

III. A copy (in English and Hindi) of the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training)" Notification G.S.R, No. 140(E) dated the 16th March, 1990, publishing the Indian Forest Service (Appointment by Competitive Examination) Amendment Regulations, 1990, under sub-section (2,) of section 3 of the All India Services Act, 1951. [Placed in Library. See No. LT—706/90]

RE. AIRBUS A-320 DEAL

THE DEPUTY CHAIRMAN: Now clarifications on the statement regarding debt relief to farmers, artisans and bunkers. *(Interruptions)*

SHRI V. GOPALSAMY (Tamil Nadu);

SHRI S. S. AHLUWALIA (Bihar): If they want to discuss it, let him place all the files on the Table of the House. We are ready to discuss these things.

(Interruptions)

THE DEPUTY CHAIRMAN: Just a minute. I have requested many times before and yesterday we had a very good system that when somebody has something to raise in the House, one person gets up so that at least he gets heard and recorded. If everyone gets up simultaneously, how am I going to understand what is going on in the House? So you decide who is going to speak. I will allow him also; there is no problem. But the thing is I cannot understand what is going on in the House. Okay, Mr. Das Gupta, you speak. *(Interruptions)* Let me hear what is the point.

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, the point is that today's news-paper carries a report and actually a photostat copy of a signed approval of the Secretary of the Ministry of Civil Aviation which shows that the purchase deal of A-320 aircraft was done not in a

committee meeting or in accordance with the normal regulations, but it was done because somebody who was important in the previous regime wanted this deal...

THE DEPUTY CHAIRMAN: Let him finish...I very humbly request you, please let one person speak, if any of you speak at the same time, nothing would be heard...I will allow you also...I am allowing you also. Please do not get agitated... Please sit down... I, will allow you. Please take your seats. One person at a time. Mr. Swell or you are speaking?

SHRI GURUDAS DAS GUPTA: Madam, I was speaking. The point is, I have not named the all powerful person who had pulled the strings from behind to get the deal through in total violation of the principles of the functioning of the Civil Aviation Ministry. This has been done at the peril of the country's security. This has been done to drain out India's foreign exchange. This has been done to show specific privilege to a particular organisation, to a particular manufacturing firm. Therefore, it involves violation of the normal procedures, it involves showing of privilege and it involves the way in which the previous Government functioned... *(Interruptions)*

SHRI A. G. KULKARNI (Maharashtra) : Madam, on a point of order.

THE DEPUTY CHAIRMAN: Let him finish. I did say 'no' to anyone. Let him finish whatever he wants to say ... Just a minute. Now you have made your point.

THE LEADER OF THE OPPOSITION (SHRI P. SHIV SHANKER): But can he go on making allegations? He is imputing motives. *(Interruptions)*

THE DEPUTY CHAIRMAN: Just a second, please Let my voice be heard atleast by him.. You see, if you have any point to raise you can raise it, but please do not make a speech... Just a minute... You did it. Let me handle it or you handle it. Okay, I

*Expunged as ordered by the Chair.

leave it to you... I am saying, if you have a point, like many members who raise some points every day, you can raise it, but do not make a speech and if you want to make any allegations against anyone, you have to substantiate it. Okay So don't make any allegations, don't make a speech, but just say whatever you have to say so that I can allow others also.

SHRI GURUDAS DAS GUPTA. I submit that either this newspaper should be prosecuted for coming out with false news, or the Government comes out and makes a statement. Either the news is wrong or what It has stated is correct. So either prosecute the newspaper or... I have not riEmed the person I say with full responsibility that **

(Interruptions)

SHRI A. G. KULKARNI: Madam, a point of order. (Interruptions)

THE DEPUTY CHAIRMAN: As I have said, I will allow you. I have already identified the Leader of the Opposition to speak. Just a minute. (Interruptions) Please sit down. Please let Mr. Shiv Shanker speak. Just a minute. (Interruptions)

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Madam, the last sentence should be expunged.

डॉ० अश्वार अहमद खान (राजस्थान):
महोदया, यह आज तक आरोप लगाते रहे हैं सिद्ध नहीं कर पाए हैं। मेरी रिक्वेस्ट है कि इस लस्ट सेण्टेंस को रिकार्ड से निकाला जाये।... (अवधान)...

THE DEPUTY CHAIRMAN: I will look into the record. If anything unparliamentary or an allegation which has not been substantiated is there, I will look into it. Don't worry. (Interruptions)

SHRI P. SHIV SHANKER: Madam, what has appeared in certain newspapers today is a matter of great concern for all of us. But from the docu-

ment that has appeared in isolation it is not possible for me to react about its authenticity at this stage. I am only sorry that the hon. Member who just spoke has, unfortunately, gone on record motivating a certain individual. This, in my view, is wholly reprehensible. It cannot come. (Interruptions)

THE DEPUTY CHAIRMAN: Let him speak, please.

SHRI G. G. SWELL (Meghalaya): I want to know who is being motivated. I am questioning. He says that somebody is being motivated. (Interruptions)

THE DEPUTY CHAIRMAN: Please, Mr. Swell. I request you take your seat. I have allowed him to speak. (Interruptions)

SHRI P. SHIV SHANKER: This, in my submission, is nothing but a politically motivated type of allegation. I would like to submit that the Government maliciously, with *mala fides*, has leaked the document in isolation for publication in order to have political mileage. There is a set procedure in law and the rules for the purposes of taking decisions in such matters. Under the Indian Airlines Act there is a Board which has to take a decision. There is also the PIB. Ultimately the matters come to the Cabinet Committee on Economic Affairs.

SHRI VIREN J. SHAH (Maharashtra) : All have been bypassed.

SHRI PRAMOD MAHAJAN (Maharashtra) : It is not Airbus 320, Madam, but it is Airbus 420. (Interruptions) .

SHRI P. SHIV SHANKER: I would submit on the basis of the discussions that have taken place in the other House which have also been reported, all this procedure has been gone through. The present Prime Minister was then a member of the Cabinet Committee on Economic Affairs which has taken the decision for the purchase of this Airbus 320.

*Expunged as ordered by the Chair.

[Shri P. Shiv Shanker] This is a matter of concern. We should go into it in detail to see what exactly is there. (*Interruptions*)

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): There should be a discussion, Madam.

SHRI P. SHIV SHANKER: I would like to submit that the Government should not have an unfair advantage. They should place all the records on the Table.

SHRI SITARAM KESRI (Bihar): Yes. (*Interruptions*)

SHRI P. SHIV SHANKER: This document alone in isolation cannot be discussed. All the files must be placed on the Table of the House and we should be given an opportunity to discuss it. We should like that this matter should be discussed threadbare.

(*Interruptions*)

SHRI SITARAM KESRI: Don't behave like a delusional Government.

SHRI A. G. KULKARNI: Madam, at the outset I object to the speech or the mention made by Shri Gurudas Das Gupta because as per the conventions and rules of this House we do not mention any business done in the other House. (*Interruptions*). If you want to listen to me, please listen to me.

Secondly, when Mr. Arif Mohd. Khan was replying to my friend, Mr. Kalmadi or to somebody else on the Airbus delays and accidents etc., I had mentioned that the National Front Government is playing a very nefarious game politically by instituting a inquiry committee thereby damaging the political parties which are in opposition to the National Front Government. At that time I had warned, for heaven's sake if you want to take a decision on any matter—I am personally as a Congressman saying—we will agree with you, but show us the proof. Where is the proof? You have only put in an FIR which means that it does not become sub *judice* and everything is free here. In the other House also these points came up and we demanded of you to please place all the records on the Table of

the House. Ultimately the hon. Minister withdrew and did not place papers on the Table of the House. I challenge the Government on this and ask you to place all the records on the table of the House. We are all parliamentarians with political credibility. We have credibility. Don't take it as *fi* we are non-credible. If there is a fault we will take action on ourselves, but don't go on damaging.

SHRI VIREN J. SHAH: This is beyond your action now. This is a criminal matter. (*Interruptions*)

SHRI SITARAM KESRI: You will go the way the Shah Commission went. The Shah Commission also went into such things a few years back. You are so foolish that you have lost all your wisdom. You want to do like what was done in the Shah Commission. Morarji Desai went, Charan Singh went and you will also go that way.

SHRI A. G. KULKARNI: Madam, I would like to submit that if the Government places all the records on the Table of the House, it will be very fine. If you can complete all the inquiries in a court of law and come to a decision, it will be excellent. We will take our own decision as a Congress party. I would request you to do that, but don't damage the reputation of a political party only on hearsay.

SHRI DIPEN GHOSH (West Bengal): As Mr. P. Shiv Shanker has stated it is really a matter of concern for all of us. A sum of Rs. 2,500 crores was invested...

THE DEPUTY CHAIRMAN: That has been mentioned, Mr. Dipen Ghosh.

SHRI DIPEN GHOSH: ... on buying some aircraft at the instance of five persons and finally of one person. One of such aircraft had met with a crash killing as many as 90 people. So, it is really a matter of concern for all of us. It is not merely a part of the file that has been published in the newspapers or some parts of the file have not been published, but I am sure Mr. Shiv Shanker's challenge will be

taken up by the newspapers. They will be publishing it in instalments. I don't know what would happen to them at that time as it has happened in the case of the Bofors gun deal.

SHRI P. SHIV SHANKER: If you leak out like that, it will happen. It is a malicious action on the part of the Government.

SHRI DIPEN GHOSH: It had happened in the case of Bofors. First a piece was published and then the entire thing was published in the papers and it came out to be true. Madam, it is a very serious matter that a single person has taken a decision.

THE DEPUTY CHAIRMAN: Now, Mr. Dipen Ghosh, the Chair has not yet allowed a discussion on this subject.

SHRI DIPEN GHOSH: No, I am not going to discuss.

THE DEPUTY CHAIRMAN: But you don't go into the details.

SHRI DIPEN GHOSH: I am not going into the details.

THE DEPUTY CHAIRMAN: You are going into the details.

SHRI DIPEN GHOSH: It is a matter of concern for all of us.

THE DEPUTY CHAIRMAN: If you feel and the Leader of the Opposition says that there should be a discussion, fine, we will speak to the Chairman and have a full-fledged discussion. I have 24 Members listed for clarifications on Mr. Dandavate's statement. Let me go ahead with the regular business.

SHRI DIPEN GHOSH: Let there be a discussion.

THE DEPUTY CHAIRMAN: If you want a discussion, I will tell the Chairman to grant permission for a discussion... (Interruptions). The Minister for Parliamentary Affairs is luckily here with us and he is going to react. Yes, Mr. Upendra.

THE MINISTER OF INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): Madam,... (Interruptions). ■.

SHRI VISHVJIT P. SINGH (Maharashtra): Madam, there can be a discussion only after all the papers and files are placed on the Table of the House.

SHRI SURESH KALMADI (Maharashtra): There can be a discussion only after all the papers and files are placed on the Table of the House.

SHRI JAGESH DESAI (Maharashtra) : Only after all the files and papers are placed on the Table of the House, we will allow a discussion.

SHRI DIPEN GHOSH: They have played with the money of the people. They have played with the lives of the people.

श्री विश्वजित पृथ्वीजित सिंह :
सारे दस्तावेज़ लाइए, उसके पश्चात्
डिस्कशन होगा ।

श्री गोपाल सिंह जी० सोलंकी (गुजरात) :
लोग छोटी बात को बड़ी बात बना
देगे और उससे भी बड़ी बात सदन
के सामने है ।

डा० रत्नाकर पाण्डेय (उत्तर प्रदेश) :
वी.पी. सिंह की सरकार को पांच
महीने से ऊपर हो गए हैं । वे झूठी
बातें कहते हैं । क्या विश्वास किया
जाए आपका ... (व्यवधान) सारे
डायुमेंट्स सदन के सामने रखिए ।
किसी को झूठे आरोप लगाने का हक
... (व्यवधान) ...

THE DEPUTY CHAIRMAN: Let us have calm in the House. Let the Minister say what he wants to say.

SHRI P. UPENDRA: Madam, it is an important matter. The hon. Members on both the sides have expressed their concern about this and they want a discussion also and the Government has no objection for a full-fledged discussion on this issue and when the discussion takes place. (Interruptions)...

SHRI P. SHIV SHANKER: All the documents should be placed in the House.

SHRI DIPEN GHOSH: " You had been in the Government. (*Interruptions*) .

SHRI P. SHIV SHANKER: what is it that you are talking about? Who are you? All the documents should be placed on the Table of the House and only then the discussion can take place.

SHRI DIPEN GHOSH: We have a right to discuss.

SHRI P. SHIV SHANKER: We would like to discuss but all the documents should be placed on the Table of the House. We will not allow the discussion without all the files and documents. We will not allow this type" of *harakiri*. This cannot take place.

THE DEPUTY CHAIRMAN; Mr. Dipen Ghosh, I think the Parliamentary Affairs Minister is capable to express the Government's view point. I request all of you please to listen.

डा० रत्नाकर पाण्डेय : महोदया, मैं ... (*व्यवधान*) ...

उपसभपति : पाण्डेय जी, कृपया सुनिए तो क्या कह रहे हैं ।

SHRI P. UPENDRA: When the discussion takes place, the Government will place before the House all the facts relating to the case... (*Interruptions*) ...

श्री राम नरेश यादव (उत्तर प्रदेश) : गलत हैं, सारे कागजात बदल दिए गए हैं ... (*व्यवधान*)

SHRI P. SHIV SHANKER: Even in the matter of Bofors when the statement was made, I demanded the documents to be placed, on the Table of the House and the Government ran away from placing the documents on the Table of the House. At that time, I specifically said that the documents must be placed. (*Interruptions*)

SHRI P. UPENDRA: Let me come to it. (*Interruptions*).

THE DEPUTY CHAIRMAN: Let him complete. (*Interruption*) .

SHRI P. UPENDRA: When these facts are given, they will be given exactly in the same manner as the Government has been placing the facts in the House in the past. When there is a set procedure for giving the facts, the same procedure will be followed. (*Interruptions*)

SHRI P. SHIV SHANKER: This is a reserved statement. Certainly, we would like to go with the full-fledged discussion on this issue. I am prepared for that. But we insist that all the documents must be placed on the Table of the House. (*Interruption*). You cannot speak in isolation. You cannot mislead the House. You cannot mislead the nation. It amounts to misleading. Unless the entire documents are... (*Interruptions*). You are more loyal than the King. I am aware of it. You sit down. (*Interruption*) . The country cannot be misled. The nation cannot be misled. If the nation is to know everything, then all the documents must come on the Table of the House. (*Interruption*) .

SHRI YASHWANT SINHA (Bihar): Madam, I raised it long ago. I raised it originally. I am the original raiser of this thing. Madam Deputy Chairman, I heard with a great deal of attention what the Leader of the Opposition had to say. Now, we don't have to go very far back in the past. If we just refresh our memory in regard to the discussions which had taken place in this House in the recent past, we will be very clear in our mind as to the procedure this House has been following. Mr. P. Shiv Shanker has said that the Government has leaked with malicious intent and with *maud fide* intent this particular note which has appeared in a particular newspaper today. Now, I would like to know from Mr. Shiv Shanker, Madam Deputy Chairman, who had leaked the Thakkar Commission Report. (*Interruption*). And how did that report

find place or get published in the newspapers? This is point number one. Was it done with malicious intent of the then Government? Was it done with the *mala fide* intent of the then Government? Just a moment. Mr. Shiv Shanker, you will get your chance. The second point is, we were in the Opposition then. We insisted that there should be a discussion on the Thakkar Commission report and that all the documents of the Thakkar Commission report should be placed but they didn't and the House will recall that we in the Opposition, boycotted that discussion on account of the fact that all the papers, even part of the report was not placed on the Table of the House. Now the point is, what kind of precedent are we trying to set in this House by insisting that all the documents should be placed on the Table of the House before a discussion is permitted? When has this happened in this House before? *(Interruptions)*. I will finish in two minutes and then you can speak *(Interruption)*, Madam Deputy Chairman, the Government is saying that it will place all the facts on record and we have to say the Government is prepared for it. If in the course of discussion, it appears to any Member of the House, —and there are many Members on that side who should know what the facts are, what is contained in the Government files.—if they come up with an allegation that a particular fact has been concealed by the Government, then there will be a demand to place that record on the Table of the House. I think, at this stage, it is totally out of court to demand that all the papers should be placed and therefore, since there is consensus in this House that there should be a discussion, I think, we should all agree that there should be discussion without any pre-condition.

SHRI N. K. P. SALVE (Maharashtra): Madam, I want to submit -----
(Interruptions)

SHRI P. SHIV SHANKER: I have been referred to and I would like to

make a submission. Madam, my friend has referred to the leaking out of the Thakkar Commission report. I would like to straightway submit that whoever might have leaked it out, it is highly condemnable. *(Interruptions)*. Just a moment. Listen to me. *(Interruptions)*. I am saying it with responsibility. It was freely talked about at that time, even among the Members who are sitting there, that one gentleman, who is now a Minister in their Cabinet, was a party to the leaking out of that document. This is what had happened at that time. This was being talked about freely by them. Now, the point is.... *(Interruptions)*. Madam, I would like to remind the hon. Members on the other side that when it was pressed that the document should be placed on the Table of the House, except the annexures, everything was placed on the Table of the House, in deference to the wishes of the Members sitting on the other side. Now, if they feel that something has been deliberately withheld, those annexures are with you; take advantage of them; place them on the Table and if you would like to go ahead with the discussion, go ahead with the discussion; nobody stops that. What I am trying to say at this stage is, it is a document which has appeared in the press. I am saying on the basis of what has appeared in newspapers. That document was sought to be placed on the Table of the House in the other House. Insistence was made that other relevant documents

should also be placed on the Table of the House. It is not a question of having a Pyrrhic victory in these matters. It is a question where the nation should know what had transpired. If this is our objective and if we are honest unto ourselves, and if we would like that the nation must know as to what exactly has transpired, which is our intention, then place all the documents on record and go ahead with the discussion. There is no difficulty about it. Then the nation will know the truth of it.

(Interruptions)

SHRI DINESH BHAI TRIVEDI (Gujarat): Madam, I have been asking for a long time. I am the original mover of this. (Interruptions).

THE DEPUTY CHAIRMAN: Everybody is asking for a long time. (Interruption). One minute Mr. Salve. You see, we have not yet known if the Chairman is going to permit the discussion. The Government has come forward. Mr. Shiv Shanker wants a discussion and there is a deadlock about what documents should be placed on the Table. Let the Chairman take a decision. You have put your views. The Government have given their view-points. Now let the Chairman decide how it should be done. We have already lost 35 minutes. We have not yet started the regular business. Let us go ahead with this. I request the House.

SHRI P. SHIV SHANKER: We will sit with the Chairman and sort out the entire procedure, I am prepared to sort out the entire procedure sitting with the Chairman.

THE DEPUTY CHAIRMAN: You can sort it out with the Chairman. You can sort it out in the BAC meeting. Let the thing be decided. Now let us go ahead with the business expressing the same view is not going to solve the problem.

SHRI N. K. P. SALVE: Not the same view. Madam, I want to submit for your consideration two things. (Interruptions). Firstly, I am glad, Madam, that Mr. Yashwant Sinha has referred to Thakkar Commission report leakage. When the Leader of the Opposition said that we condemn it, there was some derisive laughter. (Interruptions). May I ask them, when the Thakkar Commission report was leaked out, who was embarrassed? Was the Opposition embarrassed or was the Government embarrassed? (Interruptions). Would you please listen to what I say? Mr. Yashwant Sinha, would you bear with me? I heard you. You hear me. There is another angle to the matter.

I have heard you. You also hear me. Who was embarrassed as a result of the Thakkar Commission Report, Madam? It was the Government which was embarrassed and, therefore, it was clear that the Government could not have leaked it. But what is important is, the other day when the question arose... (Interruptions) ...

THE DEPUTY CHAIRMAN: Please Bit down... (Interruptions)... Just a minute. Mr. Narayanasamy, please take your seat... (Interruptions)... The matter now of the discussion on Airbus 320 is closed and let the Chairman decide the procedure how it should be done and it is O.K. Now what is your problem, Mr. Suresh Pachouri?

RE COMPENSATION TO GAS VICTIMS OF BHOPAL

श्री सुरेश पचौरी : (मध्य प्रदेश) : महोदया, मैं आपकी परमिशन से यह कहना चाहता हूँ कि भोपाल गैस त्रासदी से प्रभावित लोगों को राहत, पुनर्वास और चिकित्सा सुविधायें देने की दृष्टि से सेवन ईयर एक्शन प्लान 371.29 करोड़ रुपयों का बनाया गया था। यूनियन गवर्नमेंट ने इसे अपनी स्वीकृति भी दे दी थी और नाइत्थ फाइनैस कमिशन ने भी इसकी संस्तुति की थी। लेकिन अब केन्द्रीय सरकार ने मध्य प्रदेश सरकार को लिखा है कि सेवन ईयर एक्शन प्लान के लिए राशि उपलब्ध नहीं की जाएगी जब कि सरकार ने इसी हाउस में एसुरेन्स दिया था कि गैस के लॉय टर्म इफेक्ट को देखते हुए वहां रिसर्च वर्क जारी रखा जाएगा और लोगों को इम्प्लाइमेंट की सुविधायें दी जाएंगी और वहां के लोगों को राहत पुनर्वास और चिकित्सा की सुविधायें उपलब्ध की जाएंगी। सरकार का यह कदम इस हाउस में दिये गये एसुरेन्स के बिल्कुल विपरीत कदम है। मैं आपके माध्यम से सरकार से अनुरोध करूंगा कि जो सेवन ईयर एक्शन प्लान में 371.29 करोड़ का प्रावधान रखा गया था वह पूरी राशि मध्य प्रदेश