The House re-assembled after lunch at thirty-five minutes past two of the clock. The Deputy Chairman in the Chair.

SHORT DURATION DISCUSSIO RE. THE RECENT DISCLOSURES I THE PRESS REGARDING THE BOFORS BEAU

SHEI M.S. GURUPADASWAMY (Karnataka): Madam Deputy Chairman. I am raising this issue for discussion knowing- full well al the facts, debates of the past and also knowing full well the report of the Joint Parliamentary Committee.

All of us know the story of the Mahabharata. In that story, the eldest of the Pandavas traded away his kingdom and all his wealth in "the game of dice which he .played with trie Kauravas, and the Pandavas, as a result, had to go to vanavasa and agjnatavasa. "We are familiar with that story, and the Mahabharata is one of the greatest epics of India. Whenever anybody trades the interest, the image, the credibility of the country, he will come to grief. And the democratic institution or Government will alsb come to grief. What has happened m Bofors is the same.

In the Bofors deal the Government of India has traded away its reputation, its image, its credibility, for a paltry issue. The Bofors gun deal will go down, in my view, as a monument of shame and infamy in the current annals of our country.

I will be failing^ in m_y duty, Madam, if I do not $expre_{Ss}$ my deep appreciation to the Indian, press which has played an invaluable role in exposing scandals, in particular, The *Hindu and Indian Express.*

AN HONOURABLE MEMBER: *The Statesman.*

SHRI M. S. GURUPADSWAMY; I have mentioned The *Statesman* yesterday, and the Sunday magazine.

They played a significant part. I am not saving that $other_s$ have not. These have played a significant part in exposing the various scandals. But for the press we would not have heard about Bofors scandal, the German submarine scandal, the West-land helicopter and the Czechoslovak pistol and, yesterday, the issue of the Oil and Natural Gas Commission and the Japanese firm. Perhaps, coming is the ric_e scandal of North Korea and others. Therefore, I place on record my deep sense of appreciation of the role played by the Indian press. It has done a significant service to the country and to democracy.

When this of Bofors was dis- cussed last time, my friend, Shri K C. Pant, for whom I have great respectj wrongly said that everything that had to be discussed on this issue had been discussed, and he said that he was going to draw a curtain on this issue once for all- I wish it had been so. It was not so. I said while speaking on that day in the last ses-when this matter came up, that this would bounce back off and on because nothing had been settled *in* regard to this issue, and as expected it has bounced back now. We are • debating it. The last word was not said on Bofors last time; it was not the last word. Even now I warn the Mijaister, if he does not come out with full truth, all the facts, and accept my demand that there should be a now Joint Parliamentary Committee to probe into matter, this will come up again and again. I said last time that this would prove a Water-gate to this Government. This will be a Watergate to this Government if the Government does not come out with all facts in the case.

While we are demanding recommitment of this issue to another Joint Parliamentary Committee, Mr. K. C. Pant took a position in the other House asking why another Joint Committee over that Committee

[Shri M, S. Gurupadaswamy]

-vhich was aready there wnich which has produced this report. My case for another Joint Parliamentary Committee is that there have been fresh revelations, particularly the revelations published in "The HINDU" Five documentg were published, I think, on the 22nd and the 27th of April last when the previous Joint Committee had to submit its report. Those documents were available. But the Parliamentary Committee did not take them into consideration before the report was finalised. Now some revelations have come. "THE HINDU has published more documents, given more information.

The ,Iast Parliamentary Committee, as you know, was a truncated committee with truncated terms of reference and produced a truncated report. The modalities, the procedures and the role of the Chairman cast a deep shadow on the character of the Committee itself. The Chairman of that Committee happened to be a colleague in the Cabinet, in Rajiv Gandhi's cabinet. So, a Minister was asked to head a Parliamentary Committee. And after presiding over the Committee and after finishing the work of the Committee, he has been taken back to the Cabinet. That is thc character of the Parliamentary Committee. The purpose is very clear. We demanded then if the Report has to be believed, trusted, if it had to have credibility, a leader of the Opposition has got to preside over the Committee. Besides we had said the Committee should have full powers to invite anybody as witness, including the Ministers. The gentleman who was the Minister of State for Defence and who was here I am told—has resigned—He said he was not invited. He was very anxious to appear before the Committee. Why was he not invited? Shri V. P. Singh was also ready to appear before the Committee. He was not invited Many others would have volunteered to aopear before the Committee. Those who were involved were not invited to appear before the,-. Committee. Hindujas were not called to i,appear before the Committee. Mr. Chadha dodged and dodged. Later on he was brought under protection and he appeared before the Committee. The President of the Bofors Company, was available but was not invited to appear before Committee. All the documents were not called. Such of those documents which were called, were not given to the Members for detailed study. The original agreements between the front Companies, Svenska, Moresco, A.E. Services and agreements between Win Chadha and Svenska were not given to the Committee. The revised agreements which brought about the termination of the so-called commissions were not produced before the Committee. The Committee, in spite of "all these defects, drawbacks and wilful negligence on their part to invite the people and call for relevant flies concluded that the Government of India opted for the best gun and that there was no commission involved.

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About the gun, I do not want to dilate upon for long because I arn not a technical person. I can only say and repeat—it was said earlierv-^-that till January 1986 it was the French Sofma gun which was in the first place in the consideration of the Defence Ministry. And what do you find on record? -The evaluation of these guns was done in the year 1981-82 and the agreement was signed on March, 24, 1986. There was no re-evaluation of these guns. When this was raised, it was spurned. It was not necessary they said. It is amazing though there was a lapse of four years or soothe guns were not reevaluated and the decision was basad on the valuation done in the year 1981-82. As you now, Madam, in defence matters, time factor is very important. This was not taken into consideration. They thought that it was not important at all. They thought that . recommended Frencn Sofma gun. Then, Army Headquarters

recommended French Sofma gun. The | Lt. Gen. concerned recommended Sofma gun. But my friend, K. C. Pant says, no. General Sundarji recommended ultimately the Bofors gun saying that it was better than French Sofma gun In the existing circumstances or the prevailing circumstances. Sundarji came just a few weeks back as the General. At that time, it was a strange coincidence that Shri Rajiv; Gandhi also became the Defence Minister. Perhaps, it was a coincidence. At that time only, this deal was struck. This has got to be taken note of. The defects of the gun have been noticed later on. That justifies the fact all was not well with the ' gun. My friend, K. C. Pant says we should not criticise the decision of the Defence Ministry, it will demoralise the Forces. We should not com" demn the gun. I am not condemning the gun. If may be a good gun. But I only say....

THE DEPUTY CHAIRMAN: Please conclude.

SHRI M. S. GURUPADASWAMY: have not yet begun.

THE DEPUTY CHAIRMAN: Twenty-one tninute$_s$ were allotted to your party and you have exhausted your time.

SHRI *m,* S. GURUPADASWAMY: I have not yet finished. Please bear with me because of its importance.

THE DEPUTY CHAIRMAN": Four hours has been allotted for this debate.

SHRI M. S. GURUPADASWAMY: Because of its importance, I beg of you.

I will cut short that part of it. I say we are not sure whether the decision was correct.

Then ccming to the other aspect the more imoortant aspect whether any consideration was involved, bribe was Involved, corruption was involved in thisi deal, the "Hindu" paper has published documents which irrefutably prove beyond any shadow of doubt that there were middlemen operating throughout and there was commission paid to these middlemen. The Prime Minister, the Defence Minister took varying positions in the past. They said "No Indian is involved, no Nonresident Indian is involved no middleman is involved, no commission was paid and no member of the family of Rajiv Gandhi was involved and he is not involved." Now,, the latest is 'no politician is involved. These are various positions taken by Mr Gandhi and his cohorts. What do you make of this, I want to ask. Rajiv Gandhi has said that the "Hindu" documents do not prove anything at all; on the contrary these documents justified the stand taken by the Government. Is it so, Madam? To my knowledge, after going through these documents, i see that these are front companies, namely, Svenska, Moresco, Moineao, A.E. *Services.* They are all front organisations. They are conduits. Mr. Win Chandha was the biggest operator. His company here, the Anatronic Corporation and Svenska have got eo much in common. They are the same, more or less. Svenska continued to get payments even after the agreement on 24th March 1986 and the percentage varied from 0.96 per cent to 6 pe$_r$ cent. Madam, Pitco, Moresco, are all linked to Hindujas. They have their accounts in the Swiss banks. The' coded names are, Tulip, Mont Blanc, Lotus and percentages are give$_n$ there. The Swiss Government was prepared to give information to the Swedish Government regarding the accounts and the persons holduig the accounts but the Swedish Government withdrew their request. Therefore, information was not passed on to the Swedish Government by the Swiss Government. There was an enquiry by the public Prosecutor of Sweden. The Public Procecutor had to c'ose hie file of enauW because the Government of Tndiq did

[Shri M. S. Gurupaderwamy] not cooperate with the Public Prosecutor. The Public Prosecutor said later, "closing my file does not mean the persons are exonerated". The file can be reopened, enquiry can be reopened. But there were instructions by the Foreign Minister of the Swedish Government that the Public Prosecutor should not proceed with the enquiry. Why and under whose instructions it was done? Therefore, Madam, I say that the documents published in the Hindu irrefutably prove beyond doubt that there were middlemen, there were commissions and these commissions are nothing but bribery to get the contract for Bofors. It is 6aid, the Under Secretary of the Foreign Affairs of the Swedish Government has said if these front organisations had not remained there, Bofors would not have got the contract from India and he has alsw said, the amount involved is shocky large. They cannot be called commissions. They cannot be called consultancy fees. They are bribes, nothing but bribes. I challenge this Government whether they can recommit this issue for probe by another Joint Parliamentary Committee, with expanded terms of reference, presided over by the leader of the Opposition. I ask the Prime Minister, Madam, whether he js going to ask the Public Prosecutor of Sweden to proceed with the enquiry, to reopen the enquiry. I ask him again whether .he is prepared to ask the Swiss Government to give the information about the accounts and the holders of the accounts. Win Chandha, Hindu.} as and others. 3.00 P.M.

THE DEPUTY CHAIRMAN: Please conclude now.

SHRI M. S. GURUPADASWAMY; 1 am concluding. Hindujas and Win Chadhas are only conduits for the Rajiv Government, I would like to ask: Who are the co-sharers of this loot? Who are the co-participants of this fraud?

SHRI P. *N.* SUKUL (UttaT Pradesh); The CBl will find out.

SHRI M. S. GURUPADASWAMY: You point out when your turn comes. Who are the co-sharers and co-participants of this huge fraud? Sixty-four crores of rupees cannot be called fees" or commission by any means. It is the biggest fraud cqm-mitted on the country. Therefore, Madam, I ask my friend, Mr. K. C. Pant, not to say again that he is drawing the curtain. The curtain will not be drawn. The curtain cannot be drawn till the truth is found. (Interruptions)

SHRI P. N. SUKUL: Titf the next. election.

SHRI M. S. GURUPADASWAMY: Elections are important. But ejections are not so important when the interests of the country, the seem of the country and the value- of democracy are involved. Therefore, it should be the concern of all of us including you, to see that the defence of the country is not exposed i« such a manner where the credibility is questioned by anybody. I am equally anxious as Mr. K. C. Pant to respect our defence personnel. I am not a bit lagging behind in this respect. But I would like to beg to him that it ' should not be a shield for a cover-up. This .is a gigantic cover-up in my view. Therefore, I ask Mr. K.' C. Pant to bear with me, pond.er ' over and agree that this matter may be referred to a Parliamentary probe, with broader lerms of reference, presided over by the Leader of the Opposition. Thank you, Madam.

SHRI ANAND SHARMA (Hima-chal Pradesh): Madam Deputy Chairman, this is for the fourth time during the last one year that this House is discussing the Bofors issue. I agree with what Mr. Gurupadaswamy has said, to begin with, that this is not the last word. Yes, because documents of this nature, to which he

refers, the new evidence to which he and other friends in the Opposition have referred in the other House, will continue to be manufactured as they are part of a grand design, a conspiracy, to malign the Government and to destabilise the entire eystem. It is over one year since these smoke screen, clouds, first appeared. These clouds of suspicion ensured °*tfy one thing that Important national issues took the back seat. Thei'e were other important issues before this country which concerned the common masses. But they took the back seat. The time and money of this august House and those of the other House have been used only to malign the Government or to create something which does not exist, which never existed. But, during the course of this debata — I do not know what, my friends on the other side have achieved—one thing has happened; reputations have been destroyed, established institutions have been torn down. The casualty has been the morale of the Indian army, the image of the country, the security of the country. These are the only casualties, maybe small for you. But the target, has been one person. That is the leader of the country, the Prime Minister, who is the target, as we were discussing today in the morning, of a two-pronged attack. It was a political assassination, a character assassination or a physical liquidation by those who cannot d·gest the political stability of the system, the strength of our system and the direction which this country has. I am very sorry to say...

SHRI SATYA PP.AKASH MALA-VIYA (Uttar Pradesh). Don't equate the two issues.

SHRI ANAND SHARMA: Well, I will equate. Our friends on the other side have given an impression that they are the ones who are interested in the truth, they are the ones who are keen to find out as to what exactly happened. But the facts are otherwise. I may come to them later. But Mr. Gurupadaswamy referred to the constitution of another JPC but stayed away from the first JPC. Who prevented you from joining the first JPC? When you say it was a truncated Joint Parliamentary Com-' mittee, then the fault lies with you because you were not interested in winding up this issue. Why? Because, today *Indian* Express Is Gita for them and *The* ffindu-Ramayan. This is the only manifesto they have; this ia the only ideology of the joint' Opposition; this ia the only unifying factor for the friends on the other side in which they have various messiahs ranging from Chandraswami to Adnan Khashoggi. These are one or two of their messiahs. And thefe is another gentleman who writes various articles in that Gita of theirs, Mr. Jethmalani. Mr. Gurupadaswamy referred to Hindujas. Why is Mr. Jethmalani not present here.? He can write outside. Let him come to the House. Who is an agent of Hindujas, who is a friend of Hindujas, I charge, he is present, on your side. It is very unfortunate the manner, in which this entire campaign has been conducted, they have tried to give an impression to our countrymen as if a grave offence has been committed, the Army has been given a very defective weapons system and the security of the country has been endangered. We have discussed in the past how the Indian Army selects a weapons system. I need not go into details. But if I may briefly mention, it is a rigorous procedure, a painfully time-consuming procedure, in which our senior civil servants and Army generals are involved. It *is* not one or two individuals but a large number of people who are involved in this. Nobody has asked from the other side why this procedure is so time-consuming. It was in 1975 that the Army had expressed its need for this weapons system. They had sub mitted a philosophy paper in 1979 They did not say why it took 11 yean for thie country to acquire the wea

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pons system for the Indian Army. It was because of the procedure. First a weapons system is identified, Then there is identification of the manufacturers. Our teams go from here to evaluate the competence...

SHRI D. B. CHANDRE GOWDA (Karnataka): Don't forget 'that there are Generalg here; they know the procedure.

SHRI ANAND SHARMA; But I have to educate you. It is very important because you keep on forgetting. Have patience, (Interruption) I can teach you, don't worry.

After the suppliers or the manufacturers are identified, there are field trials conducted here in this country. Then only the price negotiating committee is constituted after the approval of the CCPA. In this particular case in 1982, if my memory serves me right, the field trials were done. There were four weapons eys* terns some of which were shortlisted. What, in fact, were preferred? The French Sofma TR-155 and the FX77B of the Bofors. Madam, it was in 1984 that this CCPA had approved the price for this weapons system of Rs. 1,600 crores and it was in 1986 that this country bought thig weapons system for Rs. 1,420 crores or Rs. 1,427 crores. And, in spite of that, this debate is on, the debate about the quality, the debate about the price and the debate even about the existence of some middle men and bribes. If I may deal with the first question regarding the. quality of the weapon, there is no doubt about its efficacy and the fact that it is one of the best systems that we have. I will advise my friends to read Janes' "Weapons Systems" which clearly explains everything. I may also be permitted to quote, in fact, my colleague from the Opposition, Mr, Jas-want Singh, who had said that there ie no question about the quality, the professional competence and the quality of the weapons must never be questioned, and he hag repeated it more than once on the floor of this House. The former Chief of the Indian Army, senior officials of the Indian Army, considered thig weapons'system to be one of the best and most suited to meet the requirements of the Indian Army.

Madam, Mr, Gurupadaswamy has referred to the report of one committee, and it is the Report of Lt, Gen. Mayadas Committee and I may, in fact, refer to that. Gen. Kaul, the then Deputy Chief of the Army Staff, had, in fact, evaluated the Report and had said—I quote from page 59 of the JPC Report—:

"In my opinion, it is a subjective report and not at all objective. The Technical Committee cannot make recommendations based on claims of the firms which have not been verified by actual trials in India. Such a procedure is only adopted for paper evaluation when they are shortlisting froms whose weapons systems are brought to India for trials. To do so at this stage for recommending a gun system for purchase can be misleading and dangerous."

Now, this is what the Deputy Chief of the Army Staff has said.

You 'refer*to Mr. Arun Singh, the former Minister of State for Defence. Let me quote Mr. Arun Singh. He had paid;

"The Mayadas Committee was constituted by the Indian Army and the Army itself rejected it, It is nothing but a scrap of paper for the Government."

This is what Mr. Arun Singh himself had said... *(Interruptions)*... You say that he also said certain other things. But why was this not quoted? So, let me make it very

clear. There is nobody today who has gone on record, who was in a position, who was dealing with this matter, who has questioned the competence, the professional competence of the Indian Army Generalg or the efficacy of this weapons system.

Madam, there is a point which has been made about the price and that the Sofma was better. Now, we all know that the Sofma price was more than the price of Bofors. It is very clear and there is no dispute on that.

SHRT YASHWANT SINGH (Bihar): No. There is dispute now.

'SHRI ANAND SHARMA: O.K. Madam, now, what were we interested in? What we were interested in was procuring a weapons system which was effective and ensuring that the price was the lowest. Now, the Price Negotiating Committee comprised the Finance Secretary the Defence Secretary, the Expenditure Secretary and a whole lot of senior officiate. I must compliment them for having generated a keen global competition. And it was so intense that the prices came down by more than Rs. 200 crores from what they were in 1384 as approved by the CCPA and in March, 1986, when the agreement was signed. Madam, if they say that there was any introduction of a middloman between 1984 and 1986, it is common sense that the prices could not have come down; they would have jumped up by Rs. 200-300 crores.

Given the fluctuations of currency. ...*(Interruptions).* You will have your say.

SHRI YASHWANT SINHA; On a point of clarification. The Member is misleading the House. *(Interruptions)*

SHRI ANAND SHARMA: Madam, they have made malicious references to the Prime Minister and how . he discussed this matter with the late Swedish Prime Minister, Mr. Olof Palme. This is the statement of the Swedish Government itself that it was Mr. Palme who had discussed the matter with the Prime Minister in...

SHRI V. GOPALSAMY: (Tamil Nadu): Can you verify... (Interruptions)

SHRI ANAND SHARMA: It was the conscious decision of our Government to exclude the middlemen. But for that decision there would not have been any debate or any controversy. It was that decision of the Government. And the results are clear for anybody to see. If anybody . would follow the currency fluctuations between 1984 and 1986, .it would have gone up. . But herr it had gone down by Rs. 300-400 crores. Instead of giving credit to the Government or to the Prime Minister, here they are out to malign him to besmirch his image. They are conveniently for getting that... (Interruptions)

The Vice-Chairman (Shri Jagesh Desai) in the Chair]

Sir, I may quote here — it is pertinent — Mr. Ganapathy, former Expenditure Secretary. On page 85 of the JPC Report he says:

> "The financial and commercial considerations are undoubtedly important but I think they cannot be assigned the predominant role ... particularly in this case, as things turned out, the weapon system which the Army considered most suited to them, also proved to be the cheapest. There is no conflict."

Sir, at that particular time Mr.. Vishwanath Pratap Singh was the Finance Minister of India. And the gentleman has now become their leader and guide. They were leader-less and rudderless. Now he has become their leader. So they will not question his action. But he was the Finance Minister. And as the Finance Minister, when he approved of this contract, at no stage did he

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question or raise any eye brows about contract, the terms of the contract, the price or the quality. No questions were ever asked. Now, again, I quote what Mr. Ganapathy, when questioned about the attitude of Mr. V. P. Singh, said. This is on page 100 of the Report:

> "Absolutely No. I can say this categorically because.. .the moment I saw the file, I immediately sent it to the Finance Secretary saying that the matter was very urgent, it Went to Finance Minister. If he had the slightest doubt, he would have asked the Finance Secretary or me. I was the senior officer in the Finance Department I was the proper person *to* have been asked this question. Till the moment of my retirement, no question was raised."

This is what Mr. Ganapathy, the former Expenditure Secretary, stated.

SHRI VIRENDRA VERMA (Uttar Pradesh); Who was the then Defence Minister?

SHRI ANAND SHARMA: May I also Quote the Swedish Accountant. This is regarding the price of the weapon system. Here they say: "The final prices of FH-77 contract to India are lower than the comparable prices offered to any other customer, that is, India is treated as the most favoured customer and the price offered to the Indian Army is lower than the price which BOFORS has charged from the Swedish Army itself." *(Interruptions)* It was a keen international competition. You should understand it. It is very clear that we got a weapon system which was the best. We got it at the lowest price and no questions were asked. But today, by raising these questions, these people are trying to destroy the reputation of our top civil servants, of our Army Gerrals besides creating ibis atmosphere, these clouds of BUS-picion, only to serve their ulterior political motives. These people had said that there were some winding up chargers, there were some commis sions and there was the involvement or presence of some middlemen. For that, I think there were Government agencies which qualified to go into that and had access to all available documents and information. These agencies were the Swedish National Audi! Bureau, the Chief prosecutor, Mr. Rinberg and the Director General of Military Equipment, Mr. Hirdman. I would like to correct I would like to correct Mr. Gurupadaswamy when he said that the Chief Prosecutor closed his. investigations in Sweden by saying that he was not getting co operation from the Government of India. The truth is otherwise. Please read his report. Please go through it carefully word by word. The Under Secretary, Mr. Aberg and the Chief Prosecutor, Mr. Rinberg, clearly said that 'as per the documents which they have analysed, there is no offenct which has been committed under the Swedish laws. That is the reason that they are closing the inquiry'. You are distorting their report. I charge you of misleading this House. You so through it again.

SHRI M. S. GURUPADASWAMY: I said and I repat it now that the public Prosecutor closed the investigation and said that 'closing the investiga tion does not mean exonerating any body.' (Interruptions) I will come to that. It does not mean exonerating anybody. At the same time, I said and I am saying it again that he has said that he tried: to meet the team which went along with the Prime Minister between January 22 and 24 in this regard, but he was rebuffed. Then he requested the Foreign Minis ter... (Interruptions)

THE VTCE-CHAIRMAN (SHRI JAGESH DESAI): Not a new point, please. on that point if you want to say something, you can do *BO.*

SHRI M. S. GURUPADASWAMY: Then he said that he was prepared to investigate again provided there *is* cooperation from the Government of India. He has gone on record,

SHRI ANAND SHARMA: I just wanted to put the record straight. These gentlemen and the officials there have come to this conclusion. Sir, when they talk of middlemen and when they talk of commissions, they seem to forget that every possible effort had been made from this side. Those who had access to the documents, even to those documents to which the JPC has "never had any access for which the Bofors had to claim 'commercial . confidentiality'; they have said that no bribes were given. These are the findings of the Swedish National Audit Bureau. These are the .finding, of Mr. Ring-berg, their Chief Public Prosecutor, that no bribes are there to any Indian, and no crime, no offence is there under the Swedish laws. Sir. if they are finding fault with what the JPC has been able to unearth, it is very unfortunate because JPC never had access

SHRI V. GOPALSAMY: Fresh evidence has been produced. What is your reaction?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr Gopalsamy, you will get a chance to speak.

SHRT ANAND SHARMA: Sir, JPC never had any access to those docu-merts to which Mr. Rinberg had access. That is exactly what I have said. They have been able to get fresh information and evidence. They have been able to get so much of information for all of us which none of us- had before. Sir, if the findings of the Swedish authorities were that the. middlemen were not there and the conclusive findings are these were the winding up costg for some earlier contracts, signed by the Bofors with their consultants or representatives, who had to be done away with in view of the conditions imposed by the Government of India to exclude all middlemen, and the result is there which I have explained. Sir, what inference...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): How much time will you take?

SHRI ANAND SHARMA: I will take 5 or 7 minutes ihore. But for the interruptions, I could have progressed a bit faster.

Sir, let me say one thing. In such a situation what inference could have been drawn by the JPC but for the inference which it had drawn? Sir,, they charge the Government that we have not been sincere or.eager to find the truth. It is most unfortunate. In fact, the boot fits the other leg. They have stayed away from . the JPC. Today they have demanded another JPC. Tomorrow they w'll say, 'we should get the Chairmanship', as he has said, 'we should get the majority, we will dictate the terms of reference, we would like to take over the Government tomorrow though remaining in a minority*. But, Sir, these' things cannot be allowed. Sir, on 17th of April last year, when this story broke out by the Swedish radio, what happened? It was the Government which immediately took up the matter not only with the Bofors. I think, on 24th of April last year they wrote to the Swedish Government requesting that Government to institute a proper enquiry by their National Audit Bureau. On 29th of April last year, the Swedish Government instituted that enquiry. Let me mention, Sir, one thing. Before that, the Prime Minister in this very House had said when he gave this categorical assurance that we will not spare anvbody who is guilty, and the guilty shall be punished in the severest possible manner. Sir, he had also appealed to our friends on

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the other side, and also requested the media and all other concerned people, to provide any evidence or information to the Government. But till this date nobody has come forward.

SHRI V. GOPALSAMY: Now the evidence has been produced.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): No interruptions, please. Let it go on smoothly.

SHRI ANAND SHARMA: Sir, why I say so is that it was the Government which made every possible effort to unearth the truth. It was the Government which went to the Swedish Government. It was at our " behest that the National Audit Bureau enquiry was conducted. On 4th of June, that report came to India. On the 4th of June last year, the Government announced the constitution of a JPC which was their demand earlier. Not only that. Not satisfied with the SNAB report because there were certain portions excised on the plea of commercial confidentiality, this Government again wrote to the Swedish Government to make available even those excised portions. Sir, the prima *facie* case, the basis for the JPC was provided not by these motivated accusers but by the Government. Can a Government which wants to hide the truth take all these measures at this speed, with such sincerity and inviting all of them to join in our efforts? This is my simple question.

Sir, after that the story is known to all of us. They have referred to the documents published by the Hindu. There were certain documents which were published in April, certain documents were published in the month of June. Sir, that is what I said right in the beginning, the story will go on. document after document will be manufactured. Sir, they claim privileged sources. They Claim access to privileged sources. Where were these privileged sources? These paragons of virtue, where were they when the Swedish Audit Bureau inquiry was on, when Ringberg, the Chief Prosecutor, was inquiring there, when the Director-General of Military Equipment was holding his own independent inquiry, where were they? If they were sincere, why did they not respond to the Prime Minister's appeal and join the JPC? If it was true,- if it was authentic why did they not go before the JPC. The documents published were to discredit the JPC, a Committee of this Parliament. If you were so keen to unearth the truth, what prevented you or the Hindu or the privileged sources from placing that information before the JPC? What prevented you? It wr.s timed to discredit the JPC report. It was timed to perpetuate this conspiracy, to continue with this evil design. That is my charge.

Sir, the second set of documents which they claim, I have gone through that. I cannot comment on its authenticity unless and until the same is established and verified. If it is verified, I will agree then a new element is introduced. Correct. But let us leave these to the CBI, our investigating agency, because, Sir, they are the best to conduct an investigation. These people want another JPC. The JPC cannot be an investigative agency. The JPC has shifted through all available documents which were made available. As far as these new fresh documents are concerned, I am sure as the Defence Minister had stated in the Lok Sabha, the CBI is going into that aspect and they will be able to come out with their own report. I do not want to comment further on that, Sir.

Sir, I want to say only one thing. To confuse the issues another reference has been made. The reference has been to Swiss banks and the information which can be procured from Swiss authorities. Sir. here I would again like to inform Mr. Guru-padaswamy and the friends on the

other side that the Indian Government has taken the initiatives, a Memorandum of Understanding was signed, and you-give the impression 8s if you can just ask for information and they will give the information. Even in respect of the Memorandum of Understanding between India and Switzerland, that Government can provide information according to their laws only, when there Is dual criminality, when there is a breach of laws in both the countries, i.e., in Switzerland and in India, and you must remmeber that not only have we signed a MOU, but this Government here has also amended the Criminal Procedure Code. I think you should listen now, this Govern-' ment has amended the Criminal Procedure Code to meet the requirements of the Swiss 'aw so that we can get hold of the information and you are itill questioning the sincerity should we question these motives? *(Time.* bell rings). I will just conclude, Sir. So, it is very clear that the Government's intentions are honest, the Government has tried to find out the truth and these people have tried to continue with this atmosphere of duspicion. In that process, as I have said, they have demoralised this nation's army; they have brought into poMtical controversy one important issue which should have been kept beyond the pale of controversies, and that is the security of India.

Sir, many insinuations have been made. I find it very sad, as an Indian and as a Member of this august House. I must remind my friends on the other side that institution;; are not built overnight. It requires a lot of efforts, lot 'of time. ' By destroying them, or by attempting to destroy them, you are doing a great disservice to the country. I refer to the malicious references to the Prime Minister. I ca only say that as every Indian will believe, it is a part of the conspiracy of destabilisa-tion. For whom are such references made? Does Shri Rajiv Gandhi, the Prime Minister of India, require a certificate on his commitment and integrity from Chandraswamy or from Mr. Jethmalani who defends the worst possible criminals, smugglers and Indira Gandhi's assassins? Will he need a certificate.... *(Interruptions)*

THE VICE-CHAIRMAN (SHR3 JAGESH DESAI): What he says is that he defends the criminals; that is all. *(Interruptions)*

SHRI V. GOPALSAMY: H_e on**-be asked to withdraw the remark... (Interruption*)'

THE VICE-CHAIRMAN (SHE! JAGESH DESAI): He did not say anything against Mr. Jethmalani; He only said that he defends... (Interruptions) . What he said was that he defends the criminals.

SHRI V. GOPALSAMY.- Yesterday, Mr. Upendra referred to the name of Mr. Satish Sharma; he was not allowed. Same yardstick should apply here also. Mr. Upendra was not permitted. (Interruptions).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); But he has not made any allegation.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM (Tamil Nadu): Casually I mentioned that he is President of the Flying Club; but I "was not allowed. *(Interruptions)* .

SHRI V. GOPALSAMY: Mr. Upendra was not allowed yesterday. *(Interruptions).*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please sit down, all of you. I am on my legs.

Yesterday, it was in a different context. Today, what he said, and what I heard him properly is that Mr. Jethmalani defends criminals in the court. ..*(Interruptions)*

SHRI N. E. BALARAM (Kerala): No, no. You verify the records. You go through the records. This must be expunged... (Interruptions).

SHRI M. S. GURUPADASWAMY: Do you think that he has made this reference with good motive, and to appreciate it? Do you think he is appreciating? *(Interruptions).*

THE VICFCHAIRMAN (SHRI JAGESH DESAI): That is why a said... (Interruptions)

SHRI KAMALENDTJ BHATTA-CHARJEE (Assam):*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): What Mr. Bhatta-oharjee said will not go on record.

SHRI ANAND SHARMA: Let me set the record straight... (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI). For a smooth discussion, I appeal to the hon. Members that we should avoid such references which should create- bitterness.- Please take care of it. (Interruptions) .

SHRI ANAND SHARMA: I am not yielding any more, Sir. *(Interrupt tions).*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): This kind of re-fence should not be made.

SHRI V. GOPALSAMY: Sir, this is a very bad precedent. *(Interruptions)* You are setting a very bad precedent. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Gopalsamy, I have not allowed you.' Mr. Sharma, please conclude now.

SHRI ANAND SHARMA: Sir, I may be allowed to put the record straight. I am concluding. Just one thing. I have not cast any asper-siona. I have not used any unpar-

*Not recorded.

liamentary words. You can go through the record and if there are any such references or aspersions, you can expunge them. Let me say one thing. They now know how it hurts when I made a reference -to Mr. Ram Jethmalani. Do you realise how much it pains us when you make malicious references to the leader of the country, the Prime Minister? When they say so, I would only like to point out that Rajiv Gandhi is the custodian of the great legacy of the Nehrus, who gave everything they had to the country, right from Pandit Jawaharlal Nehru. Pandit Nehru gave- his youth, gave away the family property, to the country . Indira Gandhi gave bar life, her blood. Rhe. is a national martyr. Prime Minister Rajiv Gandhi is the custodian of this legacy today. Let me say that he has staked his very life for the sake of the country. He is living from moment to moment. His children cannot go to school. He cannot move freely. This is because of his commitment to the country, because of the responsibility which he has accepted and because of the mandate he has obtained from the people, mind you. Such a person is being denigrated.

Sir, I would like to appeal to my friends on the other side. It is high time you learn from your mistakes and...

AN. HON MEMBER: Come to senses.

SHRI ANAND SHARMA- Yes. Come to senses. Otherwise, history will not forgive you. Thank you.

SHRI DIPEN GHOSH (West Bengal): Mr. Vice-Chairman, .Sir, at the outset, I would like to inform my learned colleague, Shri Anand Sharma, that I do not share his view, the view which be trotted out, that the character assassination of a person and the physical assassination of » person is the same thing. Mr. Vice-Chairman, Sir, I do not think that if

anybody in the Government is accused of indulging in economic irregularities or offences, that, as such, by itself, endangers the country's defence or is fraught with the danger of destabilisation of the country. In fact, it is the other way round.

Mr. Vice-Chairman, Sir, when a burglar is able to enter the Defence headquarters and takes away some defence files, right under the nose of the Central Government, behind the Prime Minister's Secretariat, the people who preside over such a system, by their sheer inefficiency, run . the risk of destabilising the country. The Government owes an explanation. The Defence Minister owes an explanation to both the Houses of Parliament. How could a burglar enter the Defence headquarters and take away some files? You know, Sir, there was an attempt on the part of an insance person or a crazy person. as it was reported, to scale the outside wall of Parliament House and he was shot down. But behind the Prime Minister's Secretariat, at the Defence headquarters, in the dead of night, *a* burglar could enter, open the almirah and take away some files merrily. And still the people here are so shameless that they say, while accusing a particular leader or a particular member of the Council of Ministers having indulged in financial irregularities, by doing so it will destabilise the country. Shame. That is why I do not share with his views. Sir, our discussion is on the latest disclosures in respect of the Bofors deal and I would confine myself to that aspect only.

Sir, when these revelations were made by the Hindu, Mr. Anand Sharma says that these were manufactured, but Mr. K. C. Pant has not said so, nor has bis leader said so. So, I am not giving much importance to his statement.

THE VICE-CHAIRMAN (SHRI , JAGESH DESAI): How do you say that?

SHRI DIPEN GHOSH; As many as 72 documents were published by the. 'Hindu' between April and June. The latest disclosures -were in June. Immediately thereafter the Prim Minister himself had reacted and he said that Hindu had vindicated the Government position. The word 'manufactured' Mr. Anand Sharma has used. I do not know whether he had prior consultation with Mr. Rajiv Gandhi.

SHRI ANAND SHARMA: The documents could have been given to the JPC then.

SHRI DIPEN GHOSH: The CBI was asked to investigate these documents. This is what our Union De- • fence Minister in the other House has said about the Hindu revelations, and I quote...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Don't quote from what he has said there.

SHRI DIPEN GHOSH: It is a published document, it is published in the Bulletin and it is circulated to us.
It is Parliamentary.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Even then you should not refer.

SHRI JASWANT SINGH (Rajas-than): sir, with your consent as my distinguished colleague has yielded, a Member is free to quote provided the Member authenticates whatever he is quoting. There is no blanket debarring of quoting whether from' a newspaper or a journal or from wherever. I think such a ruling from the Chair that he cannot quote...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); I do not want to give a ruling till I am satisfied but I think as far as possible we do not quote...

SHRI PARVATHANENI UPEN-DRA (Andhra Pradesh): He can I quote, there is no harm.

THE MINISTER OF DEFENCE (SHRI K. C. PANT): The rules of this House I am not aware of but in the other House when I was trying to quote Shri Arun Singh the other day the Speaker said, "Please flo not quote."

SHRI JASWANT SINGH Perhaps I am misunderstood. I entirely agree with the hon-Defence Minister that you cannot quote from the proceedings of the House. If he is doing that, then that is a different matter. I thought he was quoting from a published document.

SHRI DIPEN GHOSH: This is also published in the newspapers. I can quote from the newspaper. *(Interruptions)* The Minister has said that the information given by the Hindu is an additional information. Information has already been supplied to the Government and the JPC and in addition, some more information has been given by the Hindu. I want to lay stress on the words 'some more information has been given by the Hindu'.

THE MINISTER OF STATE IN THE DEPARTMENT OF DEFENCE PRODUCTION AND SUPPLIES IN THE MINISTRY OF DEFENCE

49HRI CHINTAMANf PANIGRAHI): Whether the information is authenticated or not, that has to be seen.

SHRI DIPEN GHOSH; What is to be authenticated, his statement or these revelations?

SHRI CHINTAMANT PANIGRAHI: The Minister has not said that it is authenticated.

SHRI DIPEN GHOSH: It can be authenticated. This is what the Minister in his reply has sald. I am not misquoting him. Mr. Vice-Chairman, after the Prime Minister had stated that the Hindu had vindicated the Government position, as I could come to know from the newspaper, the CBI was also assigned the job of going into these things. Even the Union Defence Minister had admitted in the other House that enquiry is going on. I would like to know, what exactly is the report of the CBI on the *vrima facie* investigation of these documents? Because my information goes—I do not know whether the Minister of Defence will share it with me or with other Members of the House—that the CBI in its primary report submitted to the Government have authenticated the documents published by the Hindu to be true, number one.

Number two, that the CBI in its primary report have stated that Win Chadha's involvement as an agent, as revealed through these capers or documents, has. prima facie, been established and Win Chadha should be prosecuted.

This is the CBI's primary report submitted to the Government and I would like the Defence Minister to confirm or deny, or share the report. Sir, whole gamut of the report is to be authenticated, its authenticity is to be established. What else is the method or agency? The Minister of Defence, Mr. Anapd Sharma has also stated just now, has stated in the other House as I have read from the newspapers ____

SHRI ANAND SHARMA: You can quote me...

SHRI DIPEN GHOSH: Because I have got the advantage.

SHRI ANAND SHARMA: But don't misquote me.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Without hearing him, how can you say it is a misquote?

SHRI N. E. BALARAM; Sir, he is a young man. Please allow him.

SHRI DIPEN GHOSH: But the CBI is investigating. And the official agency is the CBI. I do not

Qispute that fact. Ana I do not want to say that I have full faith in the CBI because CBI is a depart ment under the Government of India. I know how the governmental agency-report is tailored at the wishes of the governmental heads.

SHRl'K. C. PANT; In the States also, it happens?

SHRI DIPEN GHOSH: For your in formation, I can share with you that I had been a Central Government employee for as many as 28 years and I have the experience of making re ports, unmaking report, writing re ports and unwriting reports at the dictates of the Ministers.

THE MINISTER OF STATE IN THE DEPARTMENTS OF YOUTH AFFAIRS AND SPORTS AND WOMEN AND CHILD DEVELOPMENT IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI-MATI MARGARET ALVA): They are following your footsteps, Sir.

SHRI K. C. PANT; I hope you have not passed on the knowhow to your State Government.

SHRI DIPEN GHOSH; I had not that benefit of working under the State Government. I had the benefit of working under the Central Government.

SHRI P. N. SUKUL: Mr. Ghosh knows how to manufacture reports.

SHRI DIPEN GHOSH: Okay, Mr. Rukul had the advantage of working under the State Government. He may have some different experience.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Let us now get on with the subject.

SHRI DIPEN GHOSH: That is why I am saying, CBI is an official agency. Obviously we have seen how the Heads of CBI are transferr-

ed, how the Head of the CBI having been served with orders of pension, gratuity and every thing on complet-tion of the total period of service h3 was to serve, was retained and orders withdrawn at that time, under whose wishes we all know. Even without undermining the independence of a Government agency like the CBI, I have a fear that since it is a direct instrument or agency working under the Minister or Ministry, it has no autonomy as such, though it has an independent method of work, an independent method of , invetigation. That is why I will say that I have this fear about the CBI report, even though CBI enquiry can help other agencies, other bodies to investigate. But in addition to CBI enquiry, what else can We do to unravel the truth, get at the truth by authenticating or getting authenticated the documents disclose Hw the 'Hindu'? I can give a suggestion, but the moment I give a suggestion Mr. Pant will try to say, "Do you hwp greater confidence in an agency other than your own?" and thereby question my patriotism.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Straightway give your suggestions. Why do you presume all this?

SHRI DIPEN GHOSH: Yet. even the CBI, in its exercise of investigation about any incident or offence outside the country, interacts with other foreign agencies, obviously Government agencies, with arrangements being made between the two Governments, not unofficial. The services of Interpol are taken and the Government requests the other Government to render assistance. So I want to ask whether the Govern ment is prepared to ask the Swedisl Government to employ officials, thel own prosecutors, Police Prosecutor or other Prosecutors, to authenticat these documents and get at the trutt

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Another five minutes. Fifteen minutes are over.

SHRI DIPEN GHOSH: At least, I am not dwelling on the quality or price of the gun and all *thai.*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): At this rate it will take five hours.

SHRI DIPEN GHOSH: I will try. Our Defence Minister has states in the last session that, in fact, Lars Ringberg, the Chief Police Prosecutor of the Swedish Government, had initiated proceedings, investigations and inquiries, at the instance of the Govp-nmw. of India through the Swedish Government; because it was the Indian Government which had contacted the Swedish Government * and requested the Swedish Government to investigate and give more information, and Lars Ringberg investigated it. At one point of time, Lars Ringberg also abandoned or stopped that investigation. Why had we to stop his investigation? I quote from his statement:

"Through the inquiry it has emerged that AB Bofors, during 1986, disbursed 'about SEK 319 million to three foreign companies with accounts with different banks in Switzerland. Admissions of the disbursements in question have been made and also explanations and motives for them given. It has not been possible, however, to obtain details of which persons received payments. A judicial inquiry similar to our preliminary inquiry concerning possible bribery offences has not been commenced in India. Thus, neither written nor oral evidence has been obtained through the inquiry undertaken with regard to whom payments were made and the reasons for them. In view of this, and since it cannot be expected that information of decis've importance for the matter of prosecution could be obtained by continuing the inquiry, the preliminary inquiry is withdrawn."

So, at that time he thought he did not have adequate information or adequate other evidence. So he .had to withdraw the inquiry. Now "The Hindu" has brought out 4.00P.M. as many 72 documents. Oux- Government can get them authenticated via Swedish Go vernment with Lars Ringberg, and there is no harm because I take it on the face value of the words of Mr. Rajiv Gandhi, Prime Minister of our country, Mr. K. C. Pant, Defence Minister of India, that- they- really want to get at the truth.- Everybody believes that to get at the truth, to reach the end, nuans is not the ques tion. To reach God, you may go via church, via mosque, via temple. The question is to reach God. So, to get at the truth, whether you go via the CBI, via the Swedish Go vernment or via Lars Ringberg, it matters little. Why are you so touchy about the nationality of the enquiring agencies or the enquiring officers?

SHRI SITARAM KESRI (Bihar): , Do you want to go to God?

SHRI DIPEN GHOSH: I want to go to you, Mr. Sitaram Kesri at best because you happen to be the Treasurer of your party. I do not know whether your treasury has been inflated because of this.

SHRI SITARAM KESRI: No, no. Don't talk-like this.

SHRI DIPEN GHOSH: The Government of India had requested the Swedish Government to render all the assistance to get at the truth, and at their instance Lars Ringberg had instituted a preliminary enquiry. But at a given stage Lars Ringberg had withdrawn" the enquiry because no

U.ing had been forthcoming by that time. Now "THE HINDU'* has brought out certain documents, and the CBI has been asked to authenticate them and to get at the truth. The CBI will surely take assistance from the Swedish Government and other foreign agencies like the Interpol. So, let the Government of India request the Swedish Government so that the Swedish Government requests Lars Ringberg to continue the enquiry or to restart the ' enquiry and authenticate those documents. This is my proposal.

Now, here I come to the other part.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please conclude.

SHRI DIPEN GHOSH: Yes, I am going to.

THE VICE.CHAIRMAN (SHRI JAGESH DESAI): No. -Please conclude.

SHRI DIPEN GHOSH: On April 20, 1987, the Prime Minister told Parliament, and I- quote:

> "You show us any evidence. We don't want proof. We will bring the proof."

So, evidence has been shown by "THE HINDU". It is the responsibility of the Government to bring the truth.

SHRI CHINTAMANI PANIGRAHI: The enquiry is going on.

SHRI DIPEN GHOSH: If they fight shy of bringing the truth in the name of nationality, then, I would conclude that surely there is something wrong, and they actually do not want to get at the truth.

Sir, whatsis evidence. And what is proof? Evidences convenient to the Government, only those evidences ' will be taken into considerat'on. Evidences unfavourable, inconvenient to V'the Government will be brushed as-led, simply saying that .these are all newspaper reports. In that case, Sir, even it is on record by the JPC also, by the Minister also: "Who can tell the truth? Who can give reply to the question, 'What are the names of the recipients?' Mr. Arun Singh had asked, "Who, what, when, where?" I do not know now where he is *to* raise those questions. But that is another aspect. Who can give' the names of the recipients? The Minister has stated, the JPC has stated, "Bofors." Because Bofors had paid the* money, Bofors can say, but Bofors is taking recourse to commercial confidentiality. And our Attorney-General has stated that they can enjoy that immunity. Then who else ran say? Receipients who have taken the money. They have given three names. The JPC has come to the conclusion that these are all front organisatons. It is in the Report. Obviously the front organisations cannot say the truth. Who are the people behind the front organisations? That is the truth to be got at So, naturally either Bofors can say or the people behind the front organisations can say. And who are those people whom we are asking the questions?

You can remember when the first news broke out, the reaction - was destabilisation. Then there was, no agent. Then the statement came down saying that there was no Indian agent. Now, after the "Hindu" revelation, they have come down to saying that there was no Indian politician. And perhaps after this Monsoon session is over, when there will be a new spate of revelations, the reply will be there is no Nehru or Gandhi. That is why I say my charge is...

SHRI N. K. P. SALVE (Maharashtra) : I have been very careful in listening to the way he is talking. He made various points, but the crucial point to which I thought he would come to is how have the documents in "Hindu" taken your case further than where it was last year.

[Shri N. K. P. Salve] The JPC itself has admitted that these payments have been-made. The documents only show that these payments have been made. If that is where you are, then you are no further than that. Therefore, when you are quoting these documents saying as a result conclusively bribes are proved, I would be very grateful if you very objectively and calmly dilate on that aspect of the matter rather than saying in future .this will be divulged and that will be divulged. That will not help the matter.

SHRI DIPEN GHOSH; I admit I have had faith in the intelligence of Mr. Salve, that after reading "Hindu" he already would have come to his conclusion what exactly Hindu" wanted to prove and what actually has been proved. So, I did not want to waste the time of this House saying how and in what way the "Hindu" revelations had proved the JPC report to be a cover.up. We are not acting in a drama. You are not in a theatre. It is not a drama. I am not acting in a drama.

SHRI N. K. P. SALVE; The JPC never said that the payments of Rs. 60 crores to those companies had not been made.

SHRI DIPEN GHOSH; The JPC has stated that Bofors had told that it was winding up cost. I have got the JPC report. The JPC has stated that Bofors had told that it was a winding up cost and the JPC has taken the statement of Bofors as clean as lilly-white, as gospel truth. But these documents have proved that it was not a winding up cost. This was a commission. It was paid after the contract was signed as a percentage of the contract vlue. Though Bofors had in their evidence given before the J.P.C. stated that payment was made in 1986. but the do-cuments have proved that the nay-ments were made and were boing made during 1987. This way Bofors have proved thaf they have lied be.

fore J.P.C. and J.P.C. having taken Bofors lie as gospel truth, has misled the House, misled the country and misled the people. That is why if you give me the time, I can. prove sentence by sentence as to how the 'Hindu" revelations had gone at the-bottom of the truth.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): No, please.

SHRI DIPEN GHOSH; I will not go into that Mr. Salve provoked me.

SHRI N. K. P. SALVE; I did not provoke.

SHRI M. A. BABY (Kerala): J.P.C. report cannot be salvaged.

SHRI DIPEN GHOSH: That is why either the pay-master can say whom he has paid or the recipients can say who has received the payments. The companies named by Bofors were all front companies. Who are the people behind the front companies? Two names have come up. They are Indian names, Win Chadhas and Hindujas. There are so many people connected with Win Chadhas and Hindujas at least not me or anybody from my party, i can tell you, I can assure you. So why are Win Chadhas and why are Hindujas got the money or the share of the money? I am not going to give a bad name anywhere rightly or wrongly or indifferently. However, the fact is that the Prime Minister's name has come.

THE VTCE-CHATRMAN (SHRI JAGESH DESAI): Now, please conclude. You have already taken 30 minutes.

SHRI DIPEN GHOSH; So, I would have been happy if 'the Prime Minister remained present in the House when the debate is taking place because I take it as a contempt of Parliament. When the Parliament is seized with a serious matter, debate On a serious issue, the Prime Minister should have remained. present and himself replied.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): The Defence Minister is here.

SHRI DIPEN GHOSH; I know I am not undermining him. He is a very good friend of mine. He was in the Opposition and at that time he was my guide also. That is why I say it is a contempt... *(Inter, ruptions)*.. You were also in, the Opposition. Alj of you have learnt from this side.

SHRI K. C. PANT But failed to •convert you.

SHRI DIPEN GHOSH: By this behaviour, it is a contempt of Parliament and I think, the Prime Minister is proving himself not above board

SHRI PAWAN KUMAR . BANSAL (Punjab): Mr. Vice-Chairman, Sir, a year and three months is not a long period in the history of a nation. But if we were to reflect over the proceedings of the successive sessions of Parliament from April, 1987 to date, one inescapable conclusion emerges therefrom. If our priorities and our perceptions are distorted and if disaffection is sought to be spread against a democratically elected Government, on considerations of doubtful nature, a year may be a long period to inflict a severe blow to the system and to a democratic institutions. On such an appraisal, Sir, we will also see that a desperate Opposition, mauled badly at the hustings is liable to feel unconcerned about the drought, about the question of the welfare of the teeming millions requiring' continuous attention, about the need to accelerate our defence preparedness and foist on the Parliament, (matters which do no good to the nation, but help the Opposition in its bid to simulate an environment of crisis for narrow political considerations.

Sir, when in April 1987, a Swedish . radio news item alleged the payment of certain bribes In the contract relating to the purchase of Bofors Howitzer guns by the Indian Army, the Opposition parties here were in a state of morbidity having been stupefied by the all-round progress made by the country, under the Rajiv Gandhi Government. This news item injected some life in them. It injected some life in a body otherwise efmaciated and, therefore, while the Opposition revelled in making mendacious allegations, the Government took up the matter with the Swedish Government in all earnestness. This led the latter to depute its National Audit Bureau to conduct an auditing review of the transactions. When the report revealed that substantial payments had, in fact, been made by Bofors to three foreign firms without disclosing the particulars thereof, our Government, eager to find the truth, referred the matter to the Joint Parliamentary Commit, tee. But the Opposition realising that the proof of non-culpability of the Government would leave them with no further scope of attack, boycotted the Committee on frivolous grounds.

The Committee went into the whole gamut of the contract and came to well-reasoned conclusions that the elaborate procedure laid down for the acquisition of weapons and systems was followed scrupulously, that the Bofors gun was one of the best in the world and was most suitable for our needs, vis-a-vis, our adversary and that by the eli mination of middlemen frcm the negotiations and by the generation of intense competition amongst the intending suppliers, the prices had been reduced substanitally even after the issuance of the letter of intent. The Committee traced the payments by M/s. A. B. Bofors to three firms, namely, M/s Svenska Inc., A. E. Services Limited and Moineao S. A. with code names of Moresco and Pitco. While the origin of these three firms was considered to be somewhat suspicious, the Committee found no evidence to suggest the involvement of any Indian

[Shri Pawan Kumar Bansal]

with these payments. Sir, the Chief District Prosecutor of Sweden,. who had access to ail the documents also concluded that tuere was nothing to inter that these payments were made lor being utuised as bribes in the contiact. These conclusions could not have been palatable to those who jtrove hard to keep the contioversy alive for their own obvious reasons. An endeavour was, tnerefore, made to raise a doubt that the JPC did . not consider all the relevant material. When the report of the JPC " was to be discussed by the Parliament, a lew documents, ostensibly relating to some payments by A. B. Bofors to Pitco were published in a section of the press to suggest that Hindujas, one-time agents of Bofors in Iran, were the recipients thereof. A scrutiny of these documents put to question their authenticity and betrayed their irrelevance to suggest even remotely, the payment or any bribe in the Ind a-Bofors contract Nevertheless, the Opposition grabbed at these documents as a life-saving dirug which ratner proved to be psychotropic and caused severe hallucinations. It is in this mental and phys'cal state that the Opposition has Jreceived the latest publication of some documents by "The Hindu". Once again we find the familiar euphoria; wid allegations are' again levelled against the JPC and a fresh demand is raided for the constitution of another JPC headed by a Member of the Opposition. Much aga'nst my wishes, I am sorry to find a lack of bona fides in this demand. The functioning of various Parliamentary Comnvttees in our system is a source of strength to our fledgling democracy which has now begun to take wings. By keeping away from the JPC, the Opposition failed to discharge its duties. When the report came, it hurled all sorts of abuses against the JPC without any compunction whatever and in 'the process, it brought into .disrepute Parliament itself. With about 10 Members on JPC, they could have contributed to its proceedings. But they lacked self-confidence for a dose of which they .have to depend upon information or disinformation from lands across oceans.

Sir, in the news report of "The Hindu" dated 22nd June 1988, it is claimed that all these documents which were published therewith were obtained in a fresh round of investigation. This claim loses all credibility when the further averments go to show that the Swedish Investigators had examined these thoroughly. T wo references to this "Hindu" report are pertinent. One of these relate to the reported Bofors-Svens-ka agreement of 1986 and states:

"When Swedish Investigators questioned senior Bofors representatives on the patent absurdity of the dates no explanation could be offered."

The other relates to the payments made to the three recipients by Bofors and states:

"Bofors persistently refused -to disclose to its clients the text of these agreements and maintained before the Swedish Investigators that it did not have on record any comparable original commission agreement -with Pitco."

From these two extracts from the "Hindu" report itself it is clearly established that all these documents now claimed to be new were examined by the Swedish Chief District Prosecutor who, as I said earlier, had come to a definite finding that there was nothing to prove that these payments were made for being further utilised as a bribe in the India-Bofors contract. The documents claimed to be irrefutable by The Hindu' ere impressive only if the space covered is the criterion of judgment. The three tables captioned 'Tables of Concordance' are drawn up to show a Win Chadha-Svenska linkage and in Table

A an erroneous impression is sought to be given that Win Chadha signed the agreement with Bofors in Panama, The Hindu' report referring to the 're', presentation agreement' executed between AB Bofors and Anatronic General Corporation of Win Chadha in 1978 castigates the decision-making process affecting a vital national activity such as defence. Clause 2.3 thereof is undoubtedly disturbing. But what is more unfortunate is the twist given to the entire thing to put, the Government and the JPC in bad light and in the process to take readers for a ride. We must not forget here that this documents was executed in 1978 when the system of employing agents was well in vogue. We must also not forget that it was to insulate the decision-making process from outside influence and to make available to us the best weapon systems at the most competitive prices that the Rajiv Gandhi Government decided to formulate a new policy to go about, the contracts without agents or middlemen. Much is again sought to be inferred and suggested from the documents referred to as 'Bofors Secret Agreements'. It will be wholly nresumntuous to brand as secret any document which was executed in 1978, a time which, as I said, permitted the. emoloyment of agents. And it is equally unfair if not dishonest, to rpad something more than what the Ja'nuary '86. Administrative Consultancy Agreement' between Bofors and Oeneral Anatronic Companv "Pvt. Limited of Win Chadha actually conveys. What is startling about the Hindu revelations' is the element of erroneous claim that these documents are a new find. On the contrary it was Win Chadha himself who referred to this agreement of 86 in his evidence before the Joint Parliamentary Committee end be also handed oyer a copy of this ag-epment as well as the aerpementS of '81 and '84. This findi full -mention in paragraphs 7.142 to 7.146 of the renort of the JPC. It is on the basis of such an erroneous approach that the 'Hindu' report of June 22, 1988 links Win Chadha to the Svenska payments and states that Bofors paid commission as opposed to winding up costs" to Indian recipients or beneficiaries Such assertions are nothing but a travesty of truth.

Out of the plethora of so-called new and irrefutable documents the only one that *calls for some consideration is the alleged agreement of .86 between Bofors and Svenska Inc. This is shown to be signed by the representative of AB Bofors on January 2, 1980 and by that of Svenska Inc on Janu-, ary 13, 1986. As stated by the 'Hindu' report this agreement curiously refers to the Bofors-India contract of March 24, 1986. 'The Hindu' cites this to assert that it gives away the foolishly false claim' of a settlement agreement for winding up charges. On the contrary this absurdity casts a serious doubt on the authenticity of this document itself which might have been handed over to "The Hindu ' by some interested party. For argument's sake, if we presume that Bofors violated the condition of no middle men' in the contract imposed by the Government of India, even then an arreement of this type could be executed only before the agreement between India and Bofors wa executed while this document reproduced by "The Hindu" suggests that it was executed after March 24. 1986 and then ante-dated to cover up the subsequent events. Surely Bofors could not have committed such a mistake as this bnt a nedlar of documents who might be busy manufacturing more such documents for publication in the davti to come could certainly be px-pected to commit a .mistake like this. And in realitv if at all an agreement of this nature was to be executed between Bofors and Svenska it could not have been done after the India-Bofors pcrppment because, in those circumstances in the presence of the condition imnosed by the Government of India that, there should be no middle men in the contract an agreement like this would be unenforceable. Sir

[Shri Pawan Kumar Bansal] such is the worth of these documents which have once again rocked our country. I have wonder.ed why "The Hindu" has been chosen for publishing these documents. What I conclude is that the "Indian Express" having lost its credibility in the past could not have been chosen for a delicate task like this and in these circumstances, the eyes fell on "The Hindu". And, Sir, let us not forget here that when Mahatma Gandhi was assassinated the news was widely flashed on all the front pages of the prestigious newspapers of the world and, Sir, "The Hindu" carried the new somewhere inside only. Anyway, the Government, committed to finding out the truth and to eliminating corruption in all forms, has ordered a detailed CBI inquiry and now our honourable friend from the other side has the audacity, has the temerity, to doubt even the bona fides of the CBI and the argument given is that the head of the CBI is transferred, I would like to know from him whether he is also prepared to say that when the Chief Justice of a High Court is transferred, there is no dispensation of justice thereafter.

Sir, in our system, it is the CBI which can be legitimately relied upon fo an independent inquiry and, whenever any issue Of great public importance arises in the country, every-one including the 'leaders of the Opposition rushes to demand an inquiry by the CBI and we must also not forget that an investigation by the CBI cannot be equated with what we call an investigation bv the media I say this because the yardstick or the criterion which the CBI has to adopt is the admissibility of evidence in a court of law whereas there are no such constraints on an fayvestigation sought to be carried out by the media.

Unfortunately the Opposition here is interested not in finding the truth. But they are interested in raising the Bofors smokescreen to hide' their own weaknesses and failings till the next elections. This explains their demand for a new JPC to be headed by a leader of the opposition. On umpteen occasions spread over six Sessions of Parliament a furore has been raised in this apex body of the nation at the cost of other important issues. It bothers them the least whether the atrocities on the Harijans are dis-cussed hy Parliament or not, whether or not the Parliament is able to de-vote itself to the vital issues of woman and child welfare, of fighting disease and illiteracy, of raising industrial and agricultural production and of checking the menace of com-munalism. Defence preparedness alfo seems to be of little priority. Bereft of any ideological issue and stunned by the Government's success in poverty alleviation programmes, by the growth of economy by advance in science and technology and by our increasing popularity, respect and understanding in the comity of nations, the opposition has nothing in its arsenal to fight the Rajiv Gandhi Government. Finding themselves in this situation, they want the Bofora issue to substitute every other reasoned debate in Parliament, because they treat Bofor as their source of sustenance. Therefore, this is a kinkly argument and a desperate bid to feed falsehoods to the countrymen, to those unwary people who, being the inheritors of our rich cultural heritage, of high standard moral values ,?herish honesty and probity the most.

Sir, it is unfortunate that our friends on the other side fall an easy prey to the machinations and conspiracies of those who are determined to weaken us. It is high time we set right our priorities and do not permit ourselves to be caught in the whirlpool of Bofprs siphoning off their resources for their own reasons. And it is high time that we address ourselves to the issues facing the country and utilize the precious time of

Parliament to find scrlution$_s$ to the problems that face us.

Thank you.

PROF. C. LAKSHMANNA (Andhra Pradesh): Mr. Vice-Chairman, Sir, today's discussion is with regard to the recent disclosures in the Press regarding the Bofors deal as stated in the newspapers today. I would not, therefore, like to discuss the utility or otherwise of the Bofors gun or the ability or otherwise of the Bofors gun. I would also not like to discuss the so-called price reduction or price Increase of the Bofor$_s$ gun. These are important issues. But today they are not important.

The important issue today is whether what has been disclosed in the 70-odd documents published by .the 'Hindu' betwee$_n$ April and June, what ha$_s$ been contended by the Government of India, what has been contended by the JPC, has been proved to be incorrect or not. If these documents prove that the stand taken by the Government of India and the JPC is incorrect, then to that extent—Mr. Salve was asking whether it is furthering the caus$_e$ or not — Mr. Salve or n$_0$ Salve, the JPC Report is doomed; it cannot b$_e$ salvaged. The information which is not available in the documents is irrefutable. What is that which has bee$_n$ proved? The document? have proved three things. I would like to prove how thpse three things ar$_e$ ver$_v$ important. The first fting is that there have been middlemen and these middlemen existed not before signing of the contract but even after signing of the' contract. This is the first point. Tben there have been "commissions". They are not merely winding up charges, termination charges, as it was sought to be made out by the Government of Tndia and even by the JPC. On the other hand, there is conclusive evidence to prove that there have been 'commissions'. If this conclusive evidence that there were commissions could be nroved, it means th« Government of India, its Prime Minister, its Defence Minister, _, its Minster of State for Defence have all misled this House and the country when they stated that ther$_e$ were no comriiissions and there were no middlemen. It means that they have misled the country-' deliberately in order to cover up their own sins of omission and commission. This is tbe second point.

Thirdly, as has been stated by many friends here, there are not merely middlemen or agents, but those middlemen are definitely Indians. The argument put forward so far by the Government of India, by the Prime Minister by the Defence Minister' and by the Minister of State for Defence wa$_s$ that there are no Indians, no non-resident Indians and no -Indian politicians. Now all that attempt was nothing but to mislead the country and the House. It has been proved by the irrefutable documents which have been published that these Indians have been there. Now comes the question of authenticity of the documents. These are the documents which have been published fascimile and from the appearance there is no reason to believe that they can be unauthenticated documents. Secondly, Mr. Dipen Ghosh has stated that hi$_s$ information is that the C.B.I, inquiry has gone into this issue and they have found the documents to be *prima facie* authenticated. The Minister o* Defence is here, if what has been stated is not correct, he will obviously be contradicting it. Even ii the CBI. did not find out the authenticitv of the documents, their authenticitv as such cannot be cmest'oned because for that we have to have access t$_0$ those documents and the ores nidation which can admit the authenticity o* those documents 5$_S$ tbe organ'sation which has heen constantly- claiming commercial confidentiality as a cover up. for. its sins of omission and commission, It apnear$_s$ that there i» something hanky pankv about it though thev do not know it fully. To that extent $_a$ doubt has bee$_n$ cast on

[Prof, C. Lakshmanna] the woiking of the BOFORS company itself. In spite of that we have always been seeking their certificates. If BOFORS gives a certificate to X, Y or Z, then that X, Y or Z is very much satisfied . with it. He flaunts that particular certificate given by a very doubtful organisation, viz. BOFORS

organisation, all over the place. How do I prove that there have been middlemen Or agents existing not merely before the signing of the contract on 24th March 1986? Some of

- the things which were there were to enable the BOFORS to win this particular contract.

In the case of Svenska, there have been four types of commission. In four types of payments that have been made one is 6 per cent commission, another is 0.96 per cent commission, the third is 2.24 per cent commission and the fourth is 'such other commission'. Now this 6 per cent commission definitely belongs to the pre-agreement period, though even that would be a very doubtful category In the,sense that 6 per cent is for just winding up their business Which means, by inference, you can come to the conclusion that the whole thing is a much bigger mystery than what' it is. But that is for the present besides the point. These commissions of O.MS pry cen 2.24 per cent and 'other percentages' which are stated in the transactions that have taken place before and after the signing of the agreement are definitely for enabling, for faeilitating, for creating conditions conducive to the signing of the agreement. Therefore a Company which has made payments in these periods, its .bonafides could be doubted if not on any other evidence, at least on this evidence itself, a Company on whose authenticity on whose authoritv we are all depending today, The Government of india is depending. The Government of India and its Ministers are parading its authenticity: The Members on the other side have been only talking about it. Therefore, it is very clear from what *regarding Bojors deal* I have stated that there were middlemen, and the middlemen existed before and after the signing of the agreement with Bofors by the Government of India on 24th March, 1986 because the payments have been made as late as March, 1987 even. That means, when the whole question was going on, during that period also, the last payments were made.

Sir, here, I have got only a small problem.. We have got a Yery efficient machinery of intelligence, a very efficient machinery. I would like to share with the Members there in giving certificate to all our. intelligence agencies, be it the CBI, be it the RAW or be it any other agency. They are very excellent intelligence agencies. _ But the excellence is watered down by not giving the «information by these intelligence agencies. What were they doing when these payments were being made just before the issue came up. Still, we want the Government to answer this. But the Members on the other side want us, the Ministers want us to have all the faith in the intelligence agencies. There haVe been many other occasions when we have seen how the Intelligence has been failing. Intelligence does not give us information beforehand as to what happens in Raj ghat, what happens at 1 Safdarjang Road, what happens on Saturday—the latest—in the South Block itself. And that is the Intelligence on which we have again to depend so that when once it is entrusted to the Intelligence agency like the CBI, all is well, God is in heaven, and we would be all right. And we must have faith,. we cannot bring down the morale of the people, we cannot bring down the morale of the Armed Forces, we cannot bring down the morale of the bureaucracy, and we cannot bring down the morale of the Intelligence. Yes. I would also like to ask the Minister to kindly ponder over this excessive dependence on the Intelligence which has been failing continuously.

Then comes, Sir, the second point, the winding up charges, the commission, Sir, if you want, I will quote...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You have got another five minutes. You do whatever you want...

PROF. C. LAKSHMANNA: If you want I will quote the dates, numbers etc. of the documents.

THE VICE-CHAIRMAN: (SHRI AGE3H DESAI): You speak whatever you want. You have got five miautes.^

PRO? C. LAKSHMANNA: Mr. Vice-Chairman, Sir I know you are a very appreciative person sitting there, and if a good point is there, wil1 not stop it. Therefore, I will take that much, of time. But none. I think that if I do not quote will not give authenticity. Therefore, I will just' quote.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) When a Professor speaks, it has to be beueved PROF. C. LAKSHMANN.'.

Bofors- Piko San Skandinaviska Enskilda Eanken

: Severiges Riksbank, t Central Bank. It is an application for . making a foreign exchange remittance as professional commission to Pitco Comptmy Sangam Ltd., London, by B.ofors'. The document is dated November 17, 1982.

meens this is the-date. But the date is not important. Import-nt is the term Commission. Likewise as a sample I qiiote....

VICE-CHAIRMAN (SHRI JAGESH DESAI); Most of the ibers have seen this. PROF. C. LAKSHMANNA: Mr. Vice-Chairman, Sir, Members may have seer. this.. But sometimes *ystet* happens is that when we have colour-ed glasses we see through the colur of it. That is the whole problem.

Then, the third point that they are Indians is again proved by the facsimile of a letter written by the Hindu-jas, and also connections between A.E Services and Borors Conraet and Svenska and Win Chadha. Who is Win Chadha? It think he is still an Indian. Who are the Hindu-jas? I think they are Indians. I cannot say because if there is further some other information that they are not Indians that they are already NRIs or British citzens etc., it may be 1 possible I do not know. *(Interru-p-*ms). Mr. Sukul when I can directly consult you and directly consult Mr. Pant, why should I go to Jethmalani, who is not here.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Professor you should not...

PROF. C. LAKSHMANNA: Then I have to postpone the consultation (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Why do you want to responed to him?

PROF. C. LAKSHMANNA: I want . to consult them and if they are ,hat means Indian agents did exist Indian agents existed before contract " Indian sgents exist-ed after the contract. Therefore what is it that the 'Hindu' has done to ! great country? 'The Hindu' has no contributed to rejuvenating the mo?ratic tenor and temper of this country. 'The Hindu' has been able to make people alive that however big, a person may be however helpless a person may be, however big the Government may be, however big the Ministry may be, they cannot get away from truth they cannot suppress the truth. The truth triumphs more than anything else. Truth is some-1 thing which can never be suppressed and that particular exiorhatic act i the result of the 'Hindu'. Therefon I would like to go on record and con

[Prof. C. Lakshmanna]

gratulate the 'Hindu' and other investigative journalists of this great country. It is tribute to the investigative journalism that they have been doing; the function of watchdog in a democracy.

Having stated this, I would like to go to what is, the way out. I am not a big person to advise. But nonetheless I will give four suggestions. One suggestion/ of course, it will be poop-hoed, because already a few friends have said is to create a Parliamentary Committee The old committee. has failed on three counts.

. THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You only suggest now and don't go into detail..

PROF. C. LAKSHMANNA: K I do not give the reasons for what I am Stating I will be giving some things which are not very important. Therefore, I just briefly say that the terms of reference of the eariier Committee did not permit securing evidence in the effective manner in which it could be done. If they wanted, they could do it. JPC also could have done it but the only problem was that the terms of reference were such that the Committee was conditioned by the term i of reference which were so loaded that they were not able to do it. Therefore, a new Committap with terms of reference which weird enab-Je the Committee to go into.the issues in depth, could be formed so that truth can be found out. Then, the old Committee became excessively 'eg&li-stic. The fact that that Committee tried to depend-more upon (he Attorney General rather than upon the members themselves, made the Committee to tend to be legalistic. What is needed today is not to be legalistic. What is needed today Is relentless and persistent effort to unearth truth, nothing but the truth.. Therefore a new Committee which will not be pushed to the realm of legalistic framework, a Committee which will be able to investigate property is needed. Then, with great restraint I have to say; I have got great respect for the Chairman, of the Committee. Even though the functioning of the Chairman as the Chairman of that particular Committee did no bestow the best traditions, still it will not diminish my respect for him. But unforunately he was partisan; unfortunately he was authoritative; unfortunately he was suppressive, .with the result that truth could not be pursued.

THE VICE-CHAIRMAN (SHRI . JAGESH DESAI): Please conclude.

PROF. C. LAKSHMANNA'; You know I am a very reasonable per: on.

THE VICE-CHAIRMAN .(SHRI JAGESH DESAI): It is more than 20 minutes now.

PROP. C. LAKSHMANNA; I will conclude.

SHRI N. K. P.-SALVE He wants you to be obedient in addition.

PROF. C. LAKSHMANNA: In fact, everybody accuses me that I am very obedient.

Trerefore, we want a Chairman who can be a little more independent, a Chairman who can bestow his atten tion a little more and, therefore, we have been suggesting it. What harm is there if an Opposition is made the Chairman? Therefore, there is need for a new Committee which is more favourable and more reasonable to truth, nothing else. .

Then my- second suggestion is, as stated by the former Minister of State for Defence, an hon. Member of Hquse—

AN HON. MEMBER: Ex. Member.

PROF. C. LAKSHMANNA: I will. . not go into the question whether he is ex. or present Member bur I will say, an hon. Member of this House, suggested that the least that can be done for the type of activity in which Bofors indulged in keeping in dark-

Discussicm *on* iess, leave the country, but keeping darkness a partner., namely the Government, and putting them into *1* these, troub es, is to recover 65.5 rores of rupees from them. I think it s a very reasonable suggetion. It a test case and I think that should done, and in case this particular company will not oblige, or even otherwise cancel the agreement. Members from the other side 3aid... (*Interruptions).* You have taken eleven years; Heavent will not fall even if another five years are taken. Aready, we are told that there are four atom bombs across the borders. Therefore, we 5.00 P.M. cannot have four bombs to counter it We have got our moral strength. Our moral strength will grow stronger and our moal stength will grow if we can do this Then, on the basis of this moral strength, we can face any enemy Therefore, what I say is, you should cancel the agreement.

Finally, Sir. Shri Narayan Datt Tiwari said on the floor of this House that they would initiate action. The hon. Member from that side has said that a MOU has been signed. If a Memorandum of Undertaking has been signed, its specific purpose is to find out who are the people who hold accounts in the Swiss and other banks. If the Government of India have entered into an agreement. Memorandum of Understanding, with the Swiss Government, I would like to know what efforts have .been made to find out who are the people, who are having Swiss bank accounts. If no efforts have been made in that direction, it means the Government are not fulfilling the sssurance sjiven on the floor of the House and, in fact, they are not ftdrffling the confidence reposed by the people in this Government, There is evidence...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Now last sentence

PROF. c. LAKSHMANNA: Yes. Last sentence. But I am capable of making out a long sentence.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Don't do that. Please conclude now.

PROF. C. LAKSHMANNA: Sir, the Swiss Government has gone on record that if the Government of India ssks or the Swedish Government asks, they will be ready to help, they will-be ready to share the information, in regard to the amounts which have been stashed away in Swiss banks. If that is the case, you should take steps to relentlessly pursue this matter and unearth the culprits, whether it is Tulip or lotus or Mont Blanc; whether it is Govinda or Hari Om whether it is Padmini or Vyjyanthi...

DR. (SHRIMATI) NAJMA HEP-TULLA (Maharashtra): Do not take Vyjyanthimala's name. PROF. C. LAKSHMANNA; The country today needs this information. If the Government of India is not prepared to share that information, it means there are many skeletons in the cupboard. When these skeletons come out the position will be different. Allahabad is only a symbol. When these skeletons come out, it carl be devastating for the Congress and only the Congress will be the loser. Thank you.

THE MINISTER OF HUMAN RE SOURCE DEVELOPMENT (SHRI P. SHIV SHANKER): Mr. Vice-Chair man, Sir,...

SHRI V. GOPALSAMY; I hope, the hon Minister will bring out more facts as he did in the Lok Sabha last time

SHRI P. SHIV SHANKER: I hope to be assisted by you in that.

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): Are you intervening or you are doing something else?

SHRI P. SHIV SHANKER; I thought you are intervening in the debate.

SHRI SUBRAMANIAN SWAMY: I am asking you. *(Interruptions)*

SHRI PARVATHANENI UPENDRA: Sir, what about the statement?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I will enquire about it.

SHRI P SHIV SHANKER: Mr. Vice-Chairman, Sir, quite a few debates have gone on on the issue of Bofors for the last more than a year. I venture to submit that in every Session of Parliament, we have de-baled more than once this issue. While debates after debates have gone on, the question which still looms large is, what is it that we are looking for?

SHRI PARVATHANENI UPENDRA: Truth.

SHRI P. SHIV SHANKER: Where is it that the Government have failed? Before I come to this issue, I would like to say that the opposition has looked for all the birds with a gun. It aopears as though we seem to be passing through a stage where we are involved in a trial by newsnaper and.the Opposition parties. I would not mind going to the farthest extant to make my submissions and that I would like to make a very clear submission that in the international jurisprudence, take any, country, mat_ ter of agency and matter of commission, both are the accepted legal concepts. Equally in India under the Contract Act you can engage agents which is absolutely legal and you can pay commissions which is also legal. I am laying this foundation for the purpose of making the extreme submission which could even go against us. Now-, the point is. where is it that this Government have sinned? Shrl Rajiv Gandhi thought to reform the sy *etn* by introducing a concept that there should be no middle with a view to...

SHRI VIRENDRA VERMA: I Mr. Rajiv .Gandhi or Mrs. In Gandhi?

SHRI P. SHIV SHANKER: this started at one stage and whe: came to 1985 he took one mpre s forward. The idea behind was if there are no middleman, *no* mission would be paid And if no mission would be paid, to that ext don will be benefited. That was concept and to my mind it appe that for every good reform that undertake—this has been the fate all the social reformers, religious I formers and perhaps the political] formers as well—you have got. to I the price. Perhaps the trial whi wo are undergoing by the oppositi ties' and the newspapers is on because of the fact that we wanted have a well-meaning reformat approach. What -happened in the case? We thought and we felt and was made clear that we shall not de with any middleman and that thei should be no middleman. Ther " should be a direct discussion for th I purposes of arriving at the negotiate nice between the parties, that is the Government on the one hand and the party on the other. Has it been mad out that the Government has deal through the middleman? There is no a spec of evidence at any point o time that we have dealt with any middleman. Our whole case has beer that we shall not deal with the middle, man. Now the position that has finally emerged in this case is that we apked for a very clear undertaking from the parties, not only from Bofors but from the four parties involved in this deal, that they*should categori-cally come out to say that they would not have the middleman. They did come out, they said that we do not have any middleman Fair enough, So much so, that the Prime Minister snoke to his countermart, not only with the Swedish counterpart but as the the then Minister of State for Defence.

Ir. Arun Singh, in the last debate aid, even with the French authorities, 'he Prime Minister said that there hould be no middlemen. We were ure that there were no middlemen. When there were no middlemen and when the tenders were invited, in this case the position is, that the Bofors offered to supply 400 gflns for Rs. 1700 crores. I am not going into the question of offers of others because the debate has taken place in this j House on more than one occasion, a lot of facts have come in and I would like to sift the entire material so that I could come to the clear conclusions.

What is it that has been done? A ^Technical Committee had been appoin ted; a Price Negotiation Committee had also been appointed. The Techni cal Committee consisted of 15 army officers who have gone into it. It is a matter for them to decide whether technically this is the best gun- I would like to take this opportunity to make the submis sion that two hon. Members of the Opposition who are sitting in this House—Mr. Jaswant Singh and Gene ral Aurora—who have sufficient know ledge of the capability of the gun, have also given expression to their views about the gun itself. Unless we are prepared to go that far that the army authorities are acting in the dereliction of their duty, or you go that far as to impute motives to these two gentlemen who are Members of this House and who have a tremen dous knowledge—technical knowledge gboul, the weaponry, unless we go that far to attribute motives to all these persons, you will have to accept that so far as the gun is concerned, that is the best gun. Luckily for me, and I must congratulate the Members of the Opposition on this, none has gone to the extent of saying or doubt ing the capability of the gun after particularly these two hon. Members had given out their views about the gun.

Now we come to the Price Negotiation Committee. This is a committee consisting of six officers, highly placed governmental officers in this country. They have gone into the whole issue. Finally the price has been brought down from Rs. 1700 crores to roughly about Rs. 1400 crores. What is it that one would look at in a global tender contract? When we find that the quality of the goods is the best and the bid is the lowest and we are getting at the cheapest rate, necessarily we go for the purposes of finalising the contract. 1 am not going into the question of the commission etc., for the present, to which I will come immediately. • But the submission I am making is that there is a Price Negotiation Committee which has discussed the entire issue threadbare and found that this is the lowest price unless we go to the extent of attributing motives to all these six officers. You cannot say that the price we paid is unreasonable. Therefore, the position is that technically the gun is the best gun, the price is quite reasonable or cheap. In fact, if you would permit me to make a reference to what the Defence Secretary said before the Joint Parliamentary Committee, he says, on the conduct of the Prime Minister;

"The Prime Minister-kindly die-cussed the credit aspect of the gun with his counterpart in Stockholm as a result of which we have now been assured of the availability of credit worth 3.1 billion SEK to cover the licence production of the gun system and ammunition for a period of 90 months from the date of the agreement. This has been a major breakthrough because this was an area of considerable uncertainty. Swedish Prime Minister has even gone on to assure that the concession in the credit rates for licence production would be of the same magnitude as for the supply con-tract".

I will shortly make my submission on this issue, now we have been able to achieve a breakthrough for the purpose of licence production of the gun system and the ammunition. I viH

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come to that part of it at a later stage. That means, we are going ahead for the purpose of manufacture of this gun and the ammmunition system, based on the technology that Bofors possesses. Further he says:

"After, the benefit offer was received, I had the benefit of a discussion with the Prime Minister who kindly advised me that we should try to get further reduction from Bofors. This I did. I, however, found that having made several concessions and having received even a letter of intent from us, they were most averse to make any further concession. Nontheless, with very great difficulty, it has been possible to obtain frota Bofors a further concession inasmuch as they would now give 10 guns free over and above...guns paid for".

What I am only interested to submit at this stage is that the Prime Minis-er's inervenion at the last stage has helped us not only to get the credit for the purpose of manufacturing this gun but, also, instead of 400 guns we were getting ten more guns. Now, how would a reasonable person or a body of reasonable persons act in the circumstances? And if we have gone ahead with this con- tract, where is it that we have committed a mistake?

Having said this, I would like to tell you that when the Swedish Na-tional Radio came out in April last year with the news that the Indians and the Indian politicians were involved in this deal, how do you expect the Government of India to react? Necessarily the Government of India has to ask the party which is in possession of the full facts, if any. You have to necessarily ask that party as J to what exactly the position is. And when they came out with the docu- ments which were also cited before Parliament long back by the Defen Minister, they said that no Indii politician or no Indian was involve Now, it is precisely this which we hs told the House and to the natio; Have we committed a sin? Should y. have said differently from what Bi fors told us, which is in full posses stion of the facts? Who else will kno^ the facts? Except Bofors nobod would know these facts.

SHRI PARVATHANENI UPEfl DRA: And those who have receivei the money.

SHRI P. SHIV SHANKER; Certain ly. I am sure, you are not behind it The submission I am making is tha so far as Government of India is concerned, the only party Governmen of India could have approached was Bofors, and we asked them. They gave their own statement. We accordingly came out before the nation and this Parliament and said, "Look, this is the position." After the public prosecutor had gone into this issue, when the question name up about the payments that had been effected, again they were questioned, "What is the situation?" They said that, these were the winding up charges. How else would you expect Government of India to react? If the party concerned savs that it has paid the winding up charges, should we say it in a different form?

SHRI YASHWANT SINHA: Take it, with a pinch of salt.

SHRI P. SHIV SHANKER: Whether we take it with a pinch of salt or not, I am sure, if you were here, you would have behaved much worse.

The position that I am submitting is that they said, "These are the winding Up charges. We had to close down because there were parties with whom we were dealing. Those parties had a claim. Siince those agreements had to be terminated, we had to pay certain amounts. We had paid

these amounts," Fair enough. We came before this House, and we said this. What is the allegation you make in sum and substance? Of course, I will come to that slightly later.

But in June, "THE, HINDU" has come forth with some more revelations. The matter is before the CBI. But, if what is there is true and authentic, if that be so, then, it stands out that it is the commissions that have been paid apart from other issues to which I will come at a later stage. Now, what is it that you are accusing Government of Indiia of?

You say that we are not seating the truth. This has been the burden of your song. The burden of your song ' been* trying to mislead, we have not bean telling the truth. The submission that I am to make is this. How else could Government of India have reacted? Please place yourself in the ssme position. When the party says that no Indian is involved, no politician is involved, they are the winding up, charges, no official is involved, do you want to expect of. us to speak in a different language from what they have said? Whom should we believe? Should we believe you? (Interruptions)

SHRT M. A. BABY Just one minute for seeking a clarification.

THE VICE-CHAIRMAN (SHRI .fAGESH DESAI): Mr. Mniter, are you yielding?

SHRI M. A BABY: Please yield just one minute.

SHRI P. SHIV SHANKER; I thought, you would allow me to speak. After I speak, J have no objection if you ask me questions, and I will answer you.

SHRI M. A. BABY: There is no harm. For clarity I am asking. *(Interruptions)* After all I am a junior Member: you are a seasoned parliamentarian. Kindly yield for a minute.

SHRI P. SHIV SHANKER; I will certainly answer you. Plea'se sit down. I will answer you later.

SHRI M. A. BABY:' I will not raise anything else.

SHRI P. SHIV SHANKER: All right.

SHRI VITHALRAO ' M ADHAV-, RAO JADHAV (Maharashtra): Sir, the Minister was intervening and in his intervention he is intervening.

THE VliCE-CHAIRMAN (SHRI JAGESH DESAI): The Minister has ' yielded. What can I do?

SHRI M. A. BABY: If I remember correctly, the hon. Minister, Shri P. 'Shiv Shanker, has said in relation to this question that some money has been paid. That is clea'r. A hunch has been mentioned by Shvi Shiv Shanker that the members of the Board of Directors of Bofors must have pocketed this money. If a remember him correctly _

THE VICE-CHAIRMAN (SHRI JEGESH DESAI): He has not touched the point that you a're ask

SHRI M. A. BABY: No.

THE VICE-CHAIRMAN " (SHRI JAGESH DESAI): All right. Go-ahead.

SHRI M. A. BABY: Do you stand by the statement that you made? In an earlier dfiscussion this was the position of Shri Shiv Shanker. I want to know whether that position is still maintained by him or not.

SHRI P. SHIV SHANKER: I have never believed in moving away from* what I have said. I will stand by what I have said, but you kindly carefully read my statement. What I said was 'it is pogsible'. I said this

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in the other House—is it or is it not possible? I said it happens even in this country. I said that the Directors plough back the money. It is possible I said. I had no information beyond that. It was only hazarding an imagination. I said; Is it or is it not possible for the Directors of the company to plough back the money? That is what I said. If you kindly read the findings of the JPC, the three concerns to whom the money has been paid, they go into those companies and come to the conclusion that they are the shell companies. It is precisely on that bass that I made the observation.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): to save income-tax. It happens.

SHRI V. GOPALSAMY; You are supporting the contention, Mr. .Vice-Chairman,

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); It is a fact. I am also a practising Chartered Accountant. I know what is happening.

SHRI P. SHIV SHANKER: Sir, what has happened? When the issue was raised off and on, the Govern ment thought that a -Joint Parliamen tary Gemmittee should be appointed. Interestingly the Opposition in its ar moury today again used the same ar gument for the Joint Parliamentary Committee which they then in thier wisdom chose to boycott. At that time, if you kindly recall, the Opposi tion parties appointed their own Com mittee as well. They despatched their representatives to different parts of the globe for the purposes .....

SHRI PARVATHANENI UPENDRA; Nobody appointed.

SHRI P. SHIV SHANKER: Mr. Upendra, I know you have even gone to the Swedish Embassy. (Interrup-*tions)* I except of you to just give me a chance to express myself. Rarely d_0 I interrupt. The point is that the Parliamentary Committee could not have the benefit of the Opposition members being there. I will come at the end about the demand of the Joint Parliamentary Committee again, but the submission that I am making! is that even before the Joint Parliamentary Committee, the Stalwarts were throwing questions after questions, scores of questions, perhaps, hundreds of questions.

The Joint Parliamentary Committee Committee in its report at page 189 had something interesting to say:

"No person in public llife or from the media approached the Committee for furnishing information or tendering any evidence in respect of any of thie matters under inquiry by the Committee."

SHRI PARVATHANENI UPENDRA: Who will waste the time of the Committee? •

SHRI p. SHIV SHANKER: For Mr Upendra,' the courts are* their judgements are* the Committees are* Everything is Ultimately, perhaps, the Parliament is also*.

SHRI PARVATHANENI UPENDRA: Your contribution is making the courts *.

SHRI P. SHIV SHANKER: I know what you think. I know how high or low you think. Therefore. ' I.would not like to comment on it more But I am proud of my contributor to the judicial system.. I will never shrik my responsibility.

SHRI PARVATHANENI UPENDRA: Earilier, not now.

SHRI P. SHIV SHANKER; At everj point of time. I take pride in what I have done as Law Minister. I don't shirk my responsiiblity.

SHRI PARVATHANENI UPENDRA; As a Judge, you can say.

'* Expunged as ordered by the-Chair.

SHRI P. SHIV SHANKER-: Sir, I would like to submit the Opposition having failed to participate in the proceedings with the Joint Parliamentary Committee, having failed to even appear before the Joint Parliamentary Committee and provide the evidence

to them, how are they ethically and morally justified to seek again anocher Joint Parliamentary Committee? I would like to 30 further granting for a moment, are they expecting that the Joint Parliamentary Committee, the majority should be theirs? Granting it

is so, 'you need not nod your head, I am saying granting it is so, that the ChaiVman is theirs, after all there

should be an agency for the purpose of investigation. Unless they revel in the concept of their new joint leader for engaging some foreign for The of investigations they have to rely on the Indian agencies for the investigation. These investigations are again either by the CBI or . the IB which are under the Government. Apart from the fact whether a Joint PaVltementary Committee is or not that is different is- sue, I will presently come to it, how is 'hat.:...

THE VTCE-CHATRMAN (SHRI JAGESH DESAI): One minute. If Mr. Urendra has said that the Joint Parliamentary Committee is* then, that should be expunged.

SHRI CHINTAMANI PANIGRAHl : Because he himself is *.

... (Interruptions)...

PROF. C. LAKSHMANNA: Mr Vice-Chairman, Sir, what has been said by the Minister also should not go on record. .. *{Interruptions)...*

THE VICE-CHAJRMAN (SHRI JAGESH DESAI); All right Let us forget that.

* Expunged as ordered by the Chair.

SHRI P. SHIV SHANKER: I have made the submission about the demand for another Joint Parliamentary Committee. I made only an observation and the submission that I am.making is that the JPC went into all the re-records, they have even quoted that

after taking the evidence they had come forth with some conclusions, diverse conclusion that have been arrived at; we have debated t" in this House also. Now, later on the position as it emerges is that in June the "Hindi" published certain more information. Well. I should submit that if what is contained in the newspapers which 'has now been referred to C.B.I which is under their inves-

iion is found true, then, what corner out is that it is the commissions that have been paid arid not the win- lishes a link between Svenska company and Win Chadha and it also establishes that then it is a case of an agreement for the commission. This is a mat ter which is being ?one into by the C.B.I, and 'the of those ntg has t- he established. The whole matter is under investigation.

- ouestion is, if-this is the affairs, while not going into the other aspects of it, what is it that should he done? one of the suggestions that has 'bepn. made is that we should resciind the contract. Would it he a prudent act in rescinding the contract? Now, the submission that I would be making is that as this has been said earlier also. I em only tryling to reiterate, if it is a case of rescinding of the contract which right you do not have under the contract, as the former Minister of State for Defence had said, well, such a clause has not been ided and he owned that responsibility, the legal opinion which has come out in the report itself and the evidence 'of the Attorney General itself shows that if you have to rescind the contract, you have to unilaterally rescind the contract. You will not be well justified- to do so, apart from these legal quibblings. The position

[Shri P. Shiv Shanker] is that an equipmenl yalue of Rs. 468 oroes, which has been received so far, it will be a case of sub-" optimal utilisation of this equipment.. Secondly, we have paid 'banking charges of Rs. 50 'crores. You will have to forego that money. Thirdly, credlit of Rs. 374 crores which has been received in this case, that has also to be foregone. Then, the other aspect of the matter is that if you go in for the new contract at this stage, (a) because of the fact that you have voluntarily rescinded the contract, your credibility i_s a question mark, (b) i am su're, you are not going to have it within Rs. 1400 crores. Then it will be around Rs. 2,000 crore or beyond that because the parties, wMch will be competing will be the parties, who will ask their price and they know your weakness. Now, Would it be prudent, in such circumstances to rescind the contract? Apart, from that, please do not forget, as has been said previously also by the Defence Ministr himself, there will be a tremendous set back to the defence preparedness itself which will be anywhere between 10—15 years and if this be the situation and fif you were in the Government, would you have taken the step of unilaterally rescinding the contract? Then the question is, if you do not rescind the contract and then another aspect which as . I said, that under the agreement, you also have received this advantage of •manufacturing this gun. There should be a technology transfer. Now. the question i_s for us to decide. We are in a fix in this matter. I must frankly confess, Mr. Vice-Chairman, that yoii have als_0 to keep this Bofors.

... (Interruptions),..

SHRI . JASWANT SINGH; Will you permit me to seek a clarification at this stage?

THe VICE-CHAIRMAN (SHRI JA-GESH DESAI); Mr. Jaswant Singh, you can have the clarifications from 1he Defence Minister later on.

SHRI JASWANT SINGH: This has reference to what the hon. Leader of the House has said.

THE VICE-CHAIRMAN (SHRI JA-GESH DESAI); Let him complete.

SHRI JASWANT SINGH; He has made some ____

TH_E VICE-CHAIRMAN (SHRI JA GESH DESAI); No. Let him complete. I will allow you later. *(Interruptions)* .

SHRI P. SHIV SPANKER: The sub mission that I was making was, let us look at it a litte, more objectively. If you have to manufacture this gun, the transfer of technology has to be there from Bofors. I would ask a question more in the spirit of a little intros pection. How would you react to the whole situation? On the one side, you cannot rescind the contract. It is fraught with serious consequences. On the other, you have also to manu facture this gun so that you are alert en the defence preparedness. If you have to manufacture this gun, you have to receive the transfer of tech nology from this company. What is it that you would like to-do? How far wou'd you like to go? What are the steps that you would like to take against this company? Are you in a position to take the steps against this company in view of the facts that confront us? Now, the position is. you have to necessarily ask them the question, "What is the truth? We would like to know." After all, nobody other than this Company knows the whole truth.

The Vice-Chairman Shri H. Hanu- manthappa in the Chair.

It fis not possible for any one to come out with any other view unless go. to the extent of saying that we would not like t_0 have these guns at all. We will have to go that far to say this. In the absence of that, what i s to be done? Now, granting, as I said, that what has appeared in the press is correct, it means that an Indian has

received the commission. If that be so, the Government has never shirked responsibility of seeing that the law takes its own course and it should take its own course. If it is a case of FERA violation, the man must be ta'-cen care of. If it is a case of income-tax liabilitv violation, he should be taken care of. If the person happens t_0 be a foreigner, then your arms are not^that long to reach him, But if it is "an Indian, necessarily the law has to take its own course and this is precisely what is being done by the' Government. The position that I am submitting is that otherwise than this? how would you I'ke to approach the . matter? And what is it that the new JPC, which is sought to be asked for is going to do without the investigatory arm, even assuming that the Chairman is going to be a man from the Opposition, even assuming that all the Members belong to the Opposition? *Per Se* you are not going to do anything. Having disoatched your personnel to the foreman country, you have not received anything. The investigatory agencies which are under the Government are doing their best.. Thev are doincr their best. - Be it the CBI or be it the authorities under the(PERA, thev are doin? their best to get *:d* the truth of the matter. And but For the Government's cooperation even these facts would not have unravelled themselves.

SHRT V. GOPALSAMY-. You have taken forty minutes. But vou have not come to th_e new revelations yet.

SHRI P. SHIV SHANKER: The new revelation is vou yourself, perhaps. What else could be said?

Theferore, my submision is that the situation in which we are placed is undoubtedly, to my mind—of course, honourable Members on the© other sides also are very responsible and thev Can appreciate it — a delicate situation. While we would like to get at the truth $_0$f what exactly the situation *ia,* in matters like this it is no* easy to get at it unless Bofors themselves come out with the clear facts. One of the honourabV Members was aksing, why not ask them to refund the Rs. 64 crores which was paid. Now, do you think that the man who committed the guilt, would pay the money and admit his guilt? It is very difficult situation. Mr. Upendra knows about hi_s leader's conduct very well...to

SHRI PARVATHANENI UPEN. , DRA): We want a committee to find out where the money has ultimately gone.

SHRI P. SHIV SHANKER: You have made an effort and havin? failed once you are not expect to succeed. There is no possibility. Having said this. 1 wo^d like-to submit that the-Government of India would not like to sh'rk its responsibility. The Government of India has already stated, the Prime Minister has made it very clear more than once, that we our-selves are interested in getting at the truth of the matter and we will spare no effort in the matter. That is the point which is more essential...

SH"RT N. E. BALARAM- When the CBl is investigating the matter, how could you say that we won't succeed? Please don't do that. That will prejudice the'whoie thing. You are speaking as a senior Cabinet M'nister. You said on the question of investigation by CBI that we won't succeed.

SHRI P. SHIV SHANKER: No, I did not sav we won't succeed. I was saying without the investigating agencies you cannot succeed.

SHRT VISHVJIT P. SINGH (Ma-harashtra): He was saying that you will not succeed without the CBI.

SHRI N. E. B ALAR AM: Nobody advanced that argument.

SHRI P. SHIV SHANKER: I was saying that, when you were arguing for JPC to be presided over by opposition Members, granting that all the members of that JPC might belong to the Opposition, even then you cannot

[Shri P. Shiv Shanker]

succeed without "the help of the investigating agencies and the investigating agencies are either the CBI or the authorities under the FERA, our own indigenous authorities unless you would like to go to foreign agencies for the purpose of investigation. This is what T was trying to say. The submission that I. therefore, made is that neither can JPC deliver the goods nor is there advisability in the rescission of the contract nor am I going to the extent of saying that you can. Of course, it is possible and we will try our best to persuade them to see whether they can pay the money itself. It is only a case of persuasion. You cannot pres-surise them. In the case of pressuri-sation I fear that you will not be able to ?et the transfer of technology in the manufacture of the gun and the ammunition. Therefore, you have to act a little carefully, with them...

SHRI YASHWANT-SINHA; Will you persuade them?

SHRI P. SHIV 9HANKER: We will have to find alH the ways how best the nation gets the advantage. In fact, the very fsct that we wanted to eliminate middlemen was to see, as Mr. Pinen Ghosh said perhaps yesterday or this morning, that the nation gets the advantage of that money. This is prec'sely the approach that we have taken. In spite $_{0}i$ that, it is possible that on many occasions it hfipoens that the companies cut down their own profits and plough the money to different lines. They have done it. And this is a matter which is well known. Those have dealt with companies in one form or the other are aware of this situation. So, having sa'd it, I would like *to* submit that the law must, take its own course.

Wow; in the situation in which we are placed, if it comes out that it Is an Indian, the person who has received the money, and if he has violated the Indian laws, the law must take its own course and there must be no stoppage of it in any form. That is what I would submit.

I would rather submit that they seem to be perhaps running after the ghost in this case. I wlish sometimes some researcher could go into jt to find out how much moriey we have spent in both the Houses on this issue alone which, in my view, is a tremendous expenditure,

SHRI N. K. P. SALVE; And a waste of time!

SHRI P. SHIV SHANKER:. I am sure that what &s happening in this case seems to be, as ha_{s} been very well said,... (Interruptions)...

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: That is to avoid . corruption in the future. You must V«'iie 'that also... *(Interruptions)...*

SHRI P. SHIV SHANKER: How much of corruption is there... (In terruptions). Please ask Mr. Gopal-samy how much corruption is spoken of about your party. P^ase ask Mr. Gopalsamy. Why do you ask me about all thesse thdngs?... (In terruptions) ...

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: ^{T}t means you have admitted your position. You have indirectly admitted your position. By quoting Mr. Gopalsamy, you have indirectly admitted your position. Thank you for your admission... *(Interruptions)* ...

SHRI P. SHIV SHANKER: And the way in which... *(Interruptions)* .. '

SHRI ALADI ARUNA alias V. ARUNACHALAM; Thank you for your admission. By quoting Mr. Gopalsamy, you are indirectly admitting your position. Thank you for that... (Interruptions) ...

SHRI P. SHIV SHANKER: Mr. Aruna, ou can hange your face easily which people like us cannot do.

I would like t_0 submit that the whole search, as hads been very well said, seems to be a search for a black cat in a dark room in a dark niight where it does not exist. Thank you very much.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Ye$_s$, Mr. Jaswant Singh.

SHRI JASWANT SINGH: You are asking me to seek clarifications?

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Yes.

SHRi SUBRAMANIAN SWAMY: IF it confined to him only?

THE VICE-CHAIRMAN (SHRi R. HANUMANTHAPPA): Yes.

SHRI SUBRAMANIAN SWAMY: Then it i$_s$ discrimination. I also have "larifications *to* S.sk for.

THE VICE-CHAIRMAN (SHE} R HANUMANTHAPPA). I am fulfilling only an earlier commitment. Yes, Mr. Jaswant Singh.

SHRI JASWANT SINGH: Sir, my own participation in this debate is yet to follow and, of course, I shall be referring to this point then again.'

The honourable Leader of the House, amongst the many other points that he made, put a special emphasis on the aspect of the rescinding of this contract. There is the question of rescinding of the contract now and there was the question of rescinding of the contract when this scandal first emerged. The two cannot now be judged together. However, the two have their own contextual relevance. The honourable Leader of the House stited that •'here . were, first!-.-, many difficulties along with the various other monetary difficulties. Then he spoke of the delay and he spok$_e$ of the additional cost running up t_0 two thousand crores of rupees or so. He also spoke of the security implication saying that our programmes would be set back by sometHing lik$_e$ fifteen to twenty years, if I recollect it correct-iy.

Firstly, I do not thlink that the ac-quisiti on of medium artillery weapons system, or its non-acquisition or rescinding of the contract would send the country's programme, back by fifteen to twenty years. 'The specific clarification that I seek is this: Is it not a fact that in the month of June 1987, the Defence Ministry formally and in writing communicated to the Prime Minister's office, precisely on the question of a rescindfiing of the contract, because^ if there was any legal means available with the Government to extract the needed information from Bofors, it was the threat of the cancellation of th$_e$ contract? I$_s$ it not a fact that in the month of June 1987 a communication was sent to the office of the Pnime Minister in which the following points were made?

One; If the contract was cancelled then, our weapons' procurement programme would at the most be set back by four to six months.

ISecondly, we already had parties identified as suppliers, that if it is not the Swedish gun then it could well be Sofma or th$_e$ Trinational gun, which was already under consideration and which had not ther been able t_0 meet our specifications which then carried out certain recti-fieatlions. the conclusion being tha-they could not hoM India to ransorr because we would then have alterna tive sources of supply. That in al this the country was not going t hear any additional expenditur(That the security of the countr would not be affected, except in th sense that the re-equipment proerarr me would perhaps have a setback t 4 to 6 months. This was the advic tendered t_0 the Piftme Minister office in the month of June 1987.

[Sari Jaswant Singh]

•tfuld be faulted about the exact date, but I cannot be faulted about the contents of the advice and the fact that such advice was tendered.

Now, coming to the fact that one year ago that was the advice that was tendered by the Defence Ministry t_0 the'Prime Minister's office, I am unable to understand the Leader of . the House now coming forward and making the statement that $_n$e has made. Therefore, it lis a crucial and important aspect of the entire exercise. Therefore, h_e would perhaps like t_0 clarify what he has said.

SHRI P. SHIV SHANKER: Mr. Vice-Chairman, Sir, I must admire the resourcefulness of the hon. Member to get the information elither from the PM Office or perhaps from the Defence Ministry itself, which advantage I do not have. I may submit that I did not say 15—20 years; I said 10—15 years' setback. This is my understanding based on the discusslions that we were having from time t_0 time with the Defence officials. I have expressed myself on this issue on the bas's of the discussions. What transpired between the Defence Ministry and the PMO fis a matter perhaps which the Defence Minister 'might himself explain at the time when he answers the debate.

SHRI SUBRAMANIAN[1] SWAMY (Uttar Pradesh): You are not denying?

SHRT P. SHIV SHANKER. I said, on the basis of my understanding of the dSscussions with Defence officials from time t_0 time, when I last spoke I found that they were clearly coming out and say that there would be a setback in Defence preparedness for about 10—15 years. This was my understanding of the situation. I am not an expert, Mr. Jaswant Singh is an expert perhaps. I do not have any expertise whatsoever. It is based on the discussions. Thi$_s$ was my assumption and I stand by it.

SHFi VISHVJ1T P. SINGH: May I intervene for one minute? Mr. Jaswant .Singh said something. It ha$_s$ gone on record.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): The Defence lake note of it.

SHRI VISHVJIT P. SINGH: He will take note of it tomorrow. I would like to say something now. (rnteiTUtious)

SHRI SUBRAMANIAN SWAMY: The Defence Miinister can intervene on this.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): You cannot go on directing like this.

SHRI SUBRAMANIAN SWAMY: It is only a suggestion for you... (Interruptions). ..

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): It is in the form of a dictation; I am sorry. *(Interruptions)*

In the morniing it was promised that there will be a statement by the Home Minister on the Times of India report. The Home Minister is here.

SHRI SUBRAMANIAN SWAMY: You told that it would be at 5 o'clock. Now it is 6 o'clock. The house cannot be taken for granted like this.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): It .was because of the problem of language. It took time for the translation of the English statement finto Hindi*.' That is why there was delay. The Chair has been informed of the delay. *(Interruptions)*

SHRI PARVATHANENI UPEND-RA: After the clarifications, we have to adjourn the discussion for tomorrow. No continuation of the discussion after the clarification*.

THE VICE-CHAIRMAN (SHRi H. HANUMANTHAPPA): Let us know how much time it takes.

SHRI SUBRAMANIAN SWAMY: The Chair was informed. Why was'!. the House informed about this? This is typical of the Home Minister..". (Interruptions) You cannot take the House so casually.

THE VICE-CHAIRMAN (SHRi H. HANUMANTHAPPA):Sorry. Chair has not taken the House casu ally. .

SHRI SUBRAMANIAN SWAMY; Why were we not (informed at 5 o'clock? At least in future'we will be told. (Interruptions)

SHRI DIPEN GHOSH: If there was delay, then it could be announced in the House itself.

PROF. C. LAKSHMANNA: At 5 o'clock the question did come up that there was the problem of translation and that it is going to be at 6 o'clock,

[Mr. Deputy.Chairman in the Chair]

SHRI SUBRAMANIAN SWAMY: Madam Deputy Chairman, in the morning we were told that the Home Minister's statement would be at 5 o'clock. Now i* is go ng to be 6 o'clock. Why was this House taken for granted? *(Interruptions)*

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): English copties have" been given. Hindi copies are on the way. It may take two or three minutes. In the meantime, may I read the English s tatement? (Interruptions).

6 1'. M.

SHRI SUBRAMANIAN SWAMY: Why were we not informed at 5 o'clock that it will be made at 6 o'clock?

THE DEPUTY CHAIRMAN: Sometimes the hon. Members press for Hindi translation. Since the Hindi translation was not ready, it took some time. (Interruptions) On every point you should not interrupt.

SHRI SUBRAMANIAN SWAMY: It is a question of decorum.

THE DEPUTY CHAIRMAN: It is a question of providling Hindi translation to the hon. Members.

SHRI SUBRAMANIAN SWAMY: Please rule that in future when they announce to this House, it should be kept.

THE DEPUTY CHAIRMAN: Mr. Chidambaram, please make the statement.

SHRI P. CHIDAMBARAM: Madam,... You

श्री सत्य प्रकाश मालवीय : माननीया उपसभापति जी, जब तक हिन्दी की कापी नहीं आती है तब तक आप इसको स्थगित करिये

उपसभापति : हिन्दी की कापी आ रही है ।

श्री सत्य प्रकाश मालवीय : जब तक हिन्दी की कापी नहीं आती तब तक आप इसको रोकिये ।

उपसभापति : हर बात पर हंगामा करना ठीक नहीं है ।

श्री सुब्रह्मण्यम स्वामी : यह मर्यादा का सवाल है ।

can delay it till a later hour. You must provide the Hindi version. You have already delayed lit by one hour. You can delay it by one hour more.

PROF. C. LAKSHMANNA; The very purpose for which this statement was delayed has been defeated. The Hindi copy has not been provided.

SHRI SUBRAMANIAN SWAMY: You connot treat Hindi in this cavalier manner. The House has been treated in a cavaliier manner. Now Hindi is treated in a cavalier manner. It is a constitutional provision . and you must abide by it.

(Interruptions)

उपसभापति : मैंने कहा है कि हिन्दी की कापी आ रही है । हर बात पर आप ऐसा करेंगे तो ठीक नहीं होगा ।

श्री सत्य प्रकाश मालवीय : माननीया उपसभापति जी, मेरा व्यवस्था का प्रश्न है । साढ़े बारह बजे यह घोषणा हो चुकी थी कि दोपहर के बाद वक्तव्य होगा । इतनी देर में भी हिन्दी की कापी तैयार नहीं की गई, इस पर आप अपनी व्यवस्था दीजिये हिन्दी की कापी अभी तक क्यों नहीं आई ?

उपसभापति : मैंने बताया है कि हिन्दी की कापी आ रही है ।

श्री सत्य प्रकाश मालवीय : महोदया, यह राष्ट्रभाषा का सवाल है । प्रधानमंत्री जी की सुरक्षा के संबंध में हम विचार करने जा रहे हैं ।

श्री राम नरेश यादव (उत्तर प्रदेश) : हिन्दी की प्रति पहले मिलनी चाहिए (व्यवधान)

उपसभापति : हिन्दी की कापी डिस्ट्रीब्यूट होने जा रही है, तब तक हम श्री वीरेन्द्र वर्मा जी से कहेंगे कि वे बोलें ।

श्री सत्य प्रकाश मालवीय : महोदया तब तक आप इसको रोकिये ।

उपसभापति : क्या आपने तय कर लिया है कि आप इस तरह से बोलेंगे ? मैं क्या कह रही हूं, आपने सुना है ? मैंने कहा है कि जब तक हिन्दी की कापी डिस्ट्रीब्यूट नहीं हो जाती है तब तक श्री वीरेन्द्र वर्मा जी बोलेंगे ।

श्री वीरेन्द्र वर्मा : पहले तो नम्बर जसवन्त सिंह जी का है ।

उपसभापति : जसवन्त सिंह जो कल बोलेंगे ।

श्री वीरेन्द्र वर्मा : माननीया, मैं भी कल बोलूंगा ।

उपसभापति : तो फिर श्री भाटिया बोलेंगे . . . (व्यवधान)

SHRI N. K. P. SALVE: Madam my respectful submission is that all good things must come to an end at some time or the other. This is one of the most boring debates I have ever heard. Same things are being repeated this way or that way. When do we end this debate, Madam? (*Interruptions*) I submit that the Defence Minister be asked to reply to the debate tomorrow. It should be the end of the matter. That is my respectful submission (*Interruptions*)

THE DEPUTY CHAIRMAN: Mr. Madan Bhatia.

SHRI MADAN BHATIA (Nominated): I will speak tomorrow.

(*Interruptions*)

डा० (श्रीमती) नाजमा हेपतुल्ला : बोफोर्स के बारे में यहां पर कितनी दफे मामला उठाया जायेगा । बोफोर्स पर, मंत्री जी ने बताया कि कितने हजारों लाखों रुपये खर्च हुए हैं । इस मामले पर रिसर्च और माइक्रोस्कोप और टेलिस्कोप से हमारे उधर बैठे हुए लोग इसको ढूंढ रहे हैं कि इसमें कुछ मिल जाय (व्यवधान) लेकिन उनको कुछ मिला नहीं है । . . . (व्यवधान) . . . मैडम मुझे अपनी बात कहने दी जाय . . (व्यवधान) . . .

उपसभापति : एक लेडी मेम्बर बोल रही हैं आप उनकी बात सुनें । . . . (व्यवधान) . . .

डा० (श्रीमती) नाजमा हेपतुल्ला : माइक्रोस्कोप और टेलिस्कोप से देखने के बाद भी कुछ नहीं मिला है और न इसकी संभावना है । मगर इस पर बहस की मांग की जा रही है । प्रधानमंत्री जी की

जान खतरे में है, मिनिस्टर्स की जान खतरे में है, फारेन कन्ट्रीज हमारे देश को डिस्टेब्लाइज करने की कोशिशें कर रहे हैं। एक प्रधानमंत्री की हम जान खो चुके हैं। उस पर डिस्कशन करने के बजाय यहां पर हिन्दी अंग्रेजी का झगड़ा खड़ा किया जा रहा है। इससे जाहिर होता है कि . . .

. . . (व्यवधान) . . .

SHRI SUBRAMANIAN SWAMY: Madam, they are saying shame on Hindi. That is a very bad thing. The Congress party is saying, shame on Hindi.

An HON. MEMBER: Shame on your attitude and not on Hindi.

(Interruptions)

डा० रत्नाकर पाण्डेय (उत्तर प्रदेश): तब तक बेकल' उत्साही जी, जो उन्होंने बाफोर्स पर कविता लिखी है वह सुनायगे।

THE DEPUTY CHAIRMAN: Mr. Balaram, do you want to speak on Bofors? *(Inteprunfions)* Mr Bala-xam, you have given yoar njUISi * Do
you want to speak on Boiors? We are waiting till we get the copies in Hindi. In the meantime you can speak on Bofors.

KHRI SUBRAMANIAN SWAMY: 1 can speak on Bofors.

THE DEPUTY CHAIRMAN: You are ever ready to speak on Bofors. I know.

SHRI N. E. BALARAM: I will speak tomorrow, Madam.

डा० रत्नाकर पाण्डेय: बेकल उत्साही जी को बोलने दिया जाय।

SHRI SUBRAMANIAN SWAMY: If the Home Minister cannot get a Hindi copy prepared, how can they protect the Prime Minister?

(Interruptions)

THE DEPUTY CHAIRMAN Now, Shri Bekal Utsahi.

श्री बेकल उत्साही (उत्तर प्रदेश): महोदया, मैं अभी तो लिख ही रहा था। मैं चाहता था कि मैं इसको पूरी करके सुनाता। लेकिन डा० रत्नाकर पाण्डेय जी ने आपसे यह अनुरोध किया है और निवेदन किया है कि मैं कुछ अर्ज करूं। बात यह है कि यह अधूरी कविता है जो मैं पेश कर रहा हूं। यह पूरी नहीं है। अधूरी अगर बर्दाश्त कर लें तो मैं अर्ज कर रहा हूं।

†[شری بیکل داتساہی (اتربردیش):

مہودیہ میں تو ابھی لکھ ہی رہا تھا - میں چاہتا تھا کہ میں اسکو پوری کرکے سناتا لیکن ڈاکٹر رتناکر پانڈے جی نے آپ سے انورودھ کیا ہے اور نویدن کیا ہے کہ میں کچھ عرض کروں - بات یہ ہے کہ ادھوری کویتا ہے جو میں پیش کر رہا ہوں - یہ پوری نہیں ہے ادھوری اگر برداشت کر لیں تو میں عرض کرتا ہوں -]

SHRI D. B. CHANDRE GOWDA: Madam, I am on a point of order.

THE DEPUTY CHAIRMAN: What is your point of order?

SHRI D. B. CHANDRE GOWDA': I would like to know from the Chair whether this is a part of the agenda.

THE DEPUTY CHAIRMAN: Yes, of course. Try to understand please. We are continuing the discussion on Bofors and he is a speaker and he is speaking from this side.

† [ ] Transliteration in Arabic Script.

श्री बेकल "उत्साही" : महोदया,

फिर वही बोफर्स का मसला वही चीख़ो पुकार
फिर वही हंगामे में डूबी हुई बातें उधार।

मामला ये कौन उठाता है यहां पर बार बार
कौन खा जाता है इस हाऊस का वक्ते बेशुमार।

एक बोफर्स के सिवा तुम जानते कुछ भी नहीं
या महज अपने सिवा पहचानते कुछ भी नहीं।

तुम भी संसदीय समिति के भी गठन में साथ थे
जांच के हर हर कदम पर हर चलन में साथ थे।

फिर भी तुम को हर क़दम हर बात अनजानी लगी
जिस को अपनी जिन्दगी समझे वो बेगानी लगी।

ठोकरें खाते हो गिरते हो तो शरमाते नहीं,
अपनी जिद पर तुम अड़े रहते हो घबराते नहीं।

चाहते हो तुम कि ये नादानियां फैली रहें
देश के हर अंग में बेचैनियां फैली रहें।

रात भर गढ़ते हो तुम फिर सुबह को पढ़ते हो तुम
"एक्सप्रेस" तुम को चढ़ा देता है फिर चढ़ते हो तुम।

थाम कर तुम बैठ जाते हो कभी "हिन्दू" की मेज।
शोर करते हो जमाने में किये हैं दस्तावेज।।

पत्रिका कोई भी लिख देती है गेन्दे को गुलाब
बस तुम्हारे वास्ते वो बनती है जीवन किताब।

घाव का फैलाव सारे जिस्म में मरहम से है
देश में जो भी अस्थिरता तुम्हारे दम से है।

बोलते हैं हम तो आखिर बौखला जाते हो क्यों
नशे में कोई हो तो तुम लड़खड़ा जाते हो क्यों।

हम तुम्हें कुछ भी बतायेंगे तो मानोगे नहीं
अपनी आदत के मुताबिक सच को जानोगे नहीं।

वक्त कितना कीमती होता है तुम को है खबर
फिर भी इस हाऊस को भरमाया है तुम ने जान कर।

बिन एजेंसी सारी दुनियां में कोई सौदा नहीं
बिना हवा की छेड़ के बादल कोई बरसा नहीं।

चाहते हो तुम कि सच का रास्ता बदनाम हो,
कारवां टूटे हमारा रहनुमा बदनाम हो।

झूठ को सच कहना वर्षों से तुम्हारा काम है
देश में उलझन रहे लेकिन तुम्हें आराम है।
अब तो बोफर्स में धरा क्या है कहानी के सिवा,
कुछ नहीं झूठी दलीलें बहते पानी के सिवा।
एक हो कर देश की यदि गुत्थियां सुलझायें हम,
आनेवाली नस्ल के आगे न फिर शरमायें हम।

†شري بيكل "اتساهي": مهوديه

پهر وهي بوفورس کا مسئله وهي چيخ و پکار
پهر وهي هنگامے ميں ڈوبي هوئي باتيں ادهار -
معامله يه کون اٹهاتا هے يهاں پر باربار
کون کيا جاتا هے اس هاؤس کا وقت بےشمار -
ايک بوفورس کے سوا تم جانتے کچھ بهي نهيں
يا محض اپنے سوا پهچانتے کچھ بهي نهيں -
تم بهي سنسريٹ سمتي کے بهي گهٹن ميں ساته تهے
جانچ کے هر قدم پر هر چلن ميں ساته تهے -
پهر بهي تم کو هر قدم هر بات انجاني لگي
جس کو اپني زندگي سمجهے وه بےگاني لگي -
ٹهوکريں کهاتے هو گرتے هو تو شرماتے نهيں
اپني ضد پر مر مٹے رهتے هو گهبراتے نهيں -
چاهتے هو تم که يه نادانياں پهيلي رهيں
ديش کے هر انگ ميں بےچينياں پهيلي رهيں -
رات بهر گهڑتے هو تم پهر صبح کو پڑهتے هو تم
"ايکسپريس" تم کو چڑها ديتا هے پهر چڑهتے هو تم -
تهام کر تم بيٹه جاتے هو کبهي ڈهنڈورے کي ميز
شور کرتے هو زمانے ميں کئے هيں دستاويز -

†[ ] Transliteration in Arabic Script.

پتریکا کوئی بھی لکھ دیتی ھے گیندے کو گلاب

بس تمہارے واسطے وہ بنتی ھے جیون کتاب-

گھاؤ کا پھیلاؤ سارے جسم میں مرھم سے ھے

دیش میں جو بھی استھوتا تمہارے دم سے ھے -

بولتے ھیں ھم تو آخر بوکھلا جاتے ھو کیوں

نشے میں کوئی ھو تو تم اوکھڑا جاتے ھو کیوں -

ھم تمہیں کچھ بھی بتائیںگے تو مانوگے نہیں

اپنی عادت کے مطابق سچ کو جانوگے نہیں -

وقت کتنا قیمتی ھوتا ھے تم کو ھے خبر

پھر بھی اس ھاؤس کو بھرمایا ھے تم نے جان کر -

بن ایجنسی ساری دنیا میں کوئی سودا نہیں

بن ھوا کی چھوڑ کے بادل کوئی برسا نہیں -

چاھتے ھو تم کہ سچ کا راستہ بدنام ھو

کاروں توڑے ھمارا رھنما بدنام ھو -

جھوٹ کو سچ کہنا ورشوں سے تمہارا کام ھے

دیش میں الجھن رھے لیکن تمہیں آرام ھے -

اب تو بوفورس میں دھرا کیا ھے کہانی کے سوا

کچھ نہیں جھوٹی دلیلیں بہتے پانی کے سوا -

ایک ھوکر دیش کی بدی کتھیاں سلجھائیں ھم

آنے والی نسل کے آگے نہ پھر شرمائیں ھم-

[**مداخلت

THE DEPUTY CHAIRMAN: Order please.

SHRI DIPEN GHOSH: I have cot got the English rendering of his poem.

PROF. C. LAKSHMANNA: Madam, I am on a point of order. There was no

i English translation Of the speech delivered by the hon. Member, *(interruptions).* Madam, as there was no English rendering of the speech delivered by the Member I would like to know first of all whether a speech can be delivered without a translation. *(Interruptions).* Number two, are you'converting this House into a*

THE DEPUTY CHAIRMAN: Not at all.

SHRI N. K. P. Salve; Madam,

on a point of order. *(Interruptions).* A, speech cannot be delivered on closed ears. I can assure you that I have been listening *to* the debate; this has been! the mostl Interesting speech in the entire debate so. far. And for him to consider it as * is something to which I very seriously object. That word must be expunged. There is no question of*. Can't a person here deliver a speech in good poetry? I am happy at it. Not only that, he has spoken the truth, the whole truth and nothing but the truth.

• SHRI V. GOPALSAMY: I am on a point of order... *(Interruptions).*

डा० रत्नाकर पाण्डेय: . . (व्यवधान) दिनकर जी भी पढ़ा करते थे। बेकल "उत्साही" जी हमारे राष्ट्रीय कवि हैं। उनके लिए शब्द कहना इस सदन का और माननीय सदस्य दोनों का अपमान है। मैं चाहूंगा कि वे माफी मांगें. . . (व्यवधान) सदस्य जब तक माफी नहीं मांगते हम सुनने को तैयार नहीं हैं। * हैं, यह राष्ट्रभाषा और उर्दू भाषा दोनों का अपमान है. . . (व्यवधान)

SHRI V. GOPALSAMY: On a point of order... *(Interruptions).*

SHRI PARVATHANENI UPENDRA: You adjourn the House.

SHRI V. GOPALSAMY: Madam, the Home Minister was to make the statement. We received copy of the statement in English. Some of our friends from this sidei objected to that because they did not receive the copy in Hindi. Therefore, they wanted to stall the proceedings of the House. I differ with them. Many

♦Expunged as ordered by the Chair.

[Shri V. Gopalsamy] times we, coming from non-Hindi-speaking States, are subjected to difficulties and hardships. *So,* English also is one of the official languages. There is noting wrong .in their demand and the Minister himself yielded. Then Madam, you called the Members to speak on Bofors. When one Member from the Treasury Benches made the speech, of course, our friends enjoyed it in poetic style, I am also interested to listen to that speech. But English translation should have been there of what he was saying. Therefore, unless there is English translation how can we enjoy that speech? When the Members did not get Hindi version of the Statement and they objected, the Minister was not allowed to make the statement. He was not allowed to make the statement because they did not receive copies in Hindi. How can the hon. Member now make his speech in Hindi unless there is translation. *(Interruptions).*

THE DEPUTY CHAIRMAN: Mr. Gurupadaswamy.

SHRI GURUDAS DAS GUPTA (West Bengal): Madam.....

THE DEPUTY CHAIRMAN: It is a very sorry state of affairs when a Member gets up and starts) speaking without permission.

डा० रत्नाकर पाण्डेय: इनसे पहले कहिए कि माफी मांगें। यह बिल्कुल अनुचित है कि एक राष्ट्रीय कवि का जो इस सदन के सदस्य भी हैं इस तरह से *कहकर... (व्यवधान) अपमान किया जा रहा है। जब तक माफी नहीं मांगते हैं सदन की कार्यवाही चलने नहीं दी जायेगी। यह हमारे माननीय सदस्य और राष्ट्र कवि का अपमान है... (व्यवधान)

THE DEPUTY CHAIRMAN: Mr. Gurupadaswamy.

श्री सुरेन्द्रजीत सिंह अहलूवालिया (बिहार): *का क्या हुआ? ये सदन का *बना रहे हैं।

श्री मिर्जा इशदिबेग (गुजरात): हम जानना चाहते हैं कि आपकी रूलिंग क्या है ?

*Expunged as ordered by the Chair.

THE DEPUTY CHAIRMAN: Tl word is expunged from the record. Y cannot make a remark about the spee in an indecent manner. You cannot pa remarks in this indecent manner. (/ *terruptions).* Try to understand.

PROF/ C. LAKSHMANNA; I on] was saying..

THE DEPUTY CHAIRMAN; Pleas sit down.

PROF. C. LAKSHMANNA: I conti nue to lodge my protest.

SHRI M. S. GURUPADASWAMY Madam Deputy Chairman, I understand you do require some time for getting the copies made in Hindi. In view of this, may I request you to give a break to the proceedings and adjourn the House for the day?

(Interruptions)

SHRI GURUDAS DAS GUPTA: Madam, my point is....

THE DEPUTY CHAIRMAN; Please sit down. I think, the Minister can make the statement.

SHRr DIPEN GHOSH; Let the House be adjourned. *(Interruptions)*

THE DEPUTY CHAIRMAN: I will allow Mr. Bekal Utsahi to continue his speech tomorrow. In the meantime, if hon. Members agree, I would ask the hon. Minister to make the statement. The Hindi translation is not yet ready. If hon. Members agree... *(Interruptions).*

SHRI DIPEN GHOSH: You can adjourn the House.

THE DEPUTY CHAIRMAN: 1 really do not understand this sort of interruption. Even when the Chair is on its legs, even when the Chair is speaking, interruptions go on. As I said, if hon. Members agree, if they are willing to go by the translation which will be there over the earphone, I would ask the Minister to make the statement.

SHRI V. GOPALSAMY: Madam, I would like to make a request to our friends, through you. Kindly allow the Minister to make the statement. *(Interruptions)*

THE DEPUTY CHAIRMAN: Order •please. I want to take the House into confidence. I am asking all of you. *{In terruptions)*

SHRI V. GOPALSAMY: We should not be fanatic. *(Interruptions)*

THE DEPUTY CHAIRMAN: In the morning, the House desired that the Minister should make a statement on this issue. Now, would you like the statement to be made or not? This is a very {important matter. I *think.. ..(Interruptions)*

SHRI DIPEN GHOSH; We can have c't tomorrow

THE DEPUTY CHAIRMAN: You wanted the statement to be made * today itself. Therefore, I would request hon., Members to agree to this. You can listen to the Hindi translation over the earphone. *(Interruptions)*

SHRI V. GOPALSAMY: The translation is very much there. You will be able to understand it. What is wrong in it?

THE DEPUTY CHAIRMAN; I agree ,with Mr. Gopalsamy. At the same time I would like to tell the Government side that this should not happen again. The Hindi copies should be simultaneously ready. We are distributing the English copies. I would request hon. Members to bear with me. Hon. Minister please.

श्री सत्य प्रकाश मालवीय: हम वाक आउट करते हैं।

श्री यशवन्त सिन्हा: हम भी वाक आउट करते हैं।

[At this stage some hon. Members left the Chamber].

SHRI SUBRAMANIAN SWAMY: Don't repeat this incompetence again.

SHRI GURUDAS DAS GUPTA: Let this not be repeated in future. Let this be a warning to the Minister and the administration. We are listening to him with a note of protest

SHRI V. GOPALSAMY: There should be a limit to Hindi fanatacism also. *(Interruptions)*

SHRI P. CHIDAMBARAM: Madam, I have no hesitation in expressing regret. But I would like to point out that in the morning I said that I will make a statement. However, I did not indicate any time. I did not indicate any definite time. Therefore, Madam, while I express regret, I want to point out that it is very difficult to get everything ready in time- As T said, I did net indicate any time. I am grateful to the House for allowing me to make the statement. I am sure, by the time I complete it, the Hindi copies will be ready.

श्री सुरेन्द्र सिंह अहलूवालिया: उप सभापति महोदया, यह दुर्भाग्य की बात इसलिए है कि गृह मंत्रालय ही राष्ट्रभाषा के प्रचार के लिए सारे हिन्दुस्तान में घूमता है। यदि किसी और मंत्रालय से ऐसी बात होती तो दुख नहीं होता, लेकिन यह गृह मंत्रालय से हुआ है इसलिए यह दुख की बात है। आईंदा से इस बात का ख्याल रखा जाए।

डा० रत्नाकर पाण्डेय: यह राष्ट्रभाषा का प्रश्न है।....(व्यवधान)

उपसभापति: आप ही बच गए थे। आप बैठ जाइए, आप बैठ जाइये।

डा० रत्नाकर पाण्डेय: यह राष्ट्रभाषा का प्रश्न है इसलिए थे जरूर बोलूंगा।.. (व्यवधान) इसके लिए सरकार आश्वासन दे।

उपसभापति: अब आप बैठ जाइये। अब कोई भी इंटरप्ट नहीं करेगा।

SHRI V. GOPALSAMY: This cuts across party lines on both the sides.

THE DEPUTY CHAIRMAN; Please sit down. Let there be some silence , in this House.