulties with regard to the Amarnath Yatra and if Shri Atal Bihari Vajpayee and Shri L.K. Advani keep completely quiet, then I can only take it that they are party to that challenge. And if they are not party to that challenge, I would expect them on the floor of this House now to disassociate themselves completely from the statement made by Mr. Bal Thackeray. And at the same time I would expect the Home Minister of India to assure us in this House that under no circumstances will Mr. Bal Thackeray be allowed to carry out his threat and that the Muslims of India will be ensured, as they have been ensured for the last fifty years, their rights, their fundamental rights to proceed on a pilgrimage which is of the greatest importance to that community. I seek through you, Sir, a statement from the Leader of the Opposition as well as a statement from the Home Minister.

SHRI SOMNATH CHATTERJEE (Bolpur) : We shall give all facilities from Calcutta. (*Interruptions*)

SHRI S.B. CHAVAN : So far as the Home Ministry is concerned, I can assure the hon. Members that no Muslim who would like to go on pilgrimage will be stopped from doing it and if anybody wants to stop it, certainly we will take action against them. *(Interruptions)*

SHRI BASUDEB ACHARIA : Why can you not take action on the statement made by him? ... *(Interruptions)*

SHRI RAMESH CHENNITHALA (Kottayam) : Sir, the unfortunate and the sudden death of Shri Rajan Pillai... *(Interruptions)*

*[Translation]*

SHRI VINAY KATIYAR (Faizabad) : Will the hon. Minister give the assurance that the Hindus Amarnath Pilgrimage will not be stopped? Mr. Speaker, Sir, why does not the hon. Minister make a statement or give an assurance in this regard? *(Interruptions)*...

*[English]*

SHRI DAU DAYAL JOSHI (Kota) : The antinational and subversive elements killed tens of people in bomb blasts, particularly in Jammu. Will the hon. Minister do something about that? *(Interruptions)*

MR. SPEAKER : The House stands adjourned to meet again at 3.30 p.m.

14.17 hrs.

*The Lok Sabha then adjourned for Lunch till  
Thirty Minutes past Fifteen of the Clock*

15.35 hrs.

*The Lok Sabha re-assembled after Lunch at Thirty-Five  
minutes past Fifteen of the Clock*

*[MR. DEPUTY-SPEAKER in the Chair]*

PAPERS LAID ON THE TABLE

*[English]*

MR. DEPUTY SPEAKER : Now Papers to be laid on the Table.

**Explanatory statement giving reasons for immediate legislation by the Union Duties of Excise (Distribution) Amendment Ordinance, 1995 and by the Additional Duties of Excise (Goods of Special Importance) Amendment Ordinance, 1995.**

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI M.V. CHANDRASHEKHARA MURTHY) : On behalf of Shri Manmohan Singh, I beg to lay on the Table a copy each of the following statements (Hindi and English

versions) under the rule 71(2) of the Rules of Procedure and Conduct of Business in Lok Sabha:—

- (1) An explanatory statement giving reasons for immediate legislation by the Union Duties of Excise (Distribution) Amendment Ordinance, 1995.

[Placed in Library. See No. LT. 7916/95]

- (2) An explanatory statement giving reasons for immediate legislation by the Additional Duties of Excise (Goods of Special Importance) Amendment Ordinance, 1995.

[Placed in Library. See No. LT. 7917/95]

*[English]*

MR. DEPUTY SPEAKER : Item No. 4, Shri G. Venkat Swamy.

SHRI RAM NAIK (Bombay North): Sir, I want to oppose the statements being laid on the Table of the House.

MR. DEPUTY SPEAKER : Are you opposing Ordinance No.4, or 5?

SHRI RAM NAIK : First item No.4 and then No.5 because subsequently he will come to No.5. On both the items I want to oppose.

*[Translation]*

Mr. Deputy Speaker Sir, the efforts are being made here to lay the Ordinance No. 6 and 7. Ordinance No. 6 pertains to nationalisation of 15 textile mills and No. 7 is in regard to 109 sick mills of National Textile Corporation. The thrust of both these ordinances is that the Government requires permission to sell the land. Now I do not want to comment on its merits but Mr. Deputy Speaker Sir, you may recall that on 2nd June the Minister of Textile while introducing this Bill in this House said that the Bill should be passed without discussion. You know that I objected to it. Thereafter, Advaniji, Atalji and other members supported me and you directed us to discuss the matter with the Minister of Parliamentary Affairs and both the Bills were introduced at four O'clock or half past four on the same day. This ordinance is in that regard only.

The objection I have raised is that this Government is going to do such a thing which has never happened in the