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**Cover photo :** *New BJP Governments in Madhya Pradesh and Chhattisgarh take over.*

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न बुद्धिभेदं जनयेदज्ञानां कर्मसिद्धिनाम् ।

जोषयेत्सर्वकर्माणि विद्वान्युक्तः समाचरन् ॥

A wise man established in the Self should not unsettle the mind of the ignorant attached to action, but should get them to perform all their duties, duly performing his own duties.

**Bhagavadgita, Ch.3, Text 26**

**Editorial**

**In war against terror,  
every Indian is with government  
BJP is in the forefront**

*It goes to the credit of BJP-led NDA that to catch the dragon of terrorism by its horns, it had the guts to enact POTA. The law sent shivers down the pants of the terrorist elements. BJP had no intention to draw any political mileage out of this step. It was purely done in the interests of the nation and to protect the life and property of innocent citizens. This enactment was supported by some of the allies who have now aligned with the Congress-led UPA because they, then, agreed that its only objective was to fight terrorism tooth and nail. For BJP a terrorist was a criminal, anti-national individual or group which had no religion. This strong law was to hit hard every terrorist without distinction of caste and creed.*

*But it is the tragedy of Indian politics that whatever honest and pure may be the intentions of a ruling party in creating a good law or policy, the opposition for opposition sake has always opposed it. When there is change of government, the new ruling party undoes whatever good may have been done by the previous government. The Congress projected POTA as something against the minorities, particularly the Muslims. To derive electoral benefit it declared that it would do away with POTA if voted to power. No law of the country has, in the past and even today, been against any particular caste or creed. This is against the spirit of the Constitution and it would never have stood the judicial review before courts. But the Congress was never concerned with fighting terrorism; it was only eager to derive political and electoral mileage. Immediately on succeeding NDA it scrapped POTA. It was a day of shame and a matter of regret for the nation.*

*This single step sent a negative message to the terrorist elements and the public that it was soft on fighting terror. By their words and actions the Prime Minister, Dr. Manmohan Singh, Congress President Smt. Sonia*

**There is no priority higher than the prevention of terrorism.  
— John Ashcroft**

Gandhi and former Home Minister Shri Shivraj Patil gave a clear hint that UPA was not serious but interested only in giving a semblance of fighting terror but with kid gloves. This raised the morale of the terrorists and lowered that of the police and para-military forces engaged in fighting the terrorists.

Not a single session of Parliament passed without BJP raising its voice on the need for a strong anti-terror law like POTA. Leader of Opposition in Lok Sabha, Shri Lal Krishna Advani, BJP National President Shri Rajnath Singh, Shri Jaswant Singh and other senior leaders, not once, numerous times suggested to Manmohan government to create a strong anti-terror law with strong teeth with some other nomenclature in the national interest if they had some allergy to the name of POTA. But all these pleadings fell on deaf ears. On the other contrary, with an eye on vote bank, they attempted to project BJP as anti-minority for its raising voice against terrorism.

This UPA game of politics on terror proved very costly to the nation. During the last 55 months of its tenure, terrorists struck at will at numerous places they chose killing hundreds of innocent men, women and children and maiming another hundreds. For this laxity of Congress the common man had to suffer heavily. The cries of innocent children orphaned and women widowed did not pierce the heart of UPA till it was, once again, caught unawares in Mumbai when terrorists from Pakistan sailed into the Gateway of India to strike at the Hotel Taj, Hotel Trident,

Nariman House and Chhatrapati Shivaji Terminus and six other places. The Government was so dumb-struck, that it could not, for about 10 hours, swing into action against this daring attack on India's integrity by a handful of 10 terrorists. The government was so caught unawares that in the process, Maharashtra lost the precious life of three of its senior police officers.

The Mumbai terror strike startled UPA out of its slumber and it started saying, what it had all along for the last 55 months had been ignoring, that India needs a strong anti-terror law. Maharashtra Chief Minister, Home Minister and Union Home Minister Shri Shivraj Patil were made to go — the same Patil whom Dr. Manmohan Singh and Smt. Sonia Gandhi had been defending day in and day out for too long. Had the UPA not taken this irrational stand against terror, the lives of hundreds of innocent men, women and children would have been saved.

During all these years Shri L. K. Advani and Shri Rajnath Singh had been repeating, time and again, that they stand by the government in fight against terror and would whole-heartedly support any strong

law against terror. Prime Minister called an all-party meeting. Where BJP reiterated its stand on the issue. There could be no other instance of political sagacity and liberal attitude than this. BJP proved true to its words and when UPA came out with an anti-terror law it supported it wholeheartedly. The whole country has praised this gracious stand of Shri Advani and BJP. But the only regret is that UPA took so long to come on the right track.

Change of government does not — and should not — mean blind change of government policies even if in the interest of the nation. Wish, political parties in India could cultivate such a broadminded attitude to strengthen democracy!

Terrorism is an issue that is above party politics, much above the contours of caste and creed. It is a problem that the whole world is faced with and, unfortunately, India is the worst affected. In the war against terror India is one and every Indian is standing behind the government to whichever party it may belong. If we all, irrespective of our political affiliations, adopt this attitude, only then can India convincingly and decidedly win this fight against terror. ■

*Kamal Sandesh parivaar*

*Wishes its esteemed readers,*

*A very Happy and Prosperous*

*NEW YEAR 2009*

# Atalji is *atal* pride of Bharat

By Prabhat Jha

Atalji will turn 84 on 25 December 2008. These days he doesn't undertake tours of the country yet his imprint in the minds of the people remains indelible. For the last few years Atalji is neither taking part in any public meeting nor participating in any election campaign but there is not a single election meeting where his name is not mentioned. A towering personality like him is now not found in any other political party. Not only BJP or the people of India but the top personalities across the entire world feel proud of Atalji.

Recently I got an opportunity to meet Atalji twice. First time when I went along with the Chief Minister of Madhya Pradesh Shri Shivraj Singh, he listened to the latter attentively. Shri Shivraj Singh explained to him the then prevailing political situation in Madhya Pradesh. Atalji listened to everyone and gave his blessings. Atalji blessed Shri Shivraj Singh saying, "jeet ke aaiye, laddu khilaiye" ("Come back victorious, serve us laddus") His words were brimming with energy and hope. His words were vibrating but inspiring. When Shivraj Singh came out after meeting him he said that we will come back again and get laddoos from Atalji. When I was sitting near Atalji it appeared true to me that Atalji was still overflowing with energy. All of us came out from there rejuvenated with added energy.

Second time on 8th December, we met him when the assembly results had already been declared. When we went to meet Atalji with



Shri Shivrajji, Shivrajji said jokingly that Atalji I, along with Narendra Singhji and Prabhatji have come to get laddoos from you. Atalji burst out with laughter. He asked for laddoos for all of us. One could see his face bristling with happiness on seeing young people getting mature. He was filled with joy. When Shivrajji told him that he felt like offering half a laddoo to Atalji, he said, "aadha nahin poora laddu khaunga" ("Not half, I'll have full") Even today in his role as a patron, Atalji is leaving an indelible impact on the minds of the people.

The name of Atalji is discussed from grassroot workers and leaders to national level leaders; from the chaupals of villages, in smaller meetings to the highest panchayat of the country, in the Central Hall of the Parliament. Discussions take place in positive note acknowledging and feeling proud of the indefatigable life that Atalji leads. He always took care of the timing in politics. The style of his

politics, methods he practiced, high values and ethics he upheld, credibility he maintained, his sense of humour keeps coming to people's mind. Even while in opposition he had an overpowering appeal over those in the government. His presence in the house used to say everything without a word being spoken.

Atalji is not only a matter of pride only for BJP but equally for the entire Bharat. His memory is sharp even today. He still keeps a watchful eye over the politics of the country. He is aware of every news. He was always very honest about his politics and remained sincere towards his responsibilities. He was honest towards his life. In the last assembly election the picturised image of Atalji was shown through LED vans from village to village. Wherever the LED van used to go and the image of Atalji was projected giving speeches, people used to clap and applaud spontaneously. Even the video presence of Atalji was appealing to the minds of the people. When the picture of Bombay session used to come and Atalji was shown speaking in there that was held in 1980 when he declared that "andhiyara chhantega, suraj niklega, kamal khilega (Darkness will be dispelled, Sun will rise and Lotus will bloom)", then people used to go wild in ecstasy over his words and prophesy. Rarest are the politicians in India like him who have so much of place in the heart of people even after having voluntarily distanced themselves from the active politics. ■

## Seeks NSG training centre for MP

Madhya Pradesh Chief Minister Shri Shivraj Singh Chauhan paid a courtesy call on Prime Minister Dr. Manmohan Singh on December 15, 2008. This was his first meeting with PM after leading BJP to victory in Madhya Pradesh and taking oath as Chief Minister for the second time. Shri Chauhan has asked the Centre to clear the pending anti-terrorist legislation for his State and open a commando training facility at Bhopal. The State would provide land for setting up a training centre for National Security Guard commandos, he promised. ■ (FOC)



## Raman Singh to continue to focus on development

Chhattisgarh Chief Minister Dr. Raman Singh will continue to focus on development during his government's second term.

"The recent Assembly elections results have proved that any party that comes to power has to work for the people. Be it Chhattisgarh, Madhya Pradesh or Delhi, the party that worked was voted back. Same was the case with Gujarat earlier," Shri Singh told *The Hindu* in New Delhi on 17 December. But development needs to be inclusive and not confined to the urban areas only. The rural and the tribal areas demand equal attention that

has been shown by the heavy polling in the tribal-dominated regions of Chhattisgarh, he said. "People may not have voiced their appreciation but they did come out to vote for development and peace", he said.

Like in 2003, the BJP won impressively on the Scheduled Tribes seats that catapulted the party to power once again.

Referring to the 'Salwa Judum,' he said: "There can be no straight forward, cent-per cent successful policy for resolving the naxalite problem.

The Centre and the affected States have to come together to resolve the issue. And this is the right time to do so because people have clearly indicated through the ballot that they want peace."

"People vote for development and the behaviour of the Chief Minister, the Ministers and all other elected representatives towards the people is equally important. No one can afford to be arrogant to his voter. This is the spirit of democracy," he added. ■ (FOC)



Courtesy call: Chhattisgarh Chief Minister Shri Raman Singh meets the former Prime Minister, Shri A.B. Vajpayee, at his residence in New Delhi.

## New MP cabinet sworn-in

Madhya Pradesh Chief Minister Shri Shivraj Singh Chouhan on December 20 formed his Council of Ministers by inducting 14 cabinet and eight ministers of state, including two women. Six got ministerial berth for the first time.

The new ministers were administered the oath of office and secrecy by Governor Dr. Balram Jakhar at a grand function on the Raj Bhavan lawns in Bhopal.

Sarvshri Babulal Gaur, Raghavji, Jayant Malaiya, Kailash Vijayvargiya, Gopal Bhargava, Anoop Mishra, Jagdish Devda, Laxmikant Sharma, Nagendra Singh (Nagaud), Smt. Archana Chitnis, Sarvshri Jagannath Singh, Ramkrishna Kusmariya, Gauri Shankar Bisen, Tukojirao Puar were administered oath as Cabinet Ministers.

Sarvshri Karan Singh Verma, Paras Jain, Narayan Singh Kushwaha, Smt. Ranjana Baghel, Sarvshri Rajendra Shukla, Harishankar Khatik, KL Agrawal and Devidayal Saryam took oath as Ministers of State.

Sarvshri Ramkrishna Kusmariya, Gauri Shankar Bisen, Rajendra Shukla, Harishankar Khatik, KL Agrawal, Devi Lal Saryam have been made ministers for the first time.

Besides the Chief Minister, senior BJP leaders, including MP State In-charge and BJP National General Secretary, Shri Ananth Kumar, BJP National Secretary, Shri Prabhat Jha, State BJP President Shri Narendra Singh Tomar, State Congress President Shri Suresh Pachauri, former Chief Minister Shri Kailash Joshi, senior civil and police officers were also present.

Talking to reporters informally at the Raj Bhawan after the first expansion of his ministry, Shri Chauhan said that without wasting time all its members would devote themselves to the development of the state. ■(FOC)

## Eleven ministers inducted into Chhattisgarh cabinet

Eleven members of the Bharatiya Janata Party (BJP), which made a triumphant return to power in the November assembly elections in Chhattisgarh, were sworn in as ministers at Raipur on December 22.

Governor Shri E.S.L. Narasimhan administered the oath of office to the new members of Chief Minister Raman Singh's team at the jam packed Police Parade Ground in a 30-minute ceremony amid loud slogans and clapping by an estimated 15,000 BJP supporters.

The newly sworn in ministers are Sarvshri Nankiram Kanwar, Brijmohan Agrawal, Ramvichar Netam, Punnuram Mohile, Chandrasekhar Sahu, Amar Agrawal, Hemchand Yadav, Vikram Usendi, Rajesh Munat, Kedar Kashyap and Smt. Lata Usendi. Five of them are from the Scheduled Tribe (ST) category.

Dr. Raman Singh retained seven members from his previous council of ministers while four new faces also found place.

The maximum strength of the council of ministers in Chhattisgarh's 90-member assembly can go up to 13, including the chief minister.

Shri Singh inducted three leaders, Shri Vikram Usendi, Shri Kedar Kashyap and Smt. Lata Usendi, from the Maoist insurgency-hit Bastar as the party recorded the best ever performance there by winning 11 out of the 12 seats in the region.

CM allocates portfolios

**Dr. Raman Singh, CM:** General Administration, Finance, Planning, Economic & Statistical Deptt., Power, Mining, Public Relations, Information Technology and Bio-technology, Civil Aviation, Commerce and Industry.

**Shri Nanki Ram Kanwar :** Home, Jail and Cooperatives.

**Shri Brijmohan Aggarwal :** Public Works, School Education, Religious Endowments, Culture, Parliamentary Affairs, and Tourism

**Punnu Lal Mohile:** Food Supplies and Consumer Protection, Village Industries, and 20-Point Implementation Programme

**Shri Chandrashekhhar Sahu :** Agriculture, Animal Husbandry, Fisheries and Labour.

**Shri Amar Aggarwal :** Public Health & Family Welfare, Health Education, Excise & Taxation, and Calamity Management and Rehabilitation.

**Shri Hem Chand Yadav :** Water Resources and Irrigation, Income Tax, Higher Education, Technical Education, Human Resource Development, Science & Technology.

**Shri Vikram Usendi :** Forest, public sector undertakings and public grievances

**Shri Rajesh Munat :** Urban Administration, housing and environment and transport.

**Shri Kedar Kashyap :** Tribal and Scheduled Caste development, backward classes and minorities development, public health engineering.

**Sushri Lal Usendi:** Women and Child Development, Social Welfare, Sports and Youth Welfare. ■ (FOC)

# Pak intentions on fighting terror still suspicious: Rajnath Singh

From Our Correspondent

“Terrorism is the biggest challenge facing the country today”, declared BJP National President Shri Rajnath Singh at Jammu. “There has been a growing sense of outrage and anger against terrorism ever since gross inaction became the main feature of the incumbent Governments”, he added.

In a Press statement issued at Jammu on December 16, Shri Rajnath Singh said that the gruesome attack on Mumbai has created an unprecedented environment against terrorism in the country and the people want some concrete action against this growing menace. Cutting across party lines, he added, the political parties have promised their unequivocal support to any concrete action against the perpetrators of such crimes against humanity.

Almost every terrorist attack carried out in India, Shri Rajnath Singh said, has a cross border link and this fact has now been acknowledged by major global powers like the US and the UK. British Prime Minister Mr. Gordon Brown has recently said that over three-fourth of terrorist attacks investigated in the UK had Pakistan and Al-Qaeda links and this makes Pakistan’s active involvement in terrorist activities throughout the world, he added.

Shri Singh said everyone knows that the terrorists involved in Mumbai attack came from Pakistan and were Pakistani citizens. The proof of their nationality has been published in many foreign papers



and even the terrorist nabbed by the Police has written a letter to the Pakistan Government that he is a Pakistani national. Yet, it seems, the Pakistan Government is still feigning ignorance just to delay action against people and organizations involved in launching terrorist attacks on India, he said.

Shri Singh charged that even the Security Council ban on Jamat-ud-dawa has not been executed sincerely by the Pakistan Government. According to credible media reports the Jamat activists taken in detention by the Police have been released by the Government and are roaming freely in the PoK, he said.

What is even more disturbing is the fact that the Interior Ministry of Pakistan has directed all four provincial Governments to refrain from taking action against Jamat activists operating from madarsas which is an open violation of United Nation Security Council’s ban on the organization, Shri Rajnath Singh charged. Pakistan is unwilling to cooperate with India in its war against terror, Shri Rajnath Singh charged. It has refused to allow India to interrogate any Pakistani national for his role in terrorist attacks in the country because it could expose the

nefarious designs of the ISI, he said. The ISI should be put on International Watch for its active involvement in promoting terrorism and launching terrorist attacks on India, he demanded.

Shri Singh regretted that during the last over sixty years Pakistan has not extended cooperation and mutual legal assistance to India involving a Pakistani citizen, be it a case of terrorism, robbery, narcotics smuggling or even cattle lifting. While it has had no hesitation in handing over nearly 200 Pakistani nationals suspected by the US as Al Qaeda members to the Federal Bureau of Investigation of the US without following the due process of law, it has never handed over even a single Pakistani criminal to India for trial, he said.

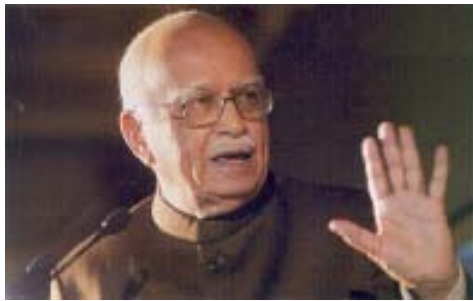
Shri Singh forewarned the UPA Government not to rely much on Pakistan as it is least interested in taking any concrete action against terrorists and their outfits.

He further said India needs an integrated Action Plan based on national consensus and diplomatic skills to decisively defeat terrorism and the opportunity is ripe for India to corner Pakistan for its poor response and track record against terrorism. “I have no hesitation in saying that Pakistan today is the cradle of global terrorism”, said Shri Rajnath Singh. If Pakistan continues to disregard its international commitments and defy international organizations, India should mobilize the world community and the UNSC to take stern action against Pakistan, he concluded. ■

## BJP with government in fight against terror : Advani

*There was a lively debate on the terrorist attack in Mumbai on November 26 to 29, 2008. The Leader of the Opposition in Lok Sabha Shri Lal Krishna Advani initiated discussion in which Deputy Leader of the party Prof. Vijay Kumar Malhotra and Shri Haren Pathak also participated. A synopsis of these speeches is published below:*

**SHRI L. K. ADVANI** initiating the debate in the Lok Sabha said: The terrorist attack in Mumbai, on 26 November claimed a number of innocent lives. Among the victims, there were Indian as well as foreign nationals. Our security forces fought bravely and got the better of them. For this, the entire nation is grateful to them. The Hon. Home Minister has said that the whole of South Asia is in the eye of the storm of terror. The draft resolution prepared by the Government candidly says that the Mumbai terror attack is the handiwork of Pakistan based terrorist outfit Lashkar-e-Toiba which is a banned outfit but which continues to operate under different names. Pakistan President Mr. Zardari has admitted that the terrorists originated from Pakistan but he stressed that they were non-state actors. The persons who witnessed them or fought with them in Mumbai have the impression that they were not ordinary terrorists.



The way, they chose their targets, make us to believe that they had a long preparation for this. This might have been done by ISI which in itself is a non-state actor and beyond the control of the elected Government of Pakistan. So, this attack is an act of aggression against India.

The Government as well as the Opposition are united on this front. I would like to assure the Government of India that my party and NDA would extend full cooperation and all the possible help required to take stringent measures to tackle this menace.

Now-a-days, we have been trying to put pressure on Pakistan. We are of the view that if we drag them in the UN Security Council it would be more fruitful. But we must not forget the experience, which we got in respect of J & K. We should fight on our own and should not repeat the folly, which we had committed when we presented the case of J & K before the UN

Security Council. We should keep in mind what LeT stands for. The Muslims of India should understand evil designs of LeT. This is an attack on our civilizational ethos and on our progress. So, when we formulate our response we should include Indian Muslims also. I would also like to make it clear to the world that terrorism cannot be justified in the name of J & K. The decision to merge the state of J & K with India was taken not only by the Maharaja of Kashmir but also

ratified by its representative body. If some of Kashmir still lie with Pakistan, it is only due to the naked aggression by foreigners. The world should recognize this fact. The J & K's merger with the Union of India is non-negotiable because it is an integral part of India.

As far as this terrorist attack is concerned, this is clearly a failure of our intelligence agencies. Hon. Home Minister has said that the Navy had been tipped off. But the latter assert that the particular vessel was not in the Indian territorial waters. That was an Indian Vessel. Do we not have any right to get hold of a vessel which is Indian but has made its way towards neighbouring territorial waters?

We should not forget that the Prime Minister, Home Minister, NSA all were saying that the next attack would be from the sea route. Even then, nothing was done to prevent it. Then, why the NSG commandos were delayed in getting down to Mumbai? I think, accountability should be fixed in respect of these matters. I would also like to know whether the demand for extradition of Dawood was made after this attack or before the previous attacks also? Besides, 20 others should also be handed over to us. What action the Government has taken or likely to take and by when it will be taken? With these words, I, once again, would like to remind the world that the whole nation is united to root out this menace of terrorism.

## Mumbai terror attacks “a national shame”: V K Malhotra

The terrorists incidents in Mumbai is not only a matter of sorrow for the whole country but it is also a national shame. It is not an ordinary incident. No doubt there is lot of anguish in the whole country. External Affairs Minister said that this incident was triggered through a system, a conspiracy. It is right that House should not be divided on this issue, we should work unitedly. I would like to remind that two resolutions were passed in the past also unanimously. One resolution was passed after China attack regarding taking back our forty thousand miles territory from their possession.



Another resolution was passed regarding taking back Pakistan occupied Kashmir. What is the fate of these resolutions? Four days prior to the Mumbai incident, our Home Minister had said that we have to see that infiltration of terrorists does not take place from other countries through sea routes and our borders. After the resignation of our Home Minister what is the guarantee that Pakistan will not involve in terrorist activities against India again. On 13 November 2008, thirteen days before the Mumbai incident our Prime Minister says ‘terrorism and threats from the sea continue to challenge the authority of the state’. The owner of the Taj hotel had already been warned of the terrorist attacks.

Why no attention was paid towards to all these warnings? Why the action was not taken? Coastal guard is making allegations against Navy and Navy levelling allegations on RAW. Counter allegations are being levelled. After all, where was the mistake committed. It is not an incident of one day but it has been going on for long. Home Minister says that we will bring them to justice. But after prolonged trial from lower court to highest court, Afzal who attacked our Parliament, has not been hanged for the last six years. What about Batla House incident?

Today martyrdom of Inspector Mool Chand Sharma is being questioned. Throughout the world Hindustan

is the most terrorist affected country barring Iraq. What a shameful situation in the country that there is no law to fight against terrorism. India is the only country where eighty thousand people have been killed in the acts of terrorism. It is said that our security personnel were fighting against terrorist with their 303 rifles and terrorist were having AK-47 rifles. Why the security personnel were not provided AK-47? Why all the necessary facilities have not been provided to them? It is clearly mentioned in the statement of the Home Minister in 2006 that there is a threat to India through sea route. Why did we not take it seriously? Is it the way to combat terrorism? It needs a stringent law. Violation of Human Rights comes in the way. Violation of Human Rights is considered for humans not for terrorists. Whenever Pakistan is warned, the terrorists shift their hideouts from one place to another. Where is the law to apprehend them? The terrorists are moving freely but the people of the whole country are breathing under the shadow of terrorism, the whole country is terrorized, the whole country is shocked of terror. We would extend our help if you punish the terrorists. You initiate stringent action, we will support you. No action is taken when Pakistani flag is hoisted in Assam and Kashmir. We have to pay coin for coin in order to combat terrorism. Resolution is passed that terrorism will not be tolerated. A number of resolutions have been passed in past. At least a proposal to bring back POTA or to enact anti-terror law should have taken place in this resolution. Central Investigation Agency is proposed to be established. We will give our full support to the formation of Federal Agency provided it contains some stringent laws to counter terrorism. With these words I support this resolution.

## An undeclared war on India: Harin Pathak



The entire country mourned the killing of innocent people and sacrifice of life of police personnel and National Security Guard Commandos in the terrorists attack on Mumbai on 26<sup>th</sup> November at 9.30 pm. It was not a terrorist attack rather it was a part of undeclared war from Pakistan on our soil.



There was anger among the people after this incident and they stood unitedly against it. The manner in which two veteran and reverend leaders Shri Advaniji and Shri Mukherjee have expressed their views and commitment to this resolution, is unprecedented. Implementation of this resolution is necessary. Pakistan is involved in a proxy war against India in the name of terrorism. Cutting across party lines, we should stand unitedly and firmly to fight against this undeclared war. Despite having political differences, people as well as the political parties in the country would come forward to eliminate the elements operating from Pakistan. Our paramilitary forces and commandos have acted very well though we saw some political immaturity before this incident. We had got some intelligence input intercepted at Rampur but lack of coordination, lack of political will was there. Why 9/11 type incident did not

recur in America. First we have to show solidarity. The whole country is united against this fight. Secondly, we will have to take stringent steps to win this fight against terrorism. They talk about National Intelligence Agency but what after that? They do not like to talk about POTA. I just want to mention that a stringent law should be enacted whatever be the name. Law and order is a state subject. States should also be empowered to enact laws.

The states willing to enact stringent laws in this regard should be given approval without any delay. Otherwise, only the center would be strengthened but not states. Pakistan should not take our tolerance and faith in peace as our weakness.

*Note: Full text of the speeches is being published separately in a booklet form.  
- Editor*

Loksabha

**NATIONAL INVESTIGATION AGENCY BILL, 2008**

## **Fight terror, BJP stands by you, Advani tells Government**

*While taking part in the discussion in the Lok Sabha on the National Investigation Agency Bill, 2008 and the Unlawful Activities (Prevention) Amendment BILL, 2008, Leader of Opposition and Shri Kharabela Swain made many important points. Here are a synopsis of their speeches.*

While speaking on behalf of my party and NDA, I want to assert that as far as terrorism is concerned, my party and NDA will support all steps of the Government taken in the direction of tackling this problem. Theoretically I do support both of these Bills. However, it would have been much better had the Government sent this Bill to the Standing Committee for deliberations who would have finally submitted its report in the month of February. The purpose of Standing Committees is also to deliberate on such important Bills before it is introduced in the House. But today I am satisfied that this Government has finally changed its stand after almost a decade. Our one of the neighbouring country has fought three wars with us. When they did not succeed in anyone of them they unleashed terrorism through proxy war. We are facing this problem from the beginning of eighties. We know that the terrorists attack on America was made in the year 2001 which not only shaken America but the entire world.

The United Nations Security Council had to pass a Resolution No. 1373 on 28th September, 2001 in view of attack on America in which they have stated that terrorism is our most dreading enemy and the existing common law is not adequate to deal with the problem of this magnitude. Therefore, there is need to formulate a special law to deal with the terrorism. I am stating all this because this Government is amending the very preamble of Unlawful Activities (Prevention) Amendment Bill, 2008. I do not remember that any Government had ever amended any preamble. But it is a fact that almost every country of the world have followed the advice given by the UNSC in the wake of 2001 attack on America by the terrorists. When we have formulated law accordingly, then the present Government which were in opposition at that time had attacked us as if we have committed a Himalayan blunder. But today the same Government feel that there is a need of such law which they did not think in the past. The

way this Government have introduced this Bill and showed its urgency to pass it, proves that they were wrong in the past therefore they should have accepted their fault. We were firmly of the opinion from the beginning that the menace of terrorism cannot be tackled in the absence of such a special law.

It has also been repeatedly stated that the law framed by us was opposed because it has been grossly misused. I would like to know whether any law has ever been formulated which has not been misused. Therefore it is wrong not to pass a Bill on the pretext that it can be misused. A special law was always a need of the hour to tackle terrorism in India. There can be some differences of opinion as to what should be included in the Bill and what should be deleted. It has been mentioned in the Bill that the confession given before a police officer will not be admissible as it is not a conclusive evidence. I believe that there should be some provision in the Bill where confession made before a certain level of police officer will be admissible evidence. Similarly, any interception of message or telephonic talk is also not considered as admissible evidence. We had made such a provision where telephonic interception or telephone message used to be treated as admissible evidence. I therefore, request the Government to incorporate such provisions in this Bill as well so that confession made before a certain level of police officers and intercepted information be treated as admissible evidence.

I know that the laws are misused and therefore TADA had also been misused. But at any stage we never told the Government to scrap TADA in toto as it is being misused. I was hoping that they will also come forward like us and will say that kindly proceed with your POTA but see that it is not misused. But they had always made it a point to say that terrorism is a law and order problem and it must be dealt by the State. There is no need of intervention by the Central Government in such cases. They are still suffering from the same opinion which is the basic problem. We should accept this fact that the biggest enemy of Al-Qaeda is America, Israel follows next and perhaps India is number three. In spite of America being number one enemy, there is no report of any incident whatsoever after 9/11 whereas a number of small and big terrorist related incidents have happened in India after 2004. It is therefore, my considered opinion that the Government should incorporate intercepted information as admissible evidence in the present Bill on the line of POTA. I do not disagree much on their assumption of intercepted information admissibility and presumption but I would

definitely like to state that in such matters attitude of society, government and the country matters most like America. Our Parliament was attacked by the terrorists on 13th December, 2001. The hearings of cases had been completed in 2002-2003. Criminals were apprehended and convicted. The terrorist who got death sentence had approached Supreme Court which had also endorsed the Government's view but it was never implemented. Why did not it happen, we do not know. But the attitude of the Government clearly sends a message that this country's approach towards terrorist are lax. The Law Commission in its 173rd Report also recommended that memberships of banned organizations should be construed as a terrorist act. Therefore, recommendation of the Law Commission also should be reconsidered when you are thinking of all the inadequacies and shortcomings in the law. I would once again say, it is no different from a war. To succeed in this war there has to be unity. Above all, that will has been lacking. Today, if your two laws are an index to show that you have decided to turn a new leaf, to take a U-turn, I would be very happy. Foreign nationals were being targeted; Indians, of course, were targeted in the recent terrorist attacks in Mumbai. The whole thing was horrible. Is it that we have woken up because it is not merely the people in India who think that India has become unsafe because of this soft attitude to terrorism, but the whole world thinks that India is now unsafe to the attack of terrorists? The Security Council Resolution of 2001 was a very sound Resolution but I am sorry that we should have been criticized because of following this particular UN-Security Council Resolution in letter and spirit and enacting a special law to deal with terrorism.

## Be united in fight against scourge of terrorism: Kharbela Swain

Sir, like the hon. Leader of the Opposition, I support both the Bills. Everybody should be united in the fight against the scourge of terrorism. When we say that we support the Bill we also say that if the people of this country bring us to power after some time, we will replace the lacunae contained in this Bill. But, for the time being, we support this Bill. The D.G. Police, the National Security Advisor, the Administrative Reforms Tribunal – all of them which belong to this Government



– have recommended, not one month or two months before, since years. And they did not listen to it. Now, Shri Kapil Sibal says that they are learning with experience. Shri Gurudas Dasgupta asked as to why 180 days. Why did you keep it for 180 days? He is a great votary of democracy and a great votary of Nandigram. They are talking about democracy, providing the benefits of democracy, but to whom? Is it to provide values and benefits of democracy to the terrorists, who want to kill the process of democracy?

Hon. Minister, Shri Kapil said as to why should there be a confession. Why confession made in front of the police should be accepted as an evidence? What does he mean by that? Does he mean that the terrorists will come and give evidence against them? Will they confess it? If you just go on telling goody-goody words, will they confess what they have done? It is very natural that for confession, they will have to be put behind the

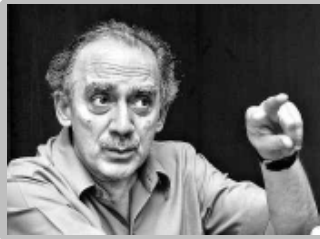
bars. How can you say, why 180 days, why not 90 days and so on? It should have been more like three years. Don't we have value for our lives? They speak like this because West Bengal has not been attacked at any time and because Kerala has not been attacked. They speak as though other people do not have any value for their lives. We are having an agency called the CBI. They have entirely denigrated the prestige and integrity of CBI. I have a very strong doubt that if this Government remains in power, they will behave in the same manner with this Agency also and they will denigrate the National Investigation Agency and they will make it the agent of the Government. People of this country are listening to us and to them also. Let them decide who is for the nation, who is for the country, and who is for the people.

*(Note: Full text of the speeches is being published separately in a booklet form. - Editor)*

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## Rajyasabha

# Whole country united in effective steps against terror : Shourie



*Equally interesting and effective was the discussion in Rajya Sabha on December 11 on recent Terrorist Attacks in Mumbai. Initiating the discussion, former Union Minister Shri Arun Shourie made very valid points. We are publishing a synopsis of his speech. Full text of the speech has been published in a booklet form separately.*

SHRI ARUN SHOURIE, initiating the discussion, said: I very much want to compliment the Government on the initiative which has yielded fruit just now. The United Nations Security Council has placed sanctions on the Pakistan based Jamaat-ud-Dawa, which is just an altered name of Lashkar-e-Toiba, and the four top leaders of LeT including Hafiz Mohammad Saeed. He and three others, including Lakhvi, have been declared 'terrorists' by the Security Council, and their assets have been frozen. In all such initiatives, the entire House, indeed the entire country will be with you.

Nine facts stand out in much of what the Minister of State has just read out. The first of these is a sort of thing which is happening every month, every two months. In 2008 alone, there were 49 such incidents in 19 cities; about 2,525 people have been killed in these incidents.

The second fact is that this is happening right across the country. The people who follow terrorism know that in just two years, from 2004 to 2006, 81 modules were busted by our intelligence agencies. These were ISI modules which were busted by our intelligence agencies. These were ISI modules in all over the country excluding J&K and the North-East.

The third fact that stands out is that the finger of suspicion points to Pakistan. Its 60 years of existence, Pakistan, for 50 years, has been under the heel of the army. I think that none of us, in India, can realise the terror and the pervasiveness of ISI in Pakistani state and society. Therefore, to imagine that Lashkar-e-Toiba or any other agency could do things without the knowledge, patronage, guidance, training and equipment of ISI, is to live in a fool's paradise.

The fourth fact is that in these circumstances to

ask Pakistan to help nail the masterminds just does not make sense. It is told that even Mr. Zardari, the Pakistan President is not in control of the agencies like ISI. And we are appealing to him. Just now, the statement of Mr. Zardari that the fellows causing all the trouble in Jammu and Kashmir are terrorists. After this Ms. Sherry Rehman, the Minister of Information there immediately refuted it in a statement.

Therefore, in these circumstances, to invite Pakistan to come here for even discussions to put hope in the so-called joint mechanism for fighting and investigating terror is to fool oneself.

The fifth point is that the infrastructure for terrorism in Pakistan has not been rolled up at all. There is a Status Paper on internal security situation which was presented by Mr. Shivraj Patil to the Parliament on 30th November. It says that the terrorist infrastructure in Pakistan and PoK is yet to be dismantled and is being used by Pakistan-based and Pakistan ISI sponsored outfits like Jaish-e-Mohammad, Lashkar-e-Toiba, Al Badr, Hizb-ul-Mujahideen, etc. and they want to do nothing about it. Because these organizations are the instruments of the ISI and the Pakistan Army so to repose hope is to put ourselves in for difficulties.

The sixth point that comes out is local help. Yes, these are ISI inspired. Their principal instruments are Lashker-e-Tayeba, etc. But none of this could have happened without local help because they knew the entire layout.

The seventh point is that these agencies abroad and these networks abroad like Lashker-e-tayeba, use existing channels, for instance, of smugglers. Just to get a ban there is a wonderful first step, but unless we get at these networks and the existing channels, we will never get anywhere. I completely endorse what the Home Minister has said that the entire nation feels grateful for the bravery and the sacrifice of our poor NSG people and the other security personnel. It took three hours for the Government to decide to deploy the NSG. After that it took five-and-a-half hours, a total of nine hours, before our specialized Force was able to reach there. When they reached there, after nine hours of the beginning of the assault, they were blind. They did not have maps of the hotels and targets.

The ninth fact, which has now been acknowledged here on page 3 of the statement of the Home Minister is about Intelligence reports actually having come. There are many qualifications to what has been acknowledged.

In para 12, it says: "Intelligence, regarding a suspected LeT vessel attempting to infiltrate through the sea route, was shared with the Coast Guard."But

the fact of the matter is that it has been leaked by intelligence agencies that there were intercepts that these two hotels would be among targets. The coordinates of this vessel were given the information. So, intelligence was given. Yet what was our response? Kindly look upon it as an institutional matter of what we have to strengthen and what we are up against. In the annual meeting with the Director-Generals of Police and the Inspector General of Police in November, 2006, the Home Minister told them coastal areas are coming under increased threat from terrorist groups which have decided to use the sea route to infiltrate into India. They also plan to induct arms and ammunitions through the sea routes. These things could not have been said off-hand.

Then, on 8th March, 2007 and 9th May, 2007 the Home Minister repeated the same facts. Then, on 8th December, 2007, the National Security Advisor, Shri M. K. Narayanan, was also educating the world at Manama, in the Middle-East, at a Security Conference that certain new schools that are being established on the Pakistan-Afghanistan border which now specialize in the training of an international brigade of terrorists to fight in many climes.

Then, he says, "The sea route, in particular, is becoming the chosen route for carrying out many attacks, even on land. I would like, therefore, to sound a note of warning that there is no scope for complacency. On 11th March, 2008, Mr. A. K. Antony, the Defence Minister said that the dangers of terror attacks from the sea in the region are now mounting, and that the Coast Guard has deficiencies, but bureaucrats say, all necessary steps are being taken." On the 13th November, 2008, just a fortnight before the assaults, the Prime Minister is educating the BIMSTEC leaders that terrorism and threats from the sea continue to challenge the authority of the State and on the 22nd November, 2008, four days before the assaults, the Home Minister while addressing the Directors-General of Police, said, "To control terrorism in the hinterland, we have to see that infiltration of terrorist from other countries does not take place through the sea route." It was agreed that terrorism must be prevented and as directed by the leadership of the two countries at the meeting in New York on 24th September, 2008, severe action be taken against any elements involved in terrorist acts. And, that very day, using that very sea route, the terrorists come to those very targets.

First, Pakistan is not going to suffer at all as it has not suffered for killing 50-60 thousand Indians already. Second, not just the infrastructure within Pakistan

remains, the infrastructure that is used for and within India remains exactly as it was. Third, there is a great pressure on Pakistan. The fourth fact is that Pakistan having nurtured these extremists, now if it keeps deflecting them in Afghanistan, it is in trouble because of NATO pressure, American pressure. If it keeps them at home, it is in very severe trouble.

Therefore, the option of choice that they will exercise is to deflect extremists once again into India. Fifth fact is that in the coming months, the US will retreat in defeat from both Iraq and Afghanistan and this will be a great boost to the extremists. The extremists cannot get to America easily. They can get somewhat more easily to Europe. But, we are the open and open target.

The sixth point is that of the 608 districts, today 231 are affected by extremist violence or insurgency of one kind or the other. Leave the Assam, even a peaceful State like Arunachal Pradesh, the three districts of Lohit, TIRAP, and Changlang have now started getting affected by the terrorist recruitment drive there. As regards the finger of suspicion, I can say from my personal knowledge that ISI is now knitting together Indian insurgence extremist groups even in the North East. Therefore, things are going to get much worse. What is happening in the North East is a matter of great concern. Democracy must be strengthened. Concessions can be given but the peace process must be going on. The terrorism has increased. In Lakshadweep, there are 36 islands. The Godbole Task Force set up in the wake of Kargil in 2000 reported that for all these 36 islands Intelligence Operation is carried out by one inspector, one sub-inspector, one head-constable and three constables only on one island, Kavaratti. It was recorded there that unidentified helicopters and turbo planes have been landing in these islands. The Coast Guard-Navy coordination is not good enough. The Coast Guard should be put under the control of the Navy and accountability fixed. We should not wait for assaults of this kind to be awakened to the things we have not implemented. Air traffic control, Railway traffic control, power grids, banking transactions and broadcasting facilities all are to be done in two minutes through cyber warfare. It is very distressing to report that the initiatives that were started in collaboration with our Defence Forces for setting up of fire walls on our infrastructure have not helped at all.

The fact of the matter is that the software and work being done in the Ministry and Defence Forces is vulnerable for operation by terrorists. They use not only mobile phones, satellite phones, voice over Internet

Protocol but they use GPS also. It is now established by the best intelligence sources in the world that within the coming five years terrorists will use non-conventional weapons. They use biological, chemical and sub-nuclear weapons in their miniature form. Instead of waiting for the next statement after one of those attacks, we must review our preparedness. In the Pakistani State the pervasiveness of the ISI and the power of the Army depends only on hostility with India and with successes against India in these operations. As far as the society there is concerned, Taliban is not the cause of what is happening. Taliban is the result of the Talibanisation of Pakistani society. In Government schools of Pakistan, from Kindergarten the instructions from the Central School of Secondary Education and

Primary School Education says that the child shall be judged by the fervour with which he gives speeches on Jihad and Shahadat. No war can be won with a strategy of permanent defence. For ten terrorists 200 commandos only from the NSG were sent plus reinforcement and naval commandos. It can be done with minimal force. India must return double to the enemy. The time has come when India should attack on the enemy strongly.

Pakistan should be kept preoccupied in its own problems in Baluchistan, in Gilgit Baltistan and in PoK. All inhibitions for collaborating with armies and intelligence agencies of other countries that have expertise in these matters must be removed. A very good point that has been made by the Home Minister is thinking of a National Investigative Agency and of amending and tightening the laws. On dealing with terrorism, it is clearly said that there is a felt need to strengthen the hands of security forces in the fight against terror so that human rights and constitutional values are protected.

It is evident that most countries have been adopting tough anti-terrorism measures, whereas the provisions of similar laws have been diluted in India over a period of time. There is, definitely, a need to have stringent provisions to deal with terrorists. So, a thing which is necessary for the country should not be delayed. The technology the terrorist used and the training that we are giving to the persons who are to fight them should be reviewed. Security personnel are less educated and they are to meet high technology challenges. About 20 per cent of the police constables in Delhi have not been given family accommodation. In this situation how we want them to be motivated to fight terrorism?

It is not possible to have first-class anti-terrorist operations without first-class policing. All necessary

steps have to be taken in this regard. Till today the recommendations made by the Girish Chandra Saxena Task Force on Intelligence have not been implemented. Various agencies were set up. The multi-agency centre, the National Intelligence Data base and the joint Task Force on Intelligence were set up under the IB but they

remained on paper.

Seven years after these agencies were set up nominally, as new agencies are going to be set up, they remain, to my personal knowledge, merely 'paper' organizations. The entire country is with you when you take effective steps.

## Those who opposed strong law proved wrong : Jaitley

*Here is the brief of the points made by Shri Arun Jaitley, BJP National General Secretary while speaking on the National Investigative Agency Bill, 2008 and the Unlawful Activities (Prevention) Bill, 2008 in the Rajya Sabha*

Sir, I rise to speak on the Bills As the tenure of the UPA Government comes to an end it has brought these Bills not out of any ideological conviction but because the 10 evil men who shook India on 26/11 have convinced every Indian that the battle against terrorism cannot be curtailed because of vote bank considerations.

Those who opposed a strong special law against terrorism have been conclusively proved wrong. Their logic was the following:-

- ▶ That POTA was a law not against terrorism but against minorities.
- ▶ Normal laws are sufficient to deal with terrorism and no special laws are required.
- ▶ A Special anti terror law is opposed to human rights.
- ▶ A special anti terror law can be misused.
- ▶ Despite POTA attacks took place on the Parliament and Akshardham and therefore an anti terror law is ineffective.

The ten evil terrorists who shook India on 26/11 have demolished the fundamental assumptions of every critique of a special law against terrorism. The reality now stares India in the face. Indians will no longer accept India as a soft State vulnerable to terror. All these objections have proved to be spurious.

Why an Ani-Terror law?

It is obvious that an anti terror law is not a substitute for stronger intelligence and security responses. You need a powerful intelligence mechanism which infiltrates into the enemy camp and brings you advance information of what the enemy is planning. The



intelligence has to be coordinated and then effectively passed on to those who will take preventive measures. Your security responses have to be fast. Your commando reactions must send fear into the enemy mind. Obviously, an anti terror law is not a replacement of all these.

The principal battle against terrorism is not fought in law courts; it has to be first fought in the mind of a society. It has to be taken in the hearts of men and women which must then be reflected in the determination of the polity and the government. It has then to be reflected in the capacity of your intelligence agencies and your security responses.

The Indian Penal Code till date has not been able to eradicate criminal offences. Similarly, an anti terror law does not bring terrorism to an end. A terror law merely provides for proper investigation and punishment to those who indulge in the terrorist crimes. If you have an effective anti terror law your conviction rate is high and convictions are faster. It can only act as a deterrent against crime.

After wasting 95% of its electoral term in questioning the rationale behind a strong anti terror law, the UPA has now been compelled to at least reluctantly accept that what the BJP has been saying all these days was correct.

But unfortunately politicians never accept that they were wrong and therefore even when you realize that you were wrong, your reluctant acceptance is an incomplete one. The newspaper reports indicate that the Home Minister tried hard for some more amendments to this law but his colleagues in the Cabinet allowed

their vested vote bank interest to override India's security interests.

### Anatomy of Terrorist offences

Let us analyse three recent important cases of terrorist attacks in order to understand what anti terror law must contain.

#### **(1) The Assassination of Shri Rajiv Gandhi**

Shri Rajiv Gandhi was assassinated by a terrorist disguised as a human bomb. The assassin died on the spot. The investigation was intended to reach out to larger conspirators who encouraged and participated in the crime and provided logistical support. The trial was held under TADA. Obviously you could not find any eye-witnesses of the secret meetings of the conspirators. It was only confessions of the participants made to senior police officers under TADA which ultimately became the basis for conviction.

#### **(2) The Parliament Attack case**

The five terrorists who attacked Indian Parliament were killed on the spot. Investigation into the conspiracy reached out only to those who provided logistical support and participated in executing various steps in the conspiracy. POTA was in force and therefore the confessions made about the crime under POTA became the material evidence in convicting the alleged conspirators.

#### **The Mumbai Attack on 26/11/2008**

Nine out of 10 terrorists were killed on the spot. One has been arrested. The investigation must now reach out to those who organized the terror attack, who trained the terrorists, the role of the ISI and other State agencies of Pakistan. The investigation must reach out to those who provided the money, the weapons, the RDX, who made travel arrangements and who provided local and logistical support to these terrorists. It is obvious that there will be no eye witnesses or any direct evidence of the Karachi limb of the conspiracy. It is the confessions made by the arrested terrorist, Kasab, which will be material. Take all his confessions out, it may be difficult for the Indian police to prove the Karachi limb of the conspiracy.

#### **Essential features of law**

On basis of the above there are special features which an anti terrorist law must have. POTA was a composite anti terror law. The features of an anti terror law must include – the definition of a terrorist act, the extra territorial application of the law, a provision for deterrent punishment to those who commit terrorist crime, special provisions for those who incite or abate terror, who harbour terrorists, for acquiring and continuing membership of terrorist organizations, for

confiscation of proceeds of terrorism, for non retention of profits of crime, for forfeiture of terrorists property and other assets acquired from terrorism and for threatening witnesses. The law must provide for declaration of terrorist organizations as unlawful, a special procedure for investigation and trial, longer remand periods to enable proper investigation, and setting up of special courts, the law must separately provide for presumption of certain acts and shifting the onus on accused, for confiscation of passport and travel documents of the accused and for setting up of Review Committees to ensure that there is no misuse of the law.

#### **Where law was lacking**

The law has to provide for special bail provisions in substitution of the normal bail provisions under Criminal Procedure Code, to intercept telecom communication and using them as evidence and admissibility of confessions with certain safeguards. The UPA government has not been honest with the country in the last 4 years and 8 months. It is a victim of its own propaganda that POTA was anti minority community. It repealed the POTA and in the process it made India a victim of terrorism. Later, it kept indulging in cutting and pasting exercise. A large number of provisions mentioned above were bodily lifted and incorporated in the 2005 amendment to the Unlawful Activities (Prevention) Act. However, the government misled the whole country for over four years and made our investigations and prosecutions vulnerable by deleting certain vital provisions. These provisions were the following :-

#### **(a) Presumption as to certain acts**

If a weapon is found in possession of a person, the onus of proving his innocence shifts upon the possessor of the weapon. Similarly, if fingerprints of a person are found on a weapon or a vehicle, the presumption of user is against the person. Presumptions are even allowed in the Indian Evidence Act. But the UPA did not wish to allow the prosecutors to avail presumptions against terrorism. This provision has now been brought in.

#### **(b) Special provisions for bail of a terrorist**

Special bail provisions which make the bail of a terrorist extremely difficult are present in most anti terror laws globally. In India, the special bail provisions have been provided in 12 different legislations. They were present in the TADA and POTA. They are currently present in the Organised Crime laws of Maharashtra, Karnataka and Andhra Pradesh. They are contained in Narcotic Drugs and Psychotropic Substances Act

(NDPS), SC and ST (Prevention of Atrocities) Act, 1989, Anti Hijacking Act, 1982, Prevention of Damage to Public Property Act, 1984, Prevention of Money Laundering Act, 2002, Suppression of Unlawful Acts against Safety of Maritime Navigation, 2002; Suppression of Unlawful acts against Safety of Civil Aviation Act, 1982, Terrorist Affected Areas (Special Courts) Act, 1984; Wildlife (Protection) Act, 1972. Internationally, the bail provisions in U.K. Australia, U.S.A and Canada render the bail extremely difficult. Fortunately, the bail provisions are only now belatedly being strengthened.

### **(c) Confessions of a conspirator**

The Supreme Court had laid down guidelines as to under what circumstances and with what safeguards the confessions of an accused could be admitted in evidence. The safeguards included –

- ▶ The confessions must be before a police officer of the rank of Superintendent of Police or above.
- ▶ It must be recorded with an audio or video device.
- ▶ Within 48 hours of the confession the accused must be produced before a judge/magistrate to examine the voluntariness of the confession.
- ▶ In case of any complaint by the accused the judge will get the accused medically examined.

It should always be open to the court to examine the voluntariness of the confessions. However, the nature and anatomy of a terrorist crime is such that the investigator will never be able to prove what happened in the closed door meetings and terrorist training camps through eye-witnesses. Even intercepts will be normally post crime.

The conspirators who helped the assassins of late Shri Rajiv Gandhi and those who attacked Indian parliament were punished on the strength of confessions. Take the confessions out and more acquittals were likely.

The Karachi limb of the conspiracy can never be proved but for the confessions made by Kasab being made admissible. These confession provisions have existed in TADA and POTA, the Organised Crime laws of Maharashtra, Karnataka and Andhra Pradesh.

These provisions exist in NDPS law, Submissions made to Customs officers, Enforcement officers have been held to be admissible under the Customs Act and FERA. Similarly, confessions for terrorist crimes subject to a finding of their voluntariness are treated as material evidence even in other liberal democracies which have strong anti terror laws. The lack of political consensus in the UPA cannot be a ground for deleting this provision in our law. It is the consensus of the security agencies

and the investigators which is more material. By removing this vital provision the effectiveness of this law has been substantially eroded.

### **(d) Intercepts of telecommunication**

The existing law permits intercepts to be used as evidence. The manner in which the intercepts are to be made, the authority competent to sanction intercepts and the safeguards against misuse of the intercepts are the provisions which were present in POTA. These have been deleted in the present law.

### **National Investigative Agency**

The first option under the law is for the Central Agency to investigate a terrorist crime. The central agency can itself decide on the State police investigating a given case. This is because under List-I, Entry 1 the ‘Defence of India’ is the responsibility of the Central Government. An anti terror law is directly related to ‘Defence of India’. The Supreme Court has already held that an anti terror law comes within the Centre’s domain. Therefore, if the Centre can enact a strong anti terror law it must have the power to create an agency to investigate terrorism.

Terrorists offences may involve sharing of Inter-State intelligence; it may also include sharing of trans-border intelligence, it may require police of several States to coordinate its efforts. For some offences, inherently a Central agency would be more effective in dealing with terror.

### **Conclusion**

Sir, we are today paying the political cost of terror. We need an effective anti terror law as terrorism has its adverse effects. It can affect the investment environment in the country; it can divert economic resources from development to fighting terror; it can impact on social cohesion in a civil society and create a sectarian divide. Strong anti terror steps can even alienate a small section of people. Diversion of resources to anti terror steps can also affect our defence preparedness. With all these costs and a challenge to national sovereignty, let us today proclaim finally while we re-visit the anti terror law, an anti terror law is a secular law. It does not recognize religion or caste. It’s a law against terrorists and not against a community. Checks have to be imposed to prevent its misuse. Ordinary laws are not enough to deal with terror. But this law is only half a step of a reluctant government. As a Nationalist party we will campaign for the other half but yet support the half measure that you have taken. The only difference being that while we support this measure as a National necessity, the government and its allies appear to be more apologetic in bringing this measure. ■



# Senior BJP leader VP Goyal passes away

From Our Correspondent

Senior BJP leader and former Union Minister in the Atal Bihari Vajpayee-led NDA government at the Centre, Shri Ved Prakash Goyal passed away at the Hinduja Hospital in Mumbai on 17 December, following protracted illness and was cremated at the Sion crematorium of the city on 18 December. He was 82 and is survived by wife Smt. Chandrakanta, a former three-time MLA, two sons and two daughters.

Born on January 31, 1926 at Karnal in Haryana, Shri Goyal was educated at DAV College, Lahore and did his B Sc, in Chemical Engineering. A former All India treasurer of the BJP, Shri Goyal was also worked as the party's Mumbai Unit President. He had been a full-time RSS Karyakarta since 1949.

Shri Ved Prakash Goyal held several positions in his public life with distinction. He was the Chairman of the House Committee of the Rajya Sabha, Chairman, Committee to discuss amendments

to the Banaras Hindu University Act, 1915, Member, Standing Committee on Energy, Convenor Sub-Committee on Non-Conventional Energy Sources of Standing Committee on Energy, Member-Consultative Committee for the Ministry of Communications, Member-General Purposes Committee of Rajya Sabha, Member, Select Committee on Prevention of Money Laundering Bill, Member, Joint Committee on Central Vigilance Commission Bill, 1999, Member, Regional Direct Taxes Advisory Committee, Member, Hindi Advisory Committee of Ministry of External Affairs, Elected to Rajya Sabha, 1996-97 and 1997-98 Member, Standing Committee on Energy, Member, Consultative Committee for the Ministry of Industry, Member, Standing Committee on Transport and Tourism All India Treasurer, BJP, 1998 onwards, All India



Treasurer, BJP, 1998 onwards, Convenor-Overseas Friends of BJP, President BJP Mumbai, April 1996.

Shri Goyal was the founder editor of the *Nirbhay Pathik*, a

Hindi daily published from Mumbai. He was awarded "distinguished Alumnus Award" by Banaras Hindu University in 1984 and during 1997-98, he promoted young entrepreneurs projects in Science and Engineering models through ABVP; women empowerment, slums development and upliftment of Adivasis through an NGO "Van-Bandhu"; Community service through projects like public convenience, community halls, gymnasium, beautification of public places, support to charitable medical institutions.

He was also the President of the BHU Alumni Association, Mumbai 1998-93 and Pt. Madan Mohan Malvia Smarak Samiti; Charter President, Lions Club Kaliwada, Mumbai, 1976; Member, Adarsh Ramlila Samiti and Agroha Vikas Parishad Central Committee, Bharat Vikas Parishad, Hindustan Parakashan Sansthan, Mumbai and Bharatiya Jan Kalyan Society Mumbai; Trustee of Mg. Committee and Lok Kalyan Nyas, Delhi; Treasurer, Dr. Mookerjee Smriti Nyas, Delhi; Founder Member, Parliamentarians for Friendship with Taiwan; Shri Goyal was also associated with National Advisory Committee of the World Association for Small and Medium Enterprises.

Leader of Opposition in the Lok

## It's my personal loss : Vajpayee

In a condolence message former Prime Minister Shri Atal Behari Vajpayee has said that with the sad demise of Shri Ved Prakash Goel we have lost a close associate, committed worker and an ideal leader.

Shri Vajpayee said Shri Goel has been associated through thick and thin. He walked shoulder to shoulder during our journey from Jan Sangh to BJP. Whatever responsibility was given to him he discharged it remarkably well. But for the post sometime he was not keeping good health and while fighting the diseases he left us all alone. It is a personal loss to me. I have no words to express my grief at the loss of a close associate and fellow traveler. All I can say is to pray to the Almighty to give peace to the departed soul and strength to the family to bear this great loss.



Sabha, Shri L K Advani, attended the funeral of Shri Goel. Besides Shri Advaniji, BJP National General Secretary Shri Gopinath Munde, BJP National Spokesperson Shri Prakash Javadekar, BJP National Headquarters in- Charge Shri Shyam Jaju, Shri Raghunath Kulkarni, Shri Vinod Tawade, Shri MP Lodha, and Shri Kirt Somaiya, senior BJP leaders of Maharashtra and Mumbai city BJP leaders were also present at the funeral.

### **“Big loss” for BJP : Advani**

Shri Lal Krishna Advani described Shri Goyal as a dedicated worker of the party. Shri Advani said “He played an important role in the rise of the party. BJP and our ideological ‘Parivar’ will miss him. This is a big loss for us, he added.”

BJP National President Shri Rajnath Singh has expressed grief over the death of Shri V. P. Goel. Many other senior BJP leaders have also condoled his death. ■

## **Mookerjee Nyas condoles his death**

Shri M. Venkaiah Naidu, President of Syama Prasad Mookerjee Smruti Nyas, of which Shri V. P. Geol, had been the treasurer till a few months back, has condoled his death as a great blow to the BJP and the Nyas.

BJP National Secretary Shri Prabhat Jha, MP and Nyas Secretary, Shri Nand Kishore Garg, have also expressed grief at his death. Shri Jha said that when the news of the circulation of Kamal Sandesh (Hindi and English) having swelled to about 1.80 lakhs per month was conveyed to him, he was damn happy. ■ (FOC)

## ***ABVP rally against Bangladeshi Infiltration***

### **Demands government to act right now**

At Kishanganj (Bihar) on December 17 more than 50,000 students assembled at the ABVP rally against illegal Bangladeshi infiltration at Ruidhasa Grounds and demanded to completely seal the India-Bangladesh border and put a check on infiltration.



The students who came from all over the country also warned the UPA government to stop providing shelter to the infiltrators and give top priority to the national interest. Shouting slogans against the infiltrators, the students stressed the need to save the eastern India today otherwise it would be difficult to save the entire country tomorrow. The rally started by paying tribute to the people died in the recent Mumbai terrorist attacks.

The rally was presided over by ABVP national president Dr Ram Naresh Singh. ABVP general secretary Shri Suresh Bhatt, convener of the movement against Bangladeshi infiltration Shri Sunil Kumar Bansal, ABVP national organizing secretary Shri Sunil Ambekar, ABVP national vice presidents Shri Milind Marathe and Shri Jai Kumar were also on the dais. After the rally a high level delegation of ABVP leaders under the leadership of Shri Ram Naresh Singh met the local Collector and presented him a memorandum for the Prime Minister Dr Manmohan Singh. The memorandum urged the Prime Minister to take all possible steps to detect and deport the infiltrators.

The speakers at the rally demanded strict action against the Bangladeshi infiltrators. Shri Sunil Ambekar said Bangladesh had become a hub of anti-India activities. Bangladesh has definitely become a helping place for all the terrorist activities organized by Pakistan. He said when the people are talking about terrorism, the world community has to look at the present activities of Bangladesh and they should take strict initiatives against it.

Shri Suresh Bhatt said infiltration is not an instantaneous problem, rather it is going on for the last 30 years and the state and the Central governments are sleeping over it. Shri Sunil Kumar Bansal said wherever there is any problem in the country the Vidyarthi Parishad does not only register its protest by organizing demonstrates but also directly reaches the place to find a reasonable solution to the problem. ■ (Agencies)

## *Karkare's killing*

# Antulay remarks draw widespread condemnation

**M**inority Affairs Minister Shri A R Antulay on December 17 set off a major political row by demanding a probe into the shooting of Mumbai ATS chief

Chief Hemant Karkare in the 26/11 terror strikes which he linked to investigations into the alleged involvement of Hindu radicals in the Malegaon blast case.

Stating that the circumstances of Karkare's shooting "may be inquired into", Antulay seemed to have borrowed a leaf from Pakistani TV hosts who have claimed that the Mumbai attacks were the handiwork of "Hindu-Zionists". Antulay told the media that "there must have been some

### **Antulay "Remark outrageous": Muslim organisation**

The citizens' organisation, Muslims for Secular Democracy (MSD), has asked Union Minister for Minorities Shri A. R. Antulay to resign for insinuating the hand of Hindutva elements and their alleged police sympathisers in the killing of Shri Hemant Karkare, who headed the Anti-Terrorism Squad of Maharashtra. In a statement, MSD office-bearers Sarvshri Javed Akhtar, Sajid Rashid and Javed Anand said they were horrified by Shri Antulay's "irresponsible and outrageous" comments.

The MSD noted that the world was convinced – on the basis of evidence provided by the government – that the terrorists responsible for the November 26 Mumbai attacks came from Pakistan and belonged to the Lashkar-e-Taiba. This explained why governments across the globe demanded that the Pakistan government act, firmly and swiftly, against the perpetrators of terror. "Not surprisingly, the Pakistan government is dragging its feet, claiming it has yet to be shown 'incontrovertible evidence.' Very surprisingly, and shockingly, Shri. Antulay, a Minister in the Union Cabinet, has similar doubts."

The MSD pointed to the confession by Mohammad Ajmal Amir Iman, the surviving terrorist now in Indian custody, that Karkare as well as other police officers and constables were gunned down by terrorist Ismail Khan. This account, the organisation said, tallied with that given by Constable Arun Jadhav, who survived the ambush. (Agencies)

## **BJP condemns Antulay**

Reacting to the controversy, BJP condemned Antulay's statement and said the minister was as good as playing ISI's attorney and demanded his sacking. BJP National General Secretary Shri Arun Jaitley said Pakistan could now quote Antulay to contest the account of the lone surviving Mumbai terrorist Ajmal Amir Kasab. "Having made such a preposterous statement, Antulay cannot be allowed to remain in government even for a day," he said.

## **BJP demands sacking of Antulay**

The Bharatiya Janata Party has demanded an end to the "Antulay drama" with an apology from the Congress terming it the "theatre of the absurd". "This drama must end. In some ways, it can be called the theatre of the absurd. Antulay is saying he will neither confirm nor deny that he has resigned," BJP spokesperson Shri Ravi Shankar Prasad told reporters in New Delhi. Shri Prasad said Antulay had not only reiterated his earlier statement about Karkare's death being a conspiracy but has tried to "patently communalise" the issue. "Antulay has tried to put a Muslim angle to it too. We strongly condemn it," he said. BJP has demanded immediate sacking of Shri Antulay. (FOC)

reason why Karkare went to Cama hospital instead of Taj and Oberoi hotels."

Antulay said "someone" could have told Karkare and other officers with him to go to Cama hospital, suggesting that the ATS chief fell victim to a set-up as he was probing the Malegaon case.

A red-faced Congress swiftly dissociated itself from the minister with party spokesperson Shri Abhisekh Singhvi saying, "We don't accept the inference and the innuendo that underline the statement (of Antulay)...we don't agree with bringing this case (Karkare's killing) under a cloud."

But Antulay was unfazed, virtually daring the Congress to sack him and offering to "explain" the geography of south Mumbai to his party.

# The real enemies

By Tavleen Singh

As Shri Abdur Rehman Antulay unintentionally reminded us last week, India has enemies within her borders that are more treacherous than those who come in boats from the sea. If we had a real Prime Minister, instead of one by appointment to Her Majesty the Queen, not only would the Minister for Minority Affairs be sacked, he would be tried for sedition. How dare he suggest that in the middle of the worst terrorist attack India has ever faced, our police officers are so evil that instead of fighting the terrorists they plotted to kill one of their own officers? If Antulay had any sense he would stop trying to explain why he, as a former Chief Minister of Maharashtra, made such baseless charges. He makes it worse every time he goes on television and says that he is only speaking out against those he believes sent Hemant Karkare deliberately to his death and not against the entire police force.

In Pakistan, he is the newest hero. Did they not always tell us there was no proof that those responsible for the horrors in Mumbai were Pakistani? Did Pakistan's alleged security experts not point at 'Hindu Zionists'? And, now incontrovertible proof that they were right. A Minister in the Government of India has confirmed on national television that he has doubts about who killed Karkare and that "lakhs of Indians" share his doubts. He seems not to notice that in saying this he is really saying that the Indian state is too venal to be trusted.

At least he stops there. A famous Indian novelist— whose

name I will not take because it would defile this column—goes further. In the latest of her series of hysterical diatribes against India and all things Indian, she justifies the attacks on Mumbai. There is a context to everything, she says, and so we must understand that the jihadis who want to destroy India have good reason to do so. The novelist is not alone in her hatred of all things Indian.

Nearly every Indian writer who has written in the Western media since the attack on Mumbai has found reasons why the jihad against India is justified. Look at our 'atrocities' in Kashmir and look at what happened in Gujarat and what about the Babri Masjid. One British newspaper went so far as to say that India used 9/11 to treat its Muslims even worse than we did before. This editorial was used by a Pakistani journalist to explain what happened in Mumbai.

Well, you know what, I am sick of it. I am sick of India being blamed all the time for everything by people who would not dare open their mouths in a country that did not offer them the freedom that India does. This freedom has not come easily. We have fought impossible odds to create a country whose fundamental principles are democracy, secularism and universal human rights.

To say that we have succeeded fully would be foolish. There are flaws, failures of all kind, especially when it comes to giving everyone access to the fruits of democracy, but at least we continue trying. The country that has become the epicentre of the global jihad is still

struggling to rid itself of the effects of decades of military rule. Yet, if you were to read the views of our refugee writers who make their money and win their prizes in New York and London, you would think that there was no difference between India and Pakistan.

Anyone with basic knowledge of the Indian sub-continent should know that it is not possible for groups like the Jaish-e-Mohammed and the Lashkar-e-Toiba to survive in India. Yet, our enemies within persist in spreading the canard that these violent Islamist groups are no different from the Bajrang Dal. You would have to be a real fool to believe this but because the message is spread by credible 'intellectuals' of leftist persuasion, it is believed by gullible Western journalists. It appalled me to read an editorial in the Financial Times while Mumbai was still under siege that said the terrorists could be Hindu because one of them (Kasab) wore sacred Hindu threads on his wrist.

The Indian state is corrupt, weak and incompetent but anyone who believes that it is capable of organising the attack we saw on Mumbai has to be mad. If anyone needs proof, they only need to look at the effete, namby-pamby manner in which the Indian state has dealt with the aftermath of the attack on Mumbai. Not only has it been unable to force Pakistan to act against the jihadis who fight their war against India from its soil, it has not even been able to act against the enemies within. In any other country there would be sedition trials. ■

(Courtesy: *Indian Express*)

# Minister of conspiracy theories

By Sujata Anandan

**E**VEN AS commandos had just entered the Taj and the Oberoi hotels to overpower terrorists holding Mumbai hostage, a hysterical e-mail went round the country screaming away at 'RSS complicity' in the attacks. "...This terror attack in our analysis has been planned and orchestrated by the Sangh Parivar and its allies within the security apparatus to counter the investigation of the ATS led by Hemant Karkare, so as to nullify and deflect attention from the exposé of the BJPRSS Parivar's involvement in fomenting terror attacks in the country," the e-mail from 'Awami Bharat' began.

This was entirely conjecture and brought forth a slew of responses from people who condemned the Awami Bharat for its 'mad-hatter' theories and warned that liberal Muslims associated

with this Left leaning organisation were in danger of losing credibility if they persisted in sounding "like the Indian wing of al-Qaeda".

The Awami Bharat, though, was not chastened. Soon there was another text message: about the terrorists who had entered the Cama and Albless Hospital speaking in Marathi to some people hiding in the premises and that these Marathi-speaking people (read: RSS activists) were actually responsible for killing Mumbai ATS chief Hemant Karkare.

The most cutting response to this second series of hysterical mails was from journalist-activist Jyoti

Punwani who said, "Please remember Marathi need not be spoken only by Hindus." But it's wild and unsubstantiated conspiracy theories like these that Union Minority Affairs Minister A.R. Antulay seems to be basing his own conjecture on. And the Cama and Albless Hospital has unwittingly become the centrepiece of his conspiracy theory.

I have been on the board of the

*Antulay made an insensitive remark when he insisted that the three policemen — Hemant Karkare, Vijay Salaskar and Ashok Kamte — shot dead outside the hospital, should have been at the Taj, the Oberoi and Nariman Bhavan rather than seeking to protect people at the hospital.*

hospital for the last two years. Since 26/11, I have spoken to many board members and hospital staff. No one can remember any of the terrorists speaking Marathi to anyone. On the contrary, by most accounts, Ajmal Kasab and his gun toting companions seemed to be lost within the premises suggesting that they may have made a wrong turn into the hospital while looking for a much taller building. And the only people they ever came in contact with in the hospital were unarmed watchmen (whom they shot) and a lift-man who led them downstairs (they had reached the terrace) even as the police came after them from

the nearby Chhatrapati Shivaji Terminus the terrorists had abandoned after gunning down dozens.

Antulay made an insensitive remark when he insisted that the three policemen — Hemant Karkare, Vijay Salaskar and Ashok Kamte — shot dead outside the hospital, should have been at the Taj, the Oberoi and Nariman Bhavan rather than seeking to protect people at the hospital.

The Cama Hospital, a government-run institution for women and children, was set up before Independence. While many from the middle-class can trace their birth certificates to this hospital, today it is entirely a hospital for the poor and the destitute. It could not have harboured a Marathi-speaking RSS man waiting for the terrorists to point them in the direction of Karkare and as a former Chief Minister of Maharashtra, Antulay should have known better than to give credence to the unsubstantiated allegations of a bunch of grossly misguided individuals who see in every terror act in India, the hand of George Bush, the Mossad and the Bajrang Dal.

In any case, the role of 'Hindu terrorist' organisations in the Malegaon blasts is still under investigation. Relatively unknown inspectors and constables are the actual investigators in that case; Karkare was just the public face of that probe. Antulay and other conspiracy theorists should have more faith in our police. ■

(Courtesy: *Hindustan Times*)

# Terrorism can't be equated with freedom struggle : Jurist

An international conference of jurists in Delhi on December 14 denounced the attempt to pass off terrorism as freedom struggle and urged world leaders to impose multilateral sanctions against nations providing safe haven and financial and logistic support to groups involved in carrying out crimes against humanity.

The conference, in a resolution adopted at the valedictory session of the two-day international conference on terrorism, maintained that harbouring terrorist groups and providing logistic and financial support to such groups was no less a crime than terrorism itself. It asked the world community to take concrete steps to address these issues on a priority basis.

The jurists said the existing multilateral and bilateral arrangements were inadequate to deal with cross-border terrorism and 'non-state actors' engaged in violence against citizens anywhere in the world and prevent such militant groups from operating in any particular country. The conference called upon the international community to evolve effective multilateral mechanisms to overcome the legal barriers which hinder investigation into acts of terrorism and prosecution of such crimes against humanity.

The conference endorsed the views expressed by Prime Minister Manmohan Singh, law minister H.R. Bhardwaj, Chief Justice of India K.G. Balakrishnan and International Council of Jurists president Dr Adish

C. Aggarwala and urged all the nations to treat the terrorists as international criminals and extradite them to those countries where they have perpetrated the heinous crimes to face trial.

Extending its unequivocal support to the Indian Government's pro-active initiatives and plans to fight the scourge of terrorism, the jurists said sovereign States had a right to defend their territory and people and were entitled to enact specific laws to deal with terrorism.

The conference demanded that all laws should be in consonance with the Universal Declaration of Human Rights and urged all

governments in the world to ensure that the fight against terrorism does not result in violation of basic human rights, targeting any particular section of society.

About 1,000 delegates from different countries including the US, the UK, France, Spain, Malaysia, Japan, Austria, Jordan and South Africa attended the two-day conclave.

Judges of the Supreme Court and High Courts, Chairmen of different judicial and quasi-judicial bodies, senior lawyers and members of the legal academia participated in 20 working sessions spread over two days. ■ (FOC)

## Post 26/11 - BJP points to Sharif remark as proof

The Bharatiya Janata Party (BJP) has said that there are several evidences which point to the involvement of Pakistani citizens in the Mumbai terror attacks despite the denials being made by the Pakistani establishment. According to the BJP, among the pointers to Pakistan's involvement in the terror attacks is the statement given by former Pakistan Prime Minister Nawaz Sharif who has asked why the village of the arrested terrorist, Ajmal Kasab has been cordoned off if he had nothing to do with the Mumbai massacre.

The party said this even as its senior leader, Shri Yashwant Sinha said that New Delhi should put pressure on Pakistan by sending senior political emissaries to countries across the world with "incontrovertible" proof of involvement of Pakistani elements in the Mumbai attacks. He also suggested that India call of its composite dialogue with Pakistan as it had failed to respond adequately to India's demands during an interview to a television channel. Asked how his party would have dealt with the present situation following 26/11, he said that had his party been in power, it would have opted to "call off the composite dialogue" rather than putting a "pause" as has been done by the UPA government.

As for the other evidence that points to Pakistan's involvement, the Bharatiya Janata Party has said that television channels have been showing his parents stating how he had visited his village and told his mother that he was going on jihad, the letter Kasab wrote to the Pakistan high commissioner in New Delhi seeking legal assistance and the details he has shared with the security agencies on how the attack was planned and carried out. (FOC) ■

## Industrial growth crashes to 15 years low Posts negative growth of 0.4 %

Industrial output, which had been slowing down for some time, has now recorded an absolute decline with the index of industrial production for October 2008 down 0.4% from the same month in 2007. This is the first time in 15 years that year-on-year growth has been negative for any month and is a clear sign of the global meltdown affecting India much worse than had been anticipated. The last time the IIP registered year-on-year negative growth for a month was in April 1993. "These figures are more disappointing than what we expected," Prime Minister's Economic Council Chairman Suresh Tendulkar admitted.

Manufacturing, comprising around 80 per cent of the Index of Industrial Production, clocked a negative 1.2 per cent growth in October 2008 from a whopping 13.8 per cent a year ago. In fact, output in two of the four sectors that make up the index — intermediate goods and consumer goods — contracted to 3.7 per cent and 2.3 per cent, respectively, from a growth of 13.9 per cent and 13.7 per cent, respectively. Within consumer durable goods, both segments — consumer durables and consumer non-durables — shrank by 3 per cent and 2 per cent, respectively. Of the total 17 industries, captured in the IIP figure, as many as 10 recorded a negative growth and could have a similar bearing on economic growth, given the fact that industry accounts for 29.4 per cent of GDP. Global rating agency Moody's attributed the poor performance of the industrial sector in India to the liquidity squeezing policy adopted by the RBI till October in its attempt to rein in inflation. The almost exclusive focus of the central bank on inflation meant it addressed growth concerns too late, suggested Moody's.

## At last, UPA gathers courage to name Pakistan ISI to blame for all attacks

India, which has been silent over Pakistani links in a number of terrorist attacks in the country except for last month's Mumbai carnage, on November 17 disclosed that the perpetrators of all recent terror bombings — including those allegedly carried out by locals — had links with the neighbour's Inter-Services Intelligence (ISI).

Disclosing it in response to a question in Rajya Sabha, Minister of State for Home Affairs Shri Sriprakash Jaiswal, according to the *Times of India*, said: "Inquiries and investigations into various acts of terrorism in the recent past have indicated linkages of elements involved in terrorist incidents in the states of Uttar Pradesh, Karnataka, Gujarat, Maharashtra and Delhi with ISI." The written statement assumes significance in view of the

government's stated position of not taking the name of Pakistan or state actor — like ISI — until the police get some concrete proof. It, thus, indicates that besides the Mumbai terror attack case, the police have evidence of ISI's links in other cases as well.

Though the Centre spoke of the role of Pakistani elements in the 26/11 Mumbai carnage after getting clear evidence against banned outfit Lashkare-Taiba, it had earlier preferred not to talk about any Pakistani linkages in the case of terror attacks in UP courts (November 2007), CRPF's camp in Rampur (January 1), Jaipur (May 13), Bangalore (July 25), Ahmedabad (July 26) and Delhi (Sept 13). So, whatever the government told the Upper House on Wednesday is a clear indication of linkages of Indian Mujahideen (IM) with ISI.

## Police admits : Delhi blasts could have been averted

Three months after the Delhi blasts, the police, according to the *Times of India*, disclosed on December 17 that they could have averted the terror strike had they been able to decode the phone conversations they had intercepted between Indian Mujahideen militants. In the first chargesheet filed in connection with the September 13 blasts, cops admitted that in the run-up to the strikes "the relevance of those conversations could not be understood." This was a crucial lapse as the mobile phone under interception (9811004309) was that of Mohammad Atif Ameen, leader of the IM module that executed the blasts. Atif's number came to the police's notice because of the investigation into the east Delhi cybercafe from where emails had been sent in connection with the 2007 serial blasts in UP courts. The police happened to intercept his mobile from September 2 to 19, 2008.

According to the chargesheet, it was only after the fateful day that "these calls were again analysed. From a few of these conversations it was being indicated that there was some conspiracy/planning going on relating to the Delhi blasts."

# In CPM-speak, N-Deal = 26/11

By Balbir K. Punj

**I**N PARLIAMENT'S debate on the Mumbai events and its aftermath, the alibi that the Marxists were providing for the terror merchants did not come as a surprise. While all other political parties sought to emphasise a unanimous voice of India in their speeches, pinpointing Pakistan as the breeding ground of terror, the CPI(M) leader Sitaram Yechury was finding excuses, even justification, for the terrorists' attacks.

If Mr Yechury is to be believed, the Mumbai attacks were because "India was seen as a strategic ally of the US" by the Al Qaeda and the Taliban. The Communist leader went on to recall: "We had warned at that time, with the Indo-US nuclear deal, with the strategic partnership that you are building with the US, are you prepared to face the threats of Taliban and Al Qaeda reaching our shores?... Has this even entered our radar of thinking that, because of the nuclear deal and strategic

partnership, we are exposing ourselves to new types of terrorist threats which did not exist in India earlier?" So here is the justification for the killing of nearly 200 people and the mayhem by terror mongers from Pakistan on 26/11. When the whole world has condemned this attack, and the international community has demanded of Pakistan that its government eradicate terrorist organisations from its soil, the Marxists alone are saying that the attacks were a reaction to our foreign policy. The foreign policy that India should follow, whether there should be an N-deal or whether India should have a strategic alliance with the US must all now be decided by Pakistan-based terrorists. That seems to be the Marxist gospel.

This Marxist expostulation of a justification for the terror attacks should not surprise those who have been following the Communist line in India since the second decade of

the last century. It was the Communist Party of India that supported the demand for the creation of a theocratic Pakistan in the 40s. It has been the Communist line that India is not a nation but a conglomeration of nations. It was the Communist Party that refused to recognise India's Independence in 1947 and launched an armed insurrection against the Indian State that year itself.

V.K. Krishna Menon, a known Communist who held the defence portfolio in the Nehru Cabinet, purposely ensured that the Indian Army remained poorly equipped compared to the Chinese whose hostile intentions were well known. In 1962, when Red China attacked India, we suffered a humiliating defeat at the hands of the invaders. The Indian Communists refused to stand by their beleaguered motherland. Instead, they supported China against India! Even now, the Marxists continue to aid and abet extreme orthodoxy among the Muslims — a breeding ground of the ideology that the Taliban groups exploit. Despite their (false) claim of being "progressive," they would not countenance Bangladeshi author Taslima Nasreen staying in Kolkata. The Marxists have consistently sought to block all attempts to end Bangladeshi Muslim infiltration into India. The result is that in several parts of the country Bangladeshi Muslims have a significant say in the election of representatives to state Assemblies and even Parliament.

In Kerala, the only other state



Courtesy: The Tribune



where they are in power, organisations like Simi, banned in the country for their anti-national programmes, have found a haven. Two years ago, Simi organised a camp near the bustling city of Kottayam and the training, as revealed by some of those arrested by Gujarat police subsequently, included making petrol bombs, use of wireless sets, moving through forests at night, lessons in geography etc. Yet, the Kerala police pretended that they did not even have a hint of such a camp being held there.

When at last the news of such a camp broke out, police sources had to confess that they did arrest a few people on learning of the camp, but political interference prevented them from proceeding further. The Kerala Marxists genuflected before the Islamic extremist preacher Madhani, prime accused in the Coimbatore serial blasts of 1999, by organising a public function for welcoming him after he managed to get an acquittal on technical grounds.

Mr Yechury was even prepared to ignore facts in claiming that the “new type of terrorist threats which did not exist in India earlier” was due to India’s foreign policy. There was no nuclear deal with the US and no strategic alliance in 2001. Yet, did not the same organisations of terrorists launch an attack on India’s temple of democracy? What about all the terrorist attacks, including the serial train bombings in Mumbai, over the last several years?

The thesis that India must determine its foreign and domestic policies with reference to so-called “Muslim reaction” has been a long-standing Marxist demand that was repeatedly stated when the CPI(M) opposed the Indo-US nuclear deal. Now Mr Yechury has once again

returned to that theme. Not just “Muslim reaction,” but even the Al Qaeda and Taliban will decide what India should or should not do. If Taliban does not like India working out a close relationship with the US, we should respect that sentiment lest they come and stage a second Mumbai mayhem in the country. India should fear and surrender to the Taliban and Al Qaeda and, logically, to their allied outfits like LeT and other terror mongers. This is the Marxist thesis.

And to hide his blatant anti-national stand, the Marxist leader quoted some terrorist leader hoping

for BJP’s return to power in 1999 so that it could give enough excuse for the terrorists to strike and strengthen themselves. That a top Marxist leader could quote this with approval exposes his party’s frustration at the failure of its policy of promoting political untouchability of the BJP at one end and the promo for terrorist organisations on the other. After all, Al Qaeda, LeT and others are opposed to the US. As the CPI(M) is also opposed to America, whatever the terrorists do is justified in the Marxist eye.

*(The writer is BJP National Secretary and Rajya Sabha MP) ■*

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## ***CBI does a U-turn*** **No proof against Mulayam in DA case**

CBI, according to the Times of India, has told Supreme Court that there is no evidence of SP chief Mulayam Singh Yadav and his kin amassing disproportionate assets, a charge the very same agency had been keen to establish just a year ago.

After Mulayam bailed out the UPA government following split with the Left parties, it appears that the deal that SP and Congress entered has had its spin-offs. The CBI, which had enthusiastically demanded a thorough probe and was successful in getting the desired directive from the SC more than a year ago has now done a turnaround and filed a fresh application adopting a very contrary position.

Despite having earlier filed an application seeking permission to register an FIR against Mulayam and his kin, listing several properties acquired through illegitimate means, CBI has said “on a considered view of the evidence collected so far, no case is made out.” Subsequently, it would “like to withdraw the application seeking permission to lodge the FIR”.

The SC, on a petition filed by Vishwanath Chaturvedi, had directed a preliminary probe by CBI and had asked the agency to submit the report to the Centre for appropriate action.

A year back, the CBI had filed an application seeking a direction from the court to go ahead with the FIR without routing the report through the Centre on the ground that it was an independent investigating agency. Now, it wants to withdraw this application on the ground that no case is made against Mulayam, his two sons and other family members. The CBI, in its application filed on October 26 last year, had said, “In the matter of registration of a case, the CBI does not make a reference either to the Centre or the state government.”

*BJP will end discrimination*

## Will hear the voice of Jammu : Advani

From Our Correspondent

Addressing a mammoth election rally ahead of the last round of seven phase elections of Jammu & Kashmir in Jammu on December 21, the Leader of Opposition in Lok Sabha, Shri LK Advani who was greeted by people with chants of 'Bam Bam Bhole' and 'Jai Shri Ram,' said, "The Congress-led UPA government has failed to execute Afzal Guru, convicted in the Parliament attack case by the Supreme Court and is still dillydallying over taking a final decision. They are not even ready to give any reason to the nation for not taking any decision over Afzal's execution. When we ask them to clear their stand on the issue, they say there are a large number of clemency petitions still pending or the file is stuck somewhere in Delhi."

Referring to the recent Mumbai terror attack, Shri Advani said, "During the last five years we were running after the UPA to introduce an anti-terror law at par with POTA, which they had scrapped soon after coming to office, but the UPA government waited till Mumbai terror attack took place."



Seeking public support for the BJP candidates in the fray in the State, Shri Advani urged voters in Jammu to empower themselves by giving their mandate to the BJP candidates. He added, "I promise the people of Jammu if more and more BJP candidates will win elections, the voice of the Jammu people will be heard in the Assembly and their discrimination would automatically end".

Acknowledging the mass movement of the people of Jammu during the two-months long Amarnath agitation, he said long years of discrimination brought people on the streets. Agitation over the Amarnath land transfer issue acted as a catalyst triggering a chain reaction across the region.

He added by saying all those people who think it was a fight between Hindus and Muslims and between Jammu and Kashmir valley are mistaken. "During the agitation I had written a letter to the PM to intervene in the matter wherein I informed the PM that the nationalist spirit of the people of Jammu was fighting separatism and leading the nation's fight against such elements sowing seeds of hatred across the country."

He lashed out at the PM for not doing enough for refugees settled in J&K. "Do something for them and address their genuine problems," Shri Advani said if he would have settled in Jammu in post partition days, he too would have failed to get citizenship and all other rights of a citizen. ■

### Shahnawaz Hussain is BJP spokesperson in Parliament



On December 17, BJP appointed Shri Shahnawaz Hussain as the official spokesperson of the party in the Parliament following the resignation of Deputy Leader of Opposition in the Lok Sabha Prof. Vijay Kumar Malhotra from the Lower House.

Prof. Malhotra, who was the spokesperson of BJP in the Parliament, resigned on December 16 after he was elected as the Leader of Opposition of the Delhi Assembly.

BJP National Spokesperson Shri Rajiv Pratap Rudy told reporters in New Delhi that Shri Shahnawaz Hussain will be the official spokesperson of the party in Parliament but no decision has been taken on who will be the Deputy Leader in Lok Sabha.

DELHI

## Government claims on inflation false : Vardhan

Delhi BJP President Dr. Harsh Vardhan has charged that the Government data on inflation was only on paper. He said not a single commodity needed by the common man had become cheaper.

In a statement on December 14, Dr. Vardhan said the people of Delhi were surprised that there has been no visible decrease in prices in spite of the fact that there was Government propaganda regarding decrease in inflation. He pointed out even today wheat flour was being sold at Rs.20 per kg, coarse rice at Rs.25-30 per kg, edible oil at Rs.65-75 per litre and tomatoes at Rs.20-30 per kg and pulses at Rs.60 per kg. "These were the rates prevailing about a month ago," he added.

Dr. Harsh Vardhan said the Government had decreased the prices of petrol and diesel but it had had no effect on the prices of essential commodities. "The decrease in the prices of fuel has not reflected on food grains."

Dr. Vardhan also said though home loan rates had come down, builders have not decreased the prices of properties. "Properties that were costing Rs.20 lakh two years ago still have a price tag of Rs. 60 lakh. No middle class family can dream of purchasing a house," he added.

MADHYA PRADESH

## 21,338-kilometre roads constructed Under Pradhan Mantri Gram Sadak Yojana

A total of 4,624 roads spanning 21,338-kilometre length have been constructed so far in Madhya Pradesh under Pradhan Mantri Gram Sadak Yojana. Construction of these roads has ushered in a new era in 8050 villages of the State by connecting them with main roads. These roads have been constructed at a cost of Rs 5437 crore.

BJP government in Madhya Pradesh has done a pioneering job in maintaining of quality in construction of roads under Pradhan Mantri Gram Sadak Yojana. The scheme was launched by the then Prime Minister Shri Atal Behari Vajpayee on December 25, 2000 with a view to connecting with all-weather roads inaccessible villages having population of 500 or more in general areas and 250 or more in tribal areas.

To ensure quality of construction of the roads, supervision and quality control consultants have been appointed by the State government in addition to

departmental staff. Besides, a three-tier system for quality control has also been set up apart from State Quality Monitor and National Quality Monitor who conducts checking from time to time and categorize the roads accordingly.

## Govt. to spend 9.45% more on women & child welfare

Concerned about the welfare of women and children, Shri Shivraj Singh Chouhan led Madhya Pradesh BJP Government is spending 9.45 per cent more amount this year as compared to previous year. The budget of the department concerned has been constantly increased during the past five years under the instructions of the Chief Minister.

According to official sources, the budget was increased from Rs 691.77 crore for 2007-08 to Rs 754.38 crore for this year. Under separate supplementary estimate for this year, Rs 100 crore has been provided for *Ladli Lakshmi Yojna*, Rs 30 crore for additional honorarium to *Anganwadi* workers and assistants and Rs 20 crore for construction of building for *Anganwadi* centres.

ANDHRA PRADESH

## Corruption at its peak BJP to issue chargesheet against Reddy Govt.

The Andhra Pradesh BJP has decided to issue a charge-sheet outlining the rampant failures of the Y.S. Rajasekhara Reddy led Congress government on various counts.

Addressing a joint press conference in Hyderabad on December 17, AP BJP State Spokesman Shri N Ramachander Rao and Bharatiya Janata Yuva Morcha (BJYM) National Secretary Shri K. Venkateswarlu alleged that a "jungle raj on the lines of the one under Lalu Prasad Yadav in Bihar" is presently prevailing in Andhra Pradesh. While the Rajasekhara Reddy government was faulted for its 'corrupt practices' by institutions like Comptroller and Auditor General of India, the State ranked first in the atrocities against women and the law and order failed completely in the State, they alleged.

To unveil the face of the government and to make the State corruption free, Shri Rao and Shri Venkateswarlu said BJP would soon launch the second phase of the *Dharam Yudh* against the "inefficient and corrupt" Congress government headed by Chief Minister

Y.S. Rajasekhara Reddy after *Pongal*. Bharat Janata Yuva Morcha, would organize “*nava yuva sammelans*” constituency-wise throughout the State in the month of January to educate the youth of the State and the newly enrolled electorate about the failures of the government.

KARNATAKA

## Yeddyurappa dedicates his doctorate to Karnataka farmers

Karnataka Chief Minister Shri B.S. Yeddyurappa has dedicated the honorary doctorate given to him by the Saginaw State University, Michigan, U.S., to the farmers and the people of Karnataka. Speaking at a felicitation function organized in his honour in Bangalore on December 18, Shri



Yeddyurappa said he had decided to dedicate the honorary doctorate to the people of Karnataka when it was conferred on him in the U.S. on December 14.

On that felicitation function he said, "I wish to transform Bangalore into a world class city and at the same time will improve the civic infrastructure in all the urban centers of the State. Besides, I will bring about development in the rural areas and I will pursue these goals with renewed vigour," Shri Yeddyurappa added.

Speaking on the occasion, the former Chief Justice of Punjab and Haryana High Courts, Shri M. Rama Joys said that by accepting the honorary doctorate Shri B.S. Yeddyurappa made the citizens of Karnataka proud. Karnataka Book Authority Chairman Shri Siddalingaiah said that Shri Yeddyurappa deserved the honorary doctorate in view of his four-decade-long dedicated service to farmers and people of Karnataka.

Among others, senior ministers in the Karnataka government Shri V.S. Acharya, Shri Muguresh Nirani, Smt Shobha Karandlaje, Shri Ramachandra Gowda and Shri P.M. Narendraswamy and Nandi Infrastructure Corridor Enterprise Managing Director Shri Ashok Kheny, Director of Human Resources (Infosys Technologies), Shri Mohandas Pai, actors Smt Jayamala, Smt Jayanthi, Shri Raghavendra Rajkumar were present on that function. ■

## Sincerity of UPA on Security upgrade stands exposed 90% OF BUDGET YET TO BE SPENT

From IB to NSG, organisations return most of budget for weapons, equipment. Behind the glaring images of police and security personnel armed with outdated weapons and equipped with hardly any preventive gear is, according to the *Indian Express*, an inexplicable reality of unused finances surrendered each year by the Home Ministry.

Of the Rs 715.25 crore marked for the police under plan expenditure this year—that would largely include fresh purchases like weapons and equipment—police organisations under the Home Ministry have only spent Rs 76.9 crore until November, a mere 10.7 per cent.

The elite National Security Guards, for instance, has just spent over Rs 4 crore of about Rs 15 crore that was set aside for capital expenditure in its budget. Last year, of about Rs 9 crore meant for machinery and equipment, the NSG returned over Rs 3 crore. This was the reason it gave: “non-finalisation” of procurement process for bulletproof jackets, holographic reflex sights and some other hi-tech communication equipment.

Similarly, the Intelligence Bureau was allocated about Rs 50 crore for capital expenditure this year. Till November, it had spent only Rs 9.8 crore. ■

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## Sharad Yadav is NDA acting Convenor George Fernandes not keeping well

In consultation with all the Alliance Parties of the NDA, it has been decided to appoint Shri Sharad Yadav, National President of the JD(U) as the Acting-Convenor of the NDA. This was announced by the Leader of Opposition in Lok Sabha, Shri Lal Krishna Advani on December 14.

Appreciating the fact that Shri George Fernandes has been working as the Convenor of the National Democratic Alliance for the last many years and discharged the said responsibility with great distinction, he said Shri Yadav had to be appointed as acting convenor as off late Shri George has not been keeping good health. (FOC)