

SHRI JAGDISH TYTLER: Please don't suggest that by shouting you can get me to, agree to certain things which are not right. You discuss it with me and I 'am prepared to discuss it with you.

SHRI RAM AWADHESH SINGH: He has rightly put it, what suggestions have been accepted and what have been rejected?

SHRI JAGDISH TYTLER: I am just answering the question. Two major points were raised and I am answering what you said. One was, which are the unions with which the discussions took place and I have given the names of the unions.

The second point was the serious allegation which you made because you did not go through the Bill properly, that it is not time-bound. I would like to tell you that for the tribunal the period is 90 days, for the appellate authority 90 days, for the grievances redressal authority 60 days. I would also like to tell you that all these Authorities which we have created are time-bound and the workers can go on strike and the lock-out could be declared only after you have failed with the different authorities which the Government have made. And we have, as a last resort, the different penalties for the various *alienees*—like failure to appoint various authorities, failure to codify the terms and conditions of service Within specific periods, breach of settlements, orders, awards etc. penalties are both fine and imprisonment.

SHRI DIPEN GHOSH: Please put it on record that we are not associating ourselves with the passing of this Bill.

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

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

SHORT DURATION DISCUSSION ON STATEMENT REGARDING ALLEGATION OF PAYMENT OF COMMISSION TO INDIAN AGENTS IN PURCHASE OF SUBMARINES FROM M/S. HDW OF FEDERAL REPUBLIC OF GERMANY

SHRI DIPEN GHOSH (West Bengal): Mr. Vice-Chairman, Sir, I beg to raise a discussion on the statement laid on the Table of the Rajya Sabha by the Minister of Defence on the 26th April, 1988, regarding the allegation of payment of commission to Indian agents in the purchase of submarines from M/s. HDW of the Federal Republic of Germany.

Sir, while raising this discussion I want to make it abundantly clear, first of all, that the generous gesture of the Union Defence Minister, Mr. K. C. Pant, of laying on the Table the correspondence between the Government of India and the West German Government on the one hand, and M/s HDW of the Federal Republic of Germany on the other, does not serve any purpose as nobody expected that this would disclose any authenticated receipts of the seven per cent commission payable to the agents. But, Sir, at the same time I want to put it on record that the methods followed by the various agencies, as reported in the Minister's statement, seem to be more concerned with obliterating the trails than pursuing them with vigour.

Sir, ever since Mr. V. P. Singh was hounded out of the ruling party and the Government for his seriously taking up the Centre's much-professed programme or policy of eradicating corruption in high places, there has been little doubt that the various officially-sponsored inquiries into Defence-deal scandals would lead nowhere. And Mr. Pant's unhappiness at Mr. V. P. Singh's premature disclosure of the kickbacks, as recorded in the statement, is also understandable, as it clearly hampered his Government's efforts to keep the lid on the affair. Sir, the whole point is that the Centre's credibility has sunk so low during the last one year. . .

SHRI KALPNATH RAI (Uttar Pradesh): like West Bengal Government.

SHRI DIPEN GHOSH: . . . that its laboured explanations and supposedly high-level inquiries are not readily believed or accepted by anybody in the country, much less by a Member of Parliament 3.00 p.M. sitting on this side. Sir however, I would like to point out certain things. Growing out of the statement made by the Union Defence Minister and the correspondence, laid on the Table, between the Government of India and the Government of West Germany on the one hand and M/s. HDW of the Federal Republic of Germany On the other. Sir, a message from the Indian Embassy disclosed, which is enclosed with this statement, that Dr. Molitor of the West German Government's Defence Ministry had made a very definite statement to the Ambassador of India in Bonn on 24th February, 1987' that a 7 per cent commission was payable to the Indian agents of M/s. HDW under the terms of an open-ended agreement. But, Sir, in the D.O. letter No. 610/1020-TS/Def Secy/87 dated 28th September, 1987, which is also enclosed with the document, it is stated by the Defence Secretary:

..... the FRG Government have disowned the statement that Dr. Molitor made to our Ambassador."

Sir, die Ambassador is a responsible person, and he is supposed to transmit information to his Government basing on the reliable sources, from reliable sources, and only after fair scrutiny of the information he receives. If he has sent any wrong information and played into foreign hands because 'from this D.O. letter of the Defence Secretary it appears that the FRG Govroment had disowned that Mr. Molitor had ever made such a statement to the Indian Ambassador, then, what action, has the Government taken against that Ambassador? Sir, you are aware, only very recently the Government has hauled up Mr. Bhurelal for trying to get certaia information through certain foreign agencies. The Thakkar-Natarajan Com-raissioB was set up for finding out under whose order* . . .

SHRI KALPNATH RAI: Hershman is a CIA agent.

SHRI DIPEN GHOSH: Mr. Bhurelal had 'acted accordingly. Then, why not a commission in this particular case, if actually a wrong information was sent by the Indian Ambassador to the Government? Does the Government dare to set up a commission to find out the truth, whether Mr. Molitor had stated that to the Indian Ambassador? The Union Minister, Mr. Pant has enclosed a copy of the message. But, Sir, he has not enclosed or laid on the table the verbatim text of the coded telex message which was sent by the Indian Ambassador in Bonn to the Government of India, a copy of which was endorsed to the Prime Minister's office also. So, will the Defence Minister kindly lay on the Table the full text of the coded telex after, of course, having deciohered and certified it? What was the original text? One must know that because it is in the aide-memoire. It has been stated there.

SHRI VISHVJIT P. SINGH (Maharashtra).. This is the text on page one of the Annexure.

SHRI DIPEN GHOSH: That is the message.

SHRI VISHVJIT P. SINGH- That is the text.

SHRI DIPEN GHOSH: Let the Minister say that that is only the text o!f the coded telex.

SHRI VISHVJIT P. SINGH; The Minister will reply, but I am telling you just now.

SHRI DIPEN GHOSH: You need not reply

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): The Minister will take care of all these things.

SHRI DIPEN GHOSH: I have quoted from that message.

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh); Make him a Minister, Sir. (*Interruptions*)

SHRI DIPEN GHOSH: I have quoted from that message. That message says Dr. Molitor had met the Ambassador of India in Bonn. Dr. Molitor had stated that 7 per cent commission was payable which afterwards the FRG Government had disowned as is apparent in the Defence Secretary's D.O. That is why I want to know if the Ambassador, who is supposed to transmit communication and information to his Government basing on the reliable sources and after verifying the sources, had sent any wrong information. That is why I want to know what exactly is the text of the coded message.

Secondly, the Defence Minister's statement says that the Government had made all efforts to enquire into the allegations. All possible leads were followed. Sixteen Indian companies, firms and individuals known to be agents of foreign suppliers of Defence equipment were raided, but he did not hint at whether, the Government or any agency of the Government had raided or searched the houses of the Hinduja's, who is the prime suspect in this case. Will the Minister kindly say whether these sixteen companies include Hinduja's? And if so, when was it raided and what was the result of such raid, and search of the Hinduja's? And if not was it because of the special relationship the Hinduja's enjoy with the super-star, Mr. Amitabh Bachchan, through his regular donations to the Trust of the Hinduja's and Hinduja's in turn financing his films? Who are on the boards of the Hinduja's? I would like to know whether any ex-senior official of the Defence Ministry and our military outfit, including the Navy, was and is still connected with the Hinduja's?

The Defence Minister's statement again says that the HDW remarked in its reply to the Government of India's letter that it was caused by misunderstanding. I quote "misunderstanding". It was in the letter. May I know whether the Government had asked M/s. HDW of Federal Republic of Germany to explain what the "misunderstanding" was? If so, what were the replies of HDW thereto? The Minister's statement as such does not reveal whether the Government wanted to know

what the "misunderstanding" was? which was referred to by M/s. HDW in its letter. But on the contrary the Minister's statement together with the documents, flaunting the certificate of the said M/s-HDW, says that no commission was paid, no agent was there in the deal with the Government of India. But may I know what is the credibility rating of HDW in the eyes of the Government of India?

Sir, you are aware that even in West German Parliament an enquiry is going on against M/s. HDW for divulging the designs of the submarine, which was to be sold to India, to, South Africa. There was a violation of the contract. A specific contract was between M/s. HDW of West Germany and Government of India. But yet M/s. HDW of Federal Republic of Germany has disclosed the design to South Africa. So this buying of submarines from HDW and flaunting of certificates obtained from the same M/s. HDW to prove that there was no commission nor was there any commission agent—does it not run the risk of endangering the national security—a from which is supposed to build certain submarines for our country for protection of our defence system, violating the contract, divulging the same designs, selling the same designs to, South Africa. A parliamentary enquiry is going on against the conduct of that company; in West Germany itself. So, it is a pity that Mr. K. C. Pant had flaunted the certificate of that company. *(Time bell rings)*.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Please conclude.

SHRI DIPEN GHOSH: All right, I am concluding. It is a very serious matter. It is exercising the entire nation. . . *(Interruptions)*...

So another point to be noted in the statement is that every time when it is in connection with the Howitzer be it with in connection with the Howitzer be it, with M/s. HDW or M/s. Bofors, the Government uses one particular adjective and that adjective is There was no Indian

agent." Even the other day, the Prime Minister before going abroad at the airport stated that yes, there were. . . at that time Bofors Committee, Sardarji Committee, Darbara Singh Committee, in which Darbara Singh was a Member. . .

SHRI DARBARA SINGH (Punjab) I am only a Member and not Chairman of that Committee.

SHRI DIPEN GHOSH: It was not his Committee. He was a Member. At that time, the report of that committee Was not laid on the Table of the House, yet, the Prime Minister has stated "Yes, there were commission agents, recipient of the commission, but they were not Indians, foreign." He said it. Here also, in many pages, it is written that there was no Indian; agent as if the involvement of any foreign agent in our country's defence deals, in defence purchases is less dangerous. Is it so? Had there been an Indian agent, it would have been more dangerous? But I do not know if there was a foreign agent. . I wonder, how they say so. A foreign agent's involvement in our country's defence purchases runs all the more risk of endangering our national security.. *(Interruption)*. Another point is, can't the money be received by a foreigner ,with Indian connections? Many of our people at the top have con. nections with foreign countries. *(Interruptions)*

SHRI KALPNATH RAI; Hershman was an Indian.

SHRI DIPEN GHOSH; That is why I am saying, can't the money be received by a foreigner with Indian connections particularly when the inlaws of some one at high places are foreigners?

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA); Dipenji, don't answer the interruptions.

SHRI DIPEN GHOSH; Our . Kalp-nath Rai was a socialist. I know him. He was a socialist. That is why he has a passion for fighting against the CIA agents. *(Interruptions)*...

Italy is a member of the NATO countries and the cover of CIA, the headquarters at the U.S. and can't the money be received by a foreigner? Italy is a foreign country. It can also be received by firms registered abroad to cover up the real recipients. An agent of the supplier firm is not necessarily to receive the commission or kickback. One can receive the same through somebody else.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Please conclude now. j

SHRI DIPEN GHOSH; Naturally, here in these letters, it has been sought to be proved that there was no agent at the tin* of the negotiation of the deal. But one could get the money through somebody else who is not present in negotiation of the deal. Sir, middleman or no middleman, Indian or foreigner. The question is whether payment was made or not and there is no categorical answer from the Minister in this document. On the contrary, the evidence produced by the newspaper "Hindu", they have published the photographs, zerox copies of all the letters and everything. That shows the Government is involved in a huge cover-up. Sir, here, in this connection, our hon. Defence Minister, Shri K. C. Pant has flaunted the certificate obtained from M|S HDW that there was no commission agent. Let me quote from the proceedings of the West German Parliament. This question of commission paid by M|s HDW was raised and discussed in the West German Parliament on 11-6-1987. The question was; "When did the Government get information on the payment of commissions?"— Government means the West German Government. "Does the Government know that HDW paid a commission of Rs. 300 million or DM 43 million?" Answer; The Federal Government is aware that it is normal that commissions are paid in such deals. The directors of the firms to decide if they should pay, how much and when." So, actually this is the rule of the game in the arms bazaar. There are competitors in the arms bazaar Submarines are manufac-

[Shri Dipen Ghosh]
 tured not only by West Germany or HDW. There are other bidders. The other day when we were discussing about Bofors and certain other things, a very learned Member representing industry and commerce in our country, Mr. K. K. Birla, our colleague, said and admitted that this happens, payment of commission through certain agents for sale happens in this capitalistic world. And that was admitted in German Parliament also. It happens and it was paid. The question is: Who was paid? And obviously the person who paid the commission and the person who received the commission would not have made this transaction through authenticated receipts copies of which Mr. Pant could get hold of and lay on the Table. It is therefore, not out of significance that Government has chosen to keep secret certain part of the investigations with the submarine scandal. Government has not yet disclosed reports of all the inquiries in those documents. It has chosen to keep secret those reports which relate to the role the Indian or foreign agents play in such Defence deals. It has laid on the Table only those which are not of much relevance, not of much importance. Government has not yet laid on the Table the important part, the report of that inquiry which is relevant. There is little doubt that a close scrutiny of the activities of these shady characters would have thrown much more light. Therefore, it is understandable that in view of the coming bye-elections, particularly in Allahabad, the Prime Minister has to clear himself and his friends...

THE MINISTER OF DEFENCE (SHRI K. C. PANT); What happened in the Tripura election?

SHRI DIPEN GHOSH: You deployed the army there. Mr. Santosh Mohan Dev was the Minister of Communications. But when he showed how best the army could be utilised to bring victory to the ruling party, he was promoted as Minister of State in the Ministry of Defence...

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI SANTOSH MOHAN DEV)- In Tripura and

in Nagaland elections the submarine was an issue and the public has rejected that

SHRI DIPEN GHOSH; When Santosh Mohan Dev has proved his calibre how to conduct the army, how to lead the army, he has been made a Minister of State for Defence. It is understandable. It is understandable that in view of the by-elections, particularly in Allahabad, the Prime Minister... (*Interruptions*) ...

SHRI VITHALRAO MADHAVRAO JADHAV (Maharashtra); The Allahabad people will teach you a lesson... (*Interruptions*).

SHRI DIPEN GHOSH; All right; all right. That is why you are not holding the election in Allahabad... (*Interruptions*) ... That is why you are not holding the election in Allahabad. According to the election law, within six months from the date of vacancy, by-election should be held and your Chief Minister in U. P. ... (*Interruptions*)... is not prepared... (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA); Please conclude now.

SHRI DIPEN GHOSH: So, in view of the ensuing by-elections, the Prime Minister has to clear himself and his friends... (*Interruptions*)... and that is why this hurry in laying the papers on the Table.

Lastly, Sir, I would say that the Prime Minister might have some compulsions. But I believe that Mr. K. C. Pant is an honourable man and he has not taken a single pie; I believe... (*Interruptions*) ... I believe Mr. K. C. Pant is an honourable man and I believe Mr. Santosh Mohan Dev is an honourable man. Mr. K. C. Pant has not taken a single pie because he is an honourable person. That is why I say that Mr. K. C. Pant would have done himself more honour... (*Interruptions*)... Because he is an honourable person, Mr. K. C. Pant would have done himself more honour if he had... (*Interruptions*) ... emulated his colleague, Mr. Arun Singh, and resigned... (*Interruptions*)...

SHRI K. C. PANT; Sir, at least he should not duplicate the exact words of Mr. Vishwanath Pratap Singh.

SHRI DIPEN GHOSH;...rather than be a party to this cover-up.

SHRI ARUN SINGH (Uttar Pradesh); Sir, I gravely object. Dipen Da, you have done this four times... [Interruptions]... You have done this four times in this House and four times. I have replied. Don't talk rubbish. Four times you have done it.

SHRI DIPEN GHOSH; I am asking him to emulate you... (Interruptions) ..

SHRI ARUN SINGH; Four times I have stated this and have told you not to talk rubbish... (Interruptions)...

SHRI DIPEN GHOSH; I am asking Him to emulate you... (Interruptions)...

SHRI ARUN SINGH); I know it is difficult for you to get through this. But now at least don't do this.

SHRI SUBRAMANIAN SWAMY: What is the truth of your resignation?

SHRI ARUN SINGH: I have spoken in this House and it is a matter of record and it is a matter of proceedings of the House... (Interruptions)... Four times I have done.

SHRI PARVATHANENI UPEND-RA (Andhra Pradesh); You said that it was for personal reasons... (Interruptions) ...

SHRI DIPEN GHOSH; Anyway, this is my opinion. Mr. K. C. Pant is an honourable person and he has not taken a single pie. But he would have done himself more honour if he had emulated his colleague, Shri Singh's example and tendered his resignation instead of being a party to the cover-up... (Interruptions) ... I would expect him to do that because still there is time. Still there is time for Mr. K. C. Pant. . . . (Interruptions)... If he does not emulate that example, I demand that Mr. K. C. Pant

must resign, must quit the post... (Interruptions) ...

SOME HON. MEMBERS; For what?

SHRI DIPEN GHOSHbecause he could not stop it and allowed himself to be a party to this cover-up operation Thank you, Sir.

SHRI SANTOSH MOHAN DEY: Sir, at least he should not repeat the words of Shri Vishwanath Pratap Singh.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA). Honourable Members, a large number of speakers are there. I would request the Members to stick to their time. Now, Mr. P. N. Sukul.

SHRI DIPEN GHOSH: Again Mr. Sukul?

SHRI P. N. SUKUL (Uttar Pradesh): Mr. Vice-Chairman, Sir, today, I heard a very amusing speech from my friend from the other side.

SHRI DIPEN GHOSH; Yours will be more.

SHRI P. N. SUKUL; Will be. But please listen to me. Sir, I am yet to hear a more incoherent and more irrelevant speech from Mr. Dipen Ghosh. He has not been able to make any point in his speech.

SHRI KALPNATH RAI; Nothing, nothing.

SHRI P. N. SUKUL; Still he is saying the same old things, you see, after the Minister's statement which is based on the findings of the CBI inquiry, the inquiry made by the Directorate of Endorsement, by the Economic Intelligence Agency, etc. Now, we all know that nothing has happened and no kickbacks were paid and yet he is going on ruminating over the same thing. But what more can you get? What more do you want after the CBI inquiry, the inquiry by the Directorate of Enforcement and the inquiry by the Economic Intelligence Agency? What more do you want to get? You mentioned about very ma-

[Shri P. N. Sukul] ture disclosures of kickbacks by Mr. V.P. Singh. That is the mature disclosure! And that reflects upon your own maturity, how mature you are. Once the inquiry is complete and once the CBI has gone through the entire records and made a detailed inquiry, on that basis the Minister said that no kickbacks were paid. The firm itself also made the admission that no commission was paid. And men like Mr. Dipen Ghosh say that because it was stated by Mr. V. P. Singh it was paid. Today it appears that for us this submarine deal was a comedy of errors or for that matter it is a tragedy of errors. The whole case hinges on two misunderstandings. One misunderstanding was of the Ambassador and the other misunderstanding was of Mr. V. P. Singh. The Ambassador misunderstood what Dr. Molitor had to say. The whole case started from the misunderstanding of the Ambassador who thought that perhaps Dr. Molitor had said that 7 per cent commission was paid. Maybe Dr. Molitor had mentioned about some other case. I do not know how this misunderstanding crept into the mind of the Ambassador. But now it is proven—and proven beyond all doubt—that it was a misunderstanding because the company itself and Dr. Molitor himself who represents the Defence Ministry—he is a Director in the Ministry—both said that no commission was paid. And our own CBI and other inquiries by investigative agencies revealed that no commission was paid. The other misunderstanding was of Mr. V. P. Singh, because he wrote on the file that the Defence Secretary had mentioned to him that most probably Hinduja was involved. That nothing is not in the hands of the Defence Secretary. Had the Defence Secretary been so sure about it, I know he must have noted on the file that the case is like this. He might have told him that he had some suspicion and he mentioned it to the Defence Minister also. But the Defence Minister reduced it to writing. And not only that. He ordered so many enquiries. Thereafter what did he do? What did he write on the file? He also ordered that after due confirmation fullest action should be

taken against him. A confirmation was awaited. It had yet to come. Investigation had yet to be made. Only after a thorough investigation was made it was to be found to what extent Hinduja was responsible or not responsible. Only then the question of action arose or could arise. But Mr. Vishwanath Pratap Singh did not wait for that confirmation, for the result of the inquiry. He ordered that the fullest action should be taken. What does it mean? It only means that he authorised the bureaucracy to take the fullest action against Hinduja. It means that he was not sure that the file was going to come back to him. Otherwise he would have said; Investigation should be made and then on the result of the investigation the Government could take a decision what action should be taken. But he was in such a hurry himself that he ordered the fullest action to be taken. And now after the inquiry it has been found that Hinduja was not involved. The C.B.I. say that. All our agencies say that nobody was involved. Neither any Indian nor any foreign agent was involved. That is what the HDW has said. "No commission paid to any Indian or foreign agent with respect to this deal." (*Interruptions*) You have direct links with so many other nations. We do not have. What did the then Defence Minister do? He issued a press note saying that we have received such a message and that he had ordered such inquiries. Never in the past has any Defence Minister issued such a statement to the press. Unless things are proved, it is not done. What was the hurry? He could have ordered investigation. The question of taking any action would have arisen after the investigation was over. Then he could have told the press. But I think the way went to the press without consulting the Prime Minister speaks volumes about his own sincerity and his own integrity. Today he is trying to implicate the Prime Minister and others. It is a big lie. Mr. Buta Singh has said that. Our Defence Minister has said that. It amounts to telling lies and the Governments are not run like that. His action shows how he tried to run the Ministry. It only shows how Mr. V. P.

Singh tried to run the Ministry. (*Interruptions*)

Mr. Dipen Ghosh was asking what action has been taken against the Ambassador. This is how he started. As if, if action is taken, he will keep quiet. The Ambassador rightly or wrongly, had that misunderstanding and he conveyed it to the Government. Whatever he understood, he conveyed it to the Government. Now the question of taking action or not taking 'action against him rests with the Ministry of External Affairs. I do not know to what extent the action can be taken. It appears to me that everybody except Mr. V. P. Singh and his friends, tried to act as rightly as possible. That is why, the Ambassador conveyed it to the Government. Of course, the Government was to take action and they followed it up. All possible inquiries were made into the matter. The C.B.I., consulted so many top secret documents and files concerning the security of the country. Well, I do not think it will in the larger interests of the nation to make; all that public There are so many things which cannot be made public in the larger interests of the country. That is why, the result of the inquiry has been given by the Defence Minister. He had promised to do that only. He had never said, so far as I understand, that he would make the details of the inquiry public or place it on the Table of the House. The re-i suits are conveyed to us. In this case, Dr. Molitor or the HDW themselves admit that no commission was paid to any Indian or foreign agent with respect to this deal. Our own inquiries reveal that no commission was paid. Then why should the opposition try to make a mountain out of a mole hill? Just as you said, is it for election purposes? That is why, Dipen Ghosh Ji talked of elections. He talked of Bofors. He talked of so many things which do not have any bearing on this subject. Of course, he wants the resignation of the Defence Minister. There is no case at all for taking action against anybody. But he wants action to be taken against the Defence Minister. Such an irresponsible demand or utterance, of course, de-

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serves to be ignored. Neither the Defence Minister nor the Prime Minister is involved in this affairs. And the Prime Minister said that no Indian or foreign agent is involved... (*Interruptions*)

SHRI DIPEN GHOSH: No, no. Your Prime Minister did not say that. No Indian agent is involved, and the foreign agent is there.

SHRI P. N. SUKUL: HDW said it; Dr. Molitor, who is me Director in the Ministry of Defence of West Germany said it- But you will not be convinced by any of these arguments, any of these facts.

Sir, Mr. Dipen Ghosh asked. Was the house of the Hinduja raided? Suppose you raid a house of the Hinduja. What will you find? What do you expect to find there? (*Interruptions*). Today there is no one Hinduja. There are half a dozen Hinduja, somebody living in London, somebody in Geneva, somebody in Bombay. Which house do you raid? (*Interruptions*). Mr. Vice-Chairman, Sir, in February and March last, I was in Geneva in connection with the Human Rights Commission. In a party, I met one Hinduja who lives there. I was introduced to him by an official of the Indian Embassy. And I asked him: Sir, are you connected with this thing? And he told me: "It is all bunkum. I have nothing to do with this." (*Interruptions*)... What

to talk to him I had onli one thing j and I asked him and he denied.

| Sir, in all respects, it has now been I proved that no commission was paid and nobody is involved. Still, if the friends from the Opposition want that action should be taken Against anybody, then, I think, it will be something very high-banded. And no action needs to be taken. As the Defence Minister informed in the other House that nobody is involved, no action needs to be taken. The matter needs no further probe. Nothing further needs to be done as regards this allegation of payment of commission. That is why, Sir, as I said in the very beginning, it is a very 'amusing case which our Opposition friends want to make out or they still

[Shri P. N. Sukul] want us to pursue. And, as I said, it is a Comedy of Errors for us and a Tragedy of Errors for the Opposition. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA); Shri Ram Jethirtalani.

SHRI VITHALRAO MADHAVRAO JADHAV: Sir, I have a point of order. He must speak from his seat.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA); Mr. Jethmalani, you please go to your seat.

SHRI RAM JETHMALANI (Karnataka): Am I not supposed to speak from here? I am comfortable anywhere. (Interruptions)

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA); Order, order.

SHRI DIPEN GHOSH: There should be no interruptions. This is bis iriaiden speech.

SHRI RAM JETHMALANI; Mr. Vice-Chairman, Sir I deeply regret.... (Interruptions)

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA); No interruptions please.

श्री कल्पनाथ राय : आदरणीय उपसभाध्यक्ष महोदय, एक व्यवस्था का प्रश्न है ।

उपसभाध्यक्ष (श्री हे. हनुमन्तप्पा) : आप बंठिए । . . . (व्यवधान)

श्री कल्पनाथ राय : आदरणीय उपसभाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है ।

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): What is your point of order?

श्री कल्पनाथ राय : आदरणीय उपसभाध्यक्ष महोदय, यह बड़ी लज्जा और शर्म की बात है कि इंदिरा गांधी के हत्यारों के वकील . . . (व्यवधान)

उपसभाध्यक्ष (श्री हे. हनुमन्तप्पा) : आप बंठिए ।

श्री कल्पनाथ राय : आदरणीय उपसभाध्यक्ष महोदय, हमारी बात सुनिए । अभी मेरी बात आपने नहीं सुनी ।

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): There is no point of order.

SHRI M. S. GURUPADASY/AMY (Karnataka): Sir, The should not be allowed to make any remarks.

श्री कल्पनाथ राय : जो इंदिरा गांधी के हत्यारों के वकील है और जिस पार्टी ने उन्हें लाया है, यह लज्जा और शर्म की बात है . . . (व्यवधान)

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): What is the point of order? Under what rules?, (Interruptions)

SHRI PARVATHANENI UPENDRA: It is a reflection on the Member. Mr. Vice-Chairman, Sir, it is a reflection on the Member. Sir, on a point of order...

SHRI M. S. GURUPADASWAMY: Sir, on a point of order. He has no right to cast aspersions on another Member here. He has no right.

SHRI KALPNATH RAI: Yes.

SHRI VITHALRAO MADHAVRAO JADHAV: Sir, another point of order.

श्री कल्पनाथ राय : आदरणीय उपसभाध्यक्ष, महोदय भारत की जनता को नहीं मालूम है कि जनता पार्टी ने इंदिरा गांधी के हत्यारों के वकील को एम० पी बनाया है । भारत की जनता ऐसे को माफ नहीं करेगी ।**

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Please sit down. I am on my legs. Please sit down.

tExpunged as ordered by the Chair.

SHRI M. S. GURUPADASWAMY: Sir, I demand that this may be referred to the Privileges Committee. He has no right to cast aspersions on another Member, sir, I move. Sir, I formally move that this matter may be referred to the Privileges Committee. (Interruptions)

SHRI VITHALRAO MADHAVRAO JADHAV: Sir, my point of order is that his oath is incomplete

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Mr. Jadhav, on this point the Chairman has already given his ruling. Why do you raise it again?

SHRI RAM JETHMALANI: Sir, I am not going to start my speech unless this gentleman is made to apologise. You are a custodian of the rights of the House. This must stop.

SHRI M. S. GURUPADASWAMY: Sir, I move that this matter may be referred to the Privileges Committee. Otherwise he must apologise. (Interruptions)

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Please sit down.

श्री कल्पनाथ राय : इंदिरा गांधी के हत्यारों के वकील हैं उन्हें मना कीजिए कि वह नहीं बोलेंगे ।

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): You cannot go on like this. Please do not make aspersions on the Members. (Interruptions)

SHRI PARVATHANENI UPENDRA: Give a ruling on that. Sir, what is your ruling?

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Do not make aspersions on the Members.

SHRI VITHALRAO MADHAVRAO JADHAV: Sir, he has not completed his oath. He should not be allowed.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Please sit down. I have already given a ruling on that. The Chairman has already disposed of that point.

SHRI RAM JETHMALANI: Sir, I wanted to start with an explanation of personal regret. I had hoped that my maiden speech will be addressed to the serious problem of Punjab and I thought I will make some significant contribution to the solution of that grave problem. But, here I am speaking, instead, on submarines. (Interruptions)

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): It will not go on record.

SHRI RAM JETHMALANI: Mr. Vice-Chairman, Sir, I am an old hand. Nothing like this will deflect me from what I have to say, and I will complete it.

श्री कल्पनाथ राय : यह लज्जा की बात है कि हत्यारों के वकील को एम० पी० बनाकर भेजे हैं। आप हत्यारों की वकालत करो ।

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Please allow him to speak.

SHRI RAM JETHMALANI: Mr. Vice-Chairman, Sir, I wish to make it clear that if this kind of behaviour goes on, we shall not allow the proceedings of the House to go on at any time. (Interruptions)

श्री कल्पनाथ राय :*

SHRI RAM JETHMALANI: Will the order be maintained or not? (Interruptions)

श्री कल्पनाथ राय .*

SHRI B. SATYANARAYAN REDDY (Andhra Pradesh): Will you allow such words, Sir?

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): No, that will not go on record.

SHRI M. S. GURUPADASWAMY: I make an appeal to you to control them or adjourn the House. (Interruptions)

*Not recorded.

श्री भीर्जा इशवि बेग (गुजरात) : उप-सभाध्यक्ष जी, मैं आपके माध्यम से यह जानना चाहूंगा कि माननीय सदस्य राम जैठमलानी जी ने जिन शब्दों का उच्चारण किया, उन्हें रिकार्ड कर लिया गया है या नहीं ?

SHRI RAM JETHMALANI: Mr. Vice-Chairman, I propose to show from this very miserable report that there has been no investigation, that any purported investigation has been sham and bogus, that therefore the conclusions which have been arrived at after this non-existent bogus investigation, are conclusions which can never be sustained before any reasonable audience. I go further. Even this miserable document... (Interruptions)

श्री कल्पनाथ राय: उपसभाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है।

उपसभाध्यक्ष (श्री हेच० हनुमन्तप्पा) : आप बैठिए।

श्री कल्पनाथ राय: उपसभाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। आदरणीय उपसभाध्यक्ष जी, कमेटी की रिपोर्ट को बोगस कहना अन-पार्लियामेंटरी है। इसे वापिस लिया जाना चाहिए।

SHRI M. A. BABY (Kerala): If he goes on like this, he should be named.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): There is no point of order.

SHRI M. S. GURUPADASWAMY: And he has every right to say that it is a bogus report.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): I have told him there is no point of order.

SHRI SUKOMAL SEN (West Bengal): He should be named.

श्री कल्पनाथ राय: इंदिरा गांधी के हत्यारों के वकील को एम० पी० बनाकर

लाए हो, शर्म नहीं आती।... (व्यवधान)
भारत की जनता यह बर्दाश्त नहीं करेगी।

SHRI RAM JETHMALANI: I would like to draw the attention of the House to paragraph 15 of the statement on page 9 It says: 'After thorough and detailed inquiries made by the investgative agencies of the Government such and such things happened and such and such conclusions were arrived at. But I want the House to pay particular attention to the words, 'thorough and details inquiries made by the investigative agencies of the Government.. This is the opening sentence of paragraph 15 on page 9. I would now like the House to compare this with what has been said in paragraph 10 on page 6 of the report. It says: 'In the circumstances! in which they were placed, by the premature publicity given to the matter by the then Raksha Mantri and for want of valid leads the investigative agencies of the Ministry of Finance were not able to make headway-' For some reasons, if the investigative agencies could not make headway, why should you mislead the House by saying that thorough and detailed inquiries were made by the investigative agencies of the Government? This shows that there is something utterly fishy about this whole report and this document. The statement claims that no headway could be made because of want of valid leads and because of the premature publicity given to the matter by the then Raksha Mantri.

Now, I claim that on the record of your department is a report by the Directorate of Enforcement. The Directorate of Enforcement, by May 1987, had informed the "Government.—of course, at the instance of the Government itself—it is an engineered report. Government wanted such a report. But the important thing is, what did the report say. The report says that the Directorate is unable to do anything in the matter because it does not have the strength and the skill to handle such a complicated

case. Therefore, we have two falsehoods in the report. The reasons given for not making any headway in the matter are; the then Raksha Mantri had given premature publicity and they did not have valid leads. But the real reason which has been disclosed and put on record by the department is that they never had sufficient power, sufficient personnel, sufficient strength and sufficient skill to handle such a complicated case abroad.

SHRI VISHVJIT P. SINGH: Will the hon. Member yield for a minute.

SHRI RAM JETHMALANI: I do not. *(Interruptions)* To your physical force I will yield. *(Interruptions)*

SHRI VISHVJIT P. SINGH: Mr. Vice-Chairman, Sir, through you, I would like to know from the hon. Member what is the report he is quoting from.

SHRI RAM JETHMALANI: I will tell you everything by the time I finish.

SHRI VISHVJIT P. SINGH: Could I please know that?,

SHRI RAM JETHMALANI: I am not bound to do that. I am not bound to satisfy your curiosity. *(Interruptions)*

THE MINISTER OF STATE IN THE MINISTRY OF LAB AND JUSTICE (SHRI HANS RAJ BHARDWAJ): Sir, when he refers; to a document, he should tell us. *(Interruptions)*

SHRI RAM JETHMALANI: Now, Sir, I go into the reasons. The statement says that Mr. V. P. Singh had asked three agencies, namely the Directorate of Enforcement, the Central Board of Direct Taxes and the Economic Intelligence Bureau of the Ministry of Finance. These are the three agencies to which the then Defence Minister had committed the investigation of the matter. Because these three agencies were trusted by the then Defence Minister and be-

cause you could not trust him, you had to bypass the agencies selected by him and put a new agency in their place. For that, some reasons had to be invented. The reasons invented are; premature publicity given to the matter by the then Defence Minister and want of valid leads and you say that because of these reasons, the investigative agencies could not complete or embark upon the 4.00 P.M. investigation. Now, Sir, Mr. Sukul said—I am sorry, I hope I am not mispronouncing his name—that the investigation has been conducted by the CBI. In this case CBI has in some sense been associated with this investigation, but I charge, when did the CBI start its investigations in this case? According to the report, it went to Germany and to the United Kingdom between the 25th of October and 4th of November. The 1st November, which falls within this period of 25th October and 4th November, is a very important date. On the 1st of November it had been notified that there will be a new appointment of a Director of the CBI. Mr. Radhakrishnan Nair, if I do not forget his name, his name was notified. The President had sanctioned appointment, a regular notification had been issued and yet on the 1st of November that gentleman was not allowed to take over the reins of his office and the previous¹ incumbent, a pliant gentleman, was allowed to continue. And what happened on this 1st of November was that an extension to the old incumbent was traded against the promise of this gentleman that he shall not investigate properly and that he shall do a cover-up operation. A cover-up was traded against an extension given to this man and this gentleman is a gentleman who is known to be associated with one of the most notorious industrial houses in this country, but Sir, he is now ruling the roost. I do say, while we are on this side,, we are the opposition, we are not in power, but we also prepare our blacklist of black officers who do these black deeds of cover-up under the Government.

SHRI HANS RAJ BHARDWAJ: Sir, he used the entire CBI in Janata Government. He was the Public Prosecutor. (*Interruptions*). You could not have any face, Mr. Ram Jethmalani. You were virtually the Director of CBI. I know it personally and I can prove it from documents if you like. Personally, you were holding meetings in the Ashoka Hotel, Imperial Hotel, Janpath Hotel and you have the audacity to talk here like that. You must trace yourself. (*Interruptions*). Your daughter, your son, everybody was involved. This is the type of man. I am charging him. (*Interruptions*) You don't come in between. I am prepared to resign if he...

SHRI RAM JETHMALANI: Who is this man to whom I (have to reply? I do not recognise this gentleman. (*Interruptions*)

SHRI HANS RAJ BHARDWAJ: He had been virtually functioning as Director of CBI in 'Kissa Kursi Ka' case. I will produce all the documents and he is preaching sermons here. This country will never allow such things. He will not get that opportunity again. I am going to expose him how he became an MP also.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): The Defence Minister is capable of replying.

SHRI HANS RAJ BHARDWAJ; I will expose him here and now how he became MP.

SHRI M. S. GURUPADASWAMY: May I make a submission?

SHRI HANS RAJ BHARDWAJ: know his tactics.**

SHRI N. E. BALARAM (Kerala): If they don't want a discussion, that can be said, but this is not the proper method.

SHRI HANS RAJ BHARDWAJ: Being a Member of Parliament I am saying all these things.

◆Expunged as ordered by the Chair.

SHRI M. S. GURUPADASWAMY: I do not understand why Mr. Bhardwaj is showing impatience.

SHRI HANS RAJ BHARDWAJ: I am going to place them on the Table of the House. I have in custody all your letters which you wrote.... (*Interruptions*)

SHRI RAM JETHMALANI: Does he want to know something about himself?

SHRI M. S. GURUPADASWAMY: Are we indulging in mutual denigration.

SHRI HANS RAJ BHARDWAJ; He is threatening the officers.

SHRI M. S. GURUPADASWAMY:.. It is a debate.

SHRI HANS RAJ BHARDWAJ: He is threatening the officers who are not here. How can he threaten the CBI Director?

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Hon. Members, please restrain yourself. The Defence Minister is capable of taking care of these points.

SHRI KALPNATH RAI: But is he allowed to speak anything?

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Let the debate continue.

SHRI HANS RAJ BHARDWAJ: He is a pastmaster in this art. He is hoodwinking the entire judiciary of this country. I am giving instances after instances. He threatened five Judges in the Bombay High Court. He threatened four Judges in the Supreme Court. Now nobody will be threatened by him. We know his reality. (*Interruptions*)

SHRI SURESH KALMADI (Maha- - rashtra): How can he be allowed to threaten officers who are not here to defend themselves? Don't threaten the officers here.

SHRI M. S. GURUPADASWAMY: Do they want a debate, or do they want to disturb the proceedings here?

SHRI DIPEN GHOSH: Sir, I will make a submission to you and through you to Mr. Bhagat and other Ministers here. When some Members of this House and the other House wanted to have a discussion on this issue, Mr. Bhagat himself was present in that meeting and he indicated that the Government was interested and inclined to see that a full-fledged discussion is held on this important issue. There fore we had submitted a notice' for a Short Duration Discussion. It is true that we will be saying some things, but it is all the more true that in a Short Duration Discussion, immediately after one Opposition Member completes, one Member from the other side will be in a position to reply. This is how the discussion is held and whatever he says, or I said, or somebody else says, he will have the opportunity to reply and afterwards the Minister himself will reply. So I would appeal to you and through you to all of them, let there be a discussion on it and let the replies be given. Let him submit his charges.

SHRI RAFIQUE ALAM (Bihar): But let there be no aspersions.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF INFORMATION AND BROADCASTING (SHRI H. K. L. BHAGAT): I would submit, sir, that Government was very keen on a Short Duration Discussion and I had myself suggested that we should have a Short Duration Discussion so that the whole matter could be discussed properly. I entirely agree with you that we should have a Short Duration Discussion and certainly the Minister for Defence is there, he will reply to the points raised. I would appeal to all the Members, let the discussion proceed peacefully and any Member who speaks, I hope, will also keep this in view that he should not extend, directly or indirectly, any threat to anybody.

SHRI HANS RAJ BHARDWAJ: It is not the Janata Party Government now.

SHRI M. S. GURUPADASWAMY: There was no threat at all. It is a debate and there will be enough opportunity for the Members opposite to reply to him.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): I appeal to the Members...

SHRI HANS RAJ BHARDWAJ: He should be told that it is not Morarji Desai's Government and he is not the Director of CBI now.

श्री कल्पनाथ राय : इन्दिरा गांधी के हत्यारों के वकील हैं तो क्या यह राष्ट्रद्रोही नहीं है, जनघाती नहीं है . . .

श्री हंसराज भारद्वाज : **

SHRI VITHALRAO MADHAVRAO JADHAV: Just listen to me, Sir.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): -please sit down.

SHRI HANS RAJ- BHARDWAJ: He used to run the Government.

SHRI H. K. L. BHAGAT: Let him not threaten our agencies. Let us proceed with our arguments.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): According to the Parliamentary Affairs Minister, obviously it was agreed that there shall be a Short Duration Discussion. Let us not by our interventions make it a 'long duration discussion'.

SHRI RAM JETHMALANI: Sir, can I now carry on? I proceed on that assurance. Sir, it is said that this team went to Germany and to the United Kingdom and made confidential investigations. I want to know why the result of that investigation which was done in Germany and U.K. has not been disclosed. The crux of the matter is that on the 24th of February, 1987 a very important event took place and that event H

**Expunged as ordered by the Chair.

[Shri Ram Jethmalani]

like the discovery of a corpse in the bedroom of a man accused of murder.

The Ambassador in Germany sends a telex. In that telex, he records a conversation with Dr. Molitor. Now, first of all, the House must appreciate what the position of Dr. Molitor is. Dr. Molitor is not a person who on one day, suddenly, entered the discussions about the fixation of price. The HDW is a Government-owned concern in Germany. The Ministry of Defence looks after the sales and it has a sales section. Dr. Molitor is in charge of the sales section of the Ministry of Defence and, therefore, he is virtually the Sales Director of HDW. He is not a stranger to that organization. It is an admitted position that Dr. Molitor had come to Delhi. He had personally led a delegation and he had also participated in the negotiations for the fixation of the price of these submarines. Therefore, Dr. Molitor was a person who knew the ins and outs of the negotiating process. He knew everything that had happened before and he knew what he was about. Therefore, when on the 24th of February 1987 he was asked by the Indian Ambassador to reduce the price, he gave an answer which has shocked the whole country and the shock is some kind of a shock which nobody is yet able to get over or explain. He made three statements—that they had an agent, that they had obligations to this agent under an open-ended agreement—which means an agreement for an indefinite period of time, an agreement lasting an indefinite duration—and that they were under an obligation not only to pay him seven per cent but they had paid seven per cent before and it was a continuing obligation. Now, if this statement of Dr. Molitor was a true statement made by a person who was not a lunatic, made by a person who was in full possession of his mental faculties, then the fact remains established that there was an agent in this deal, that Rs. 30

crores were taken and that there was an obligation outstanding towards this agent that he shall be paid in future transactions as well.

Now, Sir, when this telex reaches the Minister of Defence—and, I understand, the Prime Minister as well—the man was amazed that in spite of our declarations of policies solemnly made from time to time here was our own Ambassador informing us, through a responsible officer of the German Government—representing virtually the sales section of the HDW, that there was an agent whose price was seven per cent and it was that price which could be brought down if the agent could be eliminated. Now, Sir, when this startling news came, what is the reaction of the Government after Mr. Y. P. Singh was bundled out of the Government when he, on the 9th of April, ordered the threefold investigation? After nearly three months of false defence—the false defence contains two elements and it was concocted... if this defence was available to them in February, March, April, May, June, they would have come out with this immediately and said, "What is this nonsense? We have only a Globtech agent who is doing some kind of a clerical, representative, job" and we are paying him DM 6,000 every month for the services which he is rendering. This story, Mr. Vice-Chairman, came to the fore, came to be disclosed for the first time in the month of July, 1987. I want to ask. What was happening for those four months? What was the correspondence during this period with the HDW? What did you write to them? What the Report discloses is only a letter which was written for the first time on the 12th of June. I want to know what happened between February and June. I charge, during those four months you were negotiating with this company, "Let us now get out of what Dr. Molitor says, and let us find out some method of explaining away what Dr. Molitor has said." Sir, the explanation comes ultimately in the

document of the 9th of July in which this is what the HDW says:

"The information given by Dr. Molitor is not correct and can only have been caused by a misunderstanding."

Sir, I want to ask. What is this misunderstanding?, Is it that the phones in Germany are as bad as the phones in Delhi that Dr. Molitor wrongly heard something which was being told to him, that those people were talking of DM 6,000 that the agent was Paid every month and that Dr. Molitor thought that this man is an agent working under the open-ended agreement under which he was perpetually to be paid on every transaction 7 per cent of the price? Was there bad reception on the telephone? Was it that somebody gave him a false document to read and he got the information from a false document? Was it that he heard some kind of a mysterious voice telling him this news? Or was it that he had woken up from an ugly dream and that he imagined things which did not exist? Sir, this misunderstanding is the sole defence on which this report proceeds. There is no other defence disclosed. The only defence disclosed is that Dr. Molitor had misunderstood the position.

Sir. I want to ask: You have contacted the Indian Ambassador. This conversation was recorded by the Indian Ambassador in the solemn document which he contemporaneously wrote after Dr. Molitor's conversation. Has anybody asked the Indian Ambassador? Is the statement of the Indian Ambassador available to us? What does the Indian Ambassador state? Does he say that he misunderstood what Dr. Molitor said? Or does he stick to the story that when he recorded what Dr. Molitor told him, he correctly and truly recorded whatever he had heard solemnly from Dr. Molitor?

Sir, the report says that the team led by the CBI officers proceeded to Germany, and there is an admission

made in this report that, amongst others, Dr. Molitor was contacted. Sir, if Dr. Molitor was contacted by this team, Dr. Molitor must have been told, "Dr. Molitor, please tell us how it is that on the 24th of February you told our Ambassador that you had got an agent, an open-ended agent with 7 per cent commission on every deal." Surely, then, Dr. Molitor must have given some reply. I want to know where that reply is. Sir, I want to ask the Defence Minister, through you, what the reply is which Dr. Molitor gave to this investigating team which must have questioned him if they had gone to question intelligently, seriously with the purpose of determining the truth. But, if they had just gone for a whitewash, then, naturally, no such conversation would have taken place. Then the conversation would have been in the most friendly terms, "Well, Dr. Molitor, it seems, that there must have been some misunderstanding. We are good friends. Let us put an end to this misunderstanding." I want to know what Mr. Molitor has said. Please come out with that record because Mr. Molitor has stuck to the story throughout; up to the month of November that gentleman has stuck to the story.

Sir, the second part of the false defence is that ..

SHRI KALPNATH RAI: A bogus speech.

SHRI RAM JETHMALANI; . . there was an agreement with Glob-tech. The HDW purports to say, "We never had a 7-per cent agent. We had the Globtech to which we are paying DM 6,000 for the services of the usual kind which representatives in foreign countries render." Now, Sir. the report itself demolishes this defence because, unfortunately for the Government, the report and the very letter of this German company says that this agreement with Globtech had been disclosed by us in a letter

[Shri Ram Jethmalani]

written to the Naval Chief as far back as the 22nd of September, 1982. Now, either this statement is true or this statement is false. Let us examine it from both assumptions, because I do not know whether this statement is false. I have not investigated it. I want more material before I can arrive at a conclusion that this particular agreement did or did not exist. If this agreement did exist from 22nd of September, 1982, then obviously the Government knew about it. And then, when the question of agents came up, the Government in this country would have come out with a defence that there are no agents.

There is Globtech to our knowledge who has been receiving 6,000 Deutsche mark each month and he is not an agent entitled to any Seven per cent commission. The very fact that this defence was not a defence, the very fact that this defence saw the light of day after a full period of five months of concoctions and fabrications shows that this is a complete after-thought and this agreement itself is an agreement which has been invented.

Sir, I will take a few minutes more.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA). No please conclude.

SHRI SURESH KALMADI: Your time is 4.20 now.

AN HON. MEMBER; Your time is over now.

SHRI RAM JETHMALANI Don't worry I will outlive most of you. My time is not up. I will see some people "elsewhere before I am finishd.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA) Don't answer the interruptions. Please try to conclude.

SHRI RAM JETHMALANI; You allowed them to talk to me. (Interruptions) If this agreement did exist in 1982, I want to know whether the CBI conducted the investigation, whether right from 1982, as the agreement purports to record, 6,000 Deutsche mark were being received every month in this country, whether income-tax was being paid on 6,000 Deutsche mark Or whether this amount was also accumulated abroad and FERA violations had been committed. This report is silent on these, because the report is a cover-up. And the cover-up is not expected to disclose what one reasonably expects out of a report.

Now look at the honesty of the German Government. The German Government is the only institution in the report that comes out somewhat unscathed. They have also tried to some extent! to oblige, but nevertheless they have maintained their basic honesty, unlike our bureaucrats and nlike our officers, who went to investigate this case.

Kindly see the aide-memoire. I v/ant the House to note the aide-memoire of the German Government, which, in its answer to the aide-memoire of the Indian Government en the 12th June had said. This is what it says. Kindly see the diplomatic reply which the Government gives.

"With regard to the remarks of a Member of the Federal Defence Ministry staff, which were referred to in the memorandum of June 12, Dr Molitor stated that on February 24, he had received without comment a letter from the Indian Ambassador concerning the Indian position on commission payments and had passed on the letter to HDW."

You see, therefore, how the German Government skilfully and adroitly did not contradict Molitor, did not go back upon the statement of Dr. Molitor. It just refuse to say anything about the statement of Dr. Molitor.

Unfortunately this report proceeds on the assumption that the German Government had repeated the statement of Dr. Molitor, which is totally inconsistent with truth and which is totally inconsistent with reality and it is a figment of the imagination of those who have compiled this report.

When this theory of misunderstanding was put forth and this Globtech agreement was all discovered by July, kindly see the reaction of our Secretary. Our own Secretary writes a letter on 13th November, 1987. Here again after a period of four months, our own Secretary,* I have a lot to say about.* I will reserve my comments about him for some other occasion, but according to me he is a party to this great cover-up.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA) No. (*Interruptions*) I am myself telling him. (*Interruptions*)... Mr. Jethmalani, don't take his name.

SHRI SANTOSH MOHAN DEV: Sir, he has to give written notice for that (*Interruptions*)....

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): i myself reacted. Why do you stand?

SHRI RAM JETHMALANI; That last but one paragraph in the (letter of 13th November 1987 requires to be drawn attention to.

DR. (SHRIMATI) NAJMA HEPTULLA (Maahrashtra) Sir, I am on a point of order. Either he should withdraw it or it should be expunged.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): I have expunged it.

SHRI RAM JETHMALANI: What is this, Sir, expunction? Are we not supposed to talk about any official? Anyway, Sir... .

*Not recorded.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA); You are asenior Member.

SHRI SURESH KALMADI; Is he also in the black list?

AN HON. MEMBER: You are (*Interruptions*).. -

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Please conclude, Mr. Jethmalani.

SHRI RAM JETHMALANI; Yes, Sir. As late as the 13th November, 1987 his conscience obviously pricked him and this is what he says; "I appreciate....

SHRI SURESH KALMADI: I am on a point of order.

SHRI RAM JETHMALANI: I am saying something in your favour. "Please appreciate that for this reason, I must refrain from any kind of misstatement." This is what he says. "It would, therefore be seen that¹ the misunderstanding, if any, requires to be explianea by your company in spite of the fact that misunderstanding was alleged—in spite of the fact that documents were disclosed in July, in November or October" I am sorry, Sir, if is "October 18th". Mr. Bhat-nagar says "I don't understand this misunderstanding 'business'. Your company has to explain. what misunderstanding means?" sir, after this they tried to get in touch with the Government of Federal Republic of Germany. So, the letter from Mr. Bhatnagar is the letter of Dr. Timmer-mann who speaks on behalf of the German Government and he spoke on the 13th November through this Jetter. What does he say? He says "Please appreciate that for this reason I must refrain from any kind of speculations and presumptions about this affair as well as of any Sir, the Defence Minister will now note th words "of any real or alleged misunderstanding that may have accrued from it."

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA); Thank you.

SHRI RAM JETHMALANI: Sir, I will take one more minute and sum up.

Sir since no investigation has been done—since the investigation that has been done, Mr. Vice-Chairman, Sir, is bogus—since whatever has been done has not been disclosed—I say this that answers which this report purports to give are not real answers. The answers are totally different, The answers should be, I wish to say these are:

The first answer is that there was an agent.

The second answer is that he received Rs. 30 crores of the nation's money.

The third answer is that since the Government has not carried on an honest investigation and discovered truth,* then, it must be.

Thsnk you.

(Interruptions)

SHRI H. K. L. BHAGAT; It cannot go on record. It is a serious aspersion.

^(Interruptions) ...

SHRI DIPEN GHOSH : Mr. Vice-Chairman, Sir,... (Interruptions)...

SHRI M. S. GURUPADASWAMY: Winat is the objection?

SHRI DIPEN GHOSH : Is the Prime Minister like caesar's wife?

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA) : Please sit down.

AN HON. MEMBER : That word should be expunged.

.... (Interruptions)...

SHRI M. S. GURUPADASWAMY : Prime Minister is not God... (Interruptions) We are charging the Prime Minister. Prime Minister is not Cod. interruptions)

◆Not recorded.

SHRI PARVATHANENI UPENDRA: The Prime Minister is head of the Government. The charge is made against him. Let him reply. Let him deny. There is nothing wrong in it. The Prime Minister is the head of the Government. We can say this. Let them reply.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): It will not go on record..... (Interruptions)...

SHRI DIPEN GHOSH: Why? Why it will not go on record?

SHRI K. C. PANT; There was a lot of heat... (Interruptions)...

SHRI PAWAN KUMAR BANSAL (Punjab): If blackmailers can say all that, it would be done. Get rid of the blackmailers ... (Interruptions)...

SHRI DIPEN GHOSH; Is the Prime Minister like Caesar's wife? ... (Interruptions)...

SHRI N. E. BALARAM: What is the harm in having the debate?

(Interruptions)

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Please sit down.

SHRI K. C. PANT; Sir, I think, the House must understand the nature of the discussion we are having and what this is related to. There were four submarines purchased from M/s. H.D.W. The contract was entered into in 1981 and that is number one. The second point is, there were negotiations after this Government... (Interruptions) ... Why don't you listen for second one?

(Interruptions)

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): He has sought permission and I have allowed him.

SHRI K. C. PANT: A most scurrilous, remark has been made and I must debunk it now, otherwise, it will go in the press and that is purpose for which it has been made... (Interruption) ...That is why, you listen to me

SHRI DIPEN GHOSH; As if the people do not know, the press does not know about it.

SHRI K. C. PANT; Mr. Dipen Ghosh, your wavelength and the wave length of Mr. Jethmalani are different. Please listen to me.

श्री राम अवधेश सिंह (बिहार) : इसको खत्म कर दीजिए ।

If the negotiations which were conducted by this Government .this Prime Minister, did not result in the purchase of submarines or the payment of any commission. Therefore, a/ this talk about the Prime Minister being guilty is utter nonsense. (Interruptions)

SHRI RAM AWADHESH SINGH: There is a charge against the Government There is a collective responsibility.

(Interruptions)

SHRI SITARAM KESRI (Bihar): Why has he run away? ... (Interruption)...

SHRI V. NARAYANASAMY (Pondicherry): Sir ,it may be expunged from the record. This is a serious allegation.

SHRI MADAN BHATIA (Nominated): Mr. Vice-Chairman, Sir, I respectfully submit that the hon. Member who preceded me has hot only insulted the intelligence of this hon.

श्री राम अवधेश सिंह: रिकार्ड में तो सब जाएगा ।

उपसभाध्यक्ष (श्री हेच० हनुमन्तप्पा) :
आप बैठ जाइये ।

श्री राम अवधेश सिंह : देश का प्राइम मिनिस्टर, तो जिम्मेवार है । उसके खिलाफ सब दाएँ हैं ।... (व्यवधान)...

House but he is also guilty of grossly misleading this hon. House by preventing, misinterpreting and misconstrue-ing the statement of the hon. Defence Minister.

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

SHRI.V. GOPALSAMY: Misleading is the privilege of the Government.

SHRI MADAN BHATIA: The hon. Member started by saying that he would have liked to speak in his maiden speech on Punjab in order to make his contribution to the problem of Punjab. I respectfully submit, Sir that the hon. Member, who shared the public platform with the criminals and murderers of Punjab, the murderers of innocent women and children of Punjab and who gave the maximum possible respectability to the terrorists in Punjab; is he capable of making any contribution to the problem of Punjab? I leave this to this hon. House to decide (Interntp-tions) The honourable Member has said that this whole investigation is bogus If there is one honourable Member in this honourable House who knows the meaning of a bogus invest tigation, it is the honourable Member himself and I wish to remind him of that...

SHRI RAM JETHMALANr: Of course, I know that and I said so.

SHRI MADAN BHATIA; I am net one of those lucky persons who gets himself appointed as a public prose-cutor against his own political rivals and gets them convicted on bogus and fabricated evidence. I shall remind him of what a bogus investigation is. When an appeal of Sanjay Gandhi came up for hearing before the hon ourable Supreme Court-----

SHRI V. GOPALSAMY: Is he settling his scores here? No individual aspersions should be allowed.

SHRI MADAN BHATIA:the counsel for Sanjay Gandhi started reading out the evidence led by the prosecution, in that case the public prosecutor happened to be the honourable Member himself

SHRI RAM JETHMALANI: Is it a debate on Sanjay Gandhi?

SHRI MADAN BHATIA: When he started interpreting the evidence led by the prosecution. ...

SHRI SATYA PRAKASH MALAVIYA (Uttar Pradesh): How is this relevant?

SHRI MADAN BHATIA: I argued it on the other side. The honourable Judge who was presiding over the Bench, Mr. Justice Fazal Ali, after a few days' hearing, remarked that the entire evidence of the prosecution is bogus and fabricated. At that time the honourable Member was not present in the court. His junior was present in the court...

SHRI RAM JETHMALANI: This is a false statement. The judgment of the court is available.

SHRI MADAN BHATIA: This observation of the honourable Justice Fazal Ali was reported in the entire national press. He was in Bombay at that time. When he reads that observation in Bombay, he rushes to Delhi, goes and appears before the honourable Supreme Court hoping to bamboozle the honourable Supreme Court itself the way he had been bamboozling the District Judge who convicted Mr. Gandhi, and he says, "My Lord, I strongly protest against this observation; this is not correct." And to and behold! Mr. Justice Fazal Ali said; "What do you mean by your protest? I repeat this observation." On this he collapsed, turned his back and left the court...

SHRI RAM JETHMALANI: A flight of imagination! I do not want to call it false.

SHRI MADAN BHATIA: He won't (remember. I am reminding him. Therefore

SHRI A. G. KULKARNI (Maharashtra): On a point of order, I would request Mr. Ram Jethmalani, we heard him in silence; it is the elementary practice....

SHRI RAM JETHMALANI: I wish: I could say it about his colleagues.

SHRI A. G. KULKARNI: He had been a Member of Lok Sabha. He should also listen to what my honourable colleague is saying.

SHRI M. S. GURUPADASWAMY: Are we debating Ram Jethmalani or are we discussing the report?

SHRI MADAN BHATIA: Sir_ when the judgment comes, the most important witness in any prosecution case, if he happens to be there, is the approver himself and the approver's evidence is one evidence with which the Public Prosecutor is deeply and directly linked. In this case, the approver was produced to lead evidence by the prosecution to this effect that the film, "Kissa Kursi Ka" was banned on the orders of Shri Sanjay Crandhi.. (*Interruptions*)

SHRI MOTURU HANUMANTHA RAO (Andhra Pradesh): Sir, on a point of order...(Interruptions)...

SHRI M. S. GURUPADASWAMY: Sir are we discussing the report or Mr. Jethmalani here? ...(*Interruptions*)...

SHRI SUKOMAL SEN: Sir, what are we discussing here? (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI JA. GESH DESAI): Please wait _____(*Interruptions*)... All of you, please sit down. Mr. Bhatia, by way of a passing reference only you can say that otherwise not ...(*Interruptions*)...

SHRI SANTOSH MOHAN DEV: Sir, the House should know what respect he has for this House... *(Interruptions)*...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please sit down... *(Interruptions)*....

SHRI V. GOPALSAMY: Sir, this is not the forum to settle his personal scores in the Supreme Court... *(Interruptions)* ...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You make a reference only in passing, Mr. Bhatia... *(Interruptions)*...

SHRI MADAN BHATIA; Sir, one last sentence on this .. *(Interruptions)* ...

(SHRI M. S. GURUPADASWAMY: Sir, are we discussing Mr. Jethmalani or this case?... *(Interruptions)*...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You see, because he said that it is bogus, that it is a bogus report, he wants to establish to what extent he can be relied upon ...*(Interruptions)*... That is what he wants to bring out.

SHRI M. S. GURUPADASWAMY: No, no. ..*(Interruptions)*... I beg of you Sir... *(Interruptions)*... I beg of you...

V THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Just wait. I will allow you. Now, Mr. Bhatia, only a passing reference can be made.

SHRI MADAN BHATIA: Sir, r was going to complete only one sentence ... *(Interruptions)*...

SHRI M. S. GURUPADASWAMY: Sir, the Chair always pulls up Members and says that they should confine themselves to the subject matter. What is he talking about now? ...*(Interruptions)* ...

SHRI MOTURU HANUMANTHA RAO: Sir, I am on a point of order ... *(Interruptions)*...

SHRI MADAN BHATIA: Sir, the Supreme Court held that the case -----

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Mr. Bhatia, I have already said that you can make a passing reference only... *(Interruptions)*....

SHRI MOTURU HANUMANTHA RAO; Sir, he cannot be allowed to ...*(Interruptions)*..

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): What is your point of order? ...*(Interruptions)*...

SHRI MOTURU HANUMANTHA RAO: Sir, he cannot be allowed to quote the details of arguments made somewhere else. He cannot be allowed to go on like this.

SHRI MADAN BHATIA: Sir, the Supreme Court held... *(Interruptions)* ____

SHRI RAM JETHMALANI: Sir, I am on a point of order ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI; JAGESH DESAI): All of you, please sit down ...*(Interruptions)*... I have to give an opportunity to him. What is your point of order?... *(Interruptions)* ...

SHRI MADAN BHATIA: Sir, I have not been allowed to speak.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI):I have allowed him ... *(Interruptions)*...

SHRI DARBARA SINGH (Punjab): Sir, he should Speak from his seat ...*(Interruptions)*...

SHRI RAM JETHMALANI: Sir, .. *(Interruptions)*...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Just wait... *(Interruptions)*... I have allowed him.

SHRI SURESH KALMADI: Sir, are you going to allow us to speak from anywhere we dike?. ..*(Interruptions)*. ...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Jethmalani, this seat is allotted to the Deputy Chairman. So, you please go to your seat .. *(Interruptions)*... All of you, please keep quiet. I have allowed him to speak from there.

SHRI KALFNATH RAI: He is going to speak? Why?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I have allowed him. He is on a point of order. Yes, Mr. Jethmalani.

SHRI RAM JETHMALANI: Sir, I am not objecting to the contents of my friend's speech and he can go on. But my point of order is that the Rules of Procedure of this House require that there should be basic fairness, I hope that my friend, when he finishes, will tell this House.. *(Interruptions)* ...that the late Sanjay Gandhi was found guilty by the Supreme Court of suborning evidence and was sent to jail... *(Interruptions)*...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): It is no point of order.. *(Interruptions)*.

SHRI DIPEN GHOSH; Sir, I am on a point of order.

SHRI SATYA PRAKASH MALAVIYA : Sir, on a point of order... *(Interruptions)*...

SHRI DIPEN GHOSH Sir, I am on a point of order...*(Interruptions)*...

SHRI MADAN BHATIA : I take strong objection to this. He is misleading the House. I move a motion of breach of privilege against him.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I have told that it is not a point of order. *(Interruptions)* Mr. Dipen Ghosh.

SHRI DIPEN GHOSH : On a point of order. The debate is on a specific subject in the Short Duration Discussion. May be one speaker may require to demolish the arguments put forth by the previous speaker, and

for that, to demolish his arguments, the other speaker is not required to bring what role he played or what behaviour he indulged in in connection with another case in a court of law, not in Parliament even. This is my point-of order. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please sit down. Mr. Madan Bhatia. Now you have spoken on that. A passing reference you have made about the character. Now you can go ahead. Come to the subject. *(Interruptions)*.

SHRI SATYA PRAKASH MALAVIYA; I would like to draw your attention to Rule 238, which says that a member while speaking shall not make a personal charge against a member. I, therefore, demand that this part should be expunged. *(Interruptions)*.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): This is not a charge. Now, Mr. Bhatia, please go ahead.

SHRI MADAN BHATIA; - I shall only submit one sentence and complete. The Supreme Court held that on the days on which the approver says that the film was burnt on the orders of Sanjay Gandhi and he was informed about that fact, Sanjay Gandhi was not in Delhi. This is the kind of evidence on the basis of which his conviction was obtained. *(Interruptions)* I leave it at that.

Now, I respectfully submit; Sir, that the charge made by the hon. Member is that this whole thing is a cover-up exercise. I shall ask myself: whose cover-up, and why this cover-up? Facts stand. These facts have not been brought to the notice of this honourable House by any hon. Member on this side, particularly the hon. Member preceding me, who made this charge: That the negotiations for the purchase of four submarines started in February 1979. And which was the Government at that time? It was the ' Janata Government. Up to the month

of July. In July 1979 it is the Government of Mr. Charan Singh which comes into existence. In 1980 the Government of Mrs. Gandhi comes into existence. The contract was concluded in December 1981. If there is any commission agent who is employed by a

श्री राम प्रदवेश सिंह : उस बात को भी तो कहिए आप ।

उपसभाध्यक्ष (श्री जयेश देसाई) : the मेहरवानी करके आप शांत रहिए ।

SHRI MADAN BHATIA: After all if M/s. HDW engaged any commission agent for the sale of these submarines, then the commission agent must have been engaged in February 1979 when the negotiations started. If this is a cover-up exercise, then it is a cover-up exercise for the Janata Government and not for this Government.

SHRI PARVATHANENI UPEN-RA I was telling that the money will not be paid until the contract is signed. That is also a fact.

SHRI MADAN BHATIA: So far as *this* Government is concerned, this Government has never been connected in any manner with the purchase of any submarines from the West German Government or its companies. So far as this Government is concerned, what actually happened and these facts will speak volumes about the honesty, integrity and patriotism of this Government, is that the negotiations were opened up in December 1985 for the purchase of two additional submarines from the company HDW. But this Government did not go in for the purchase of those two submarines. Why? Because this Government said that the price which they 304 RS—7

had quoted was not acceptable to them. This Government was not willing to pay the price which they were asking from us. It stands established on record and no member on that side has denied this, that the entire negotiations from December 1985 onwards were the negotiations between the Government on the one side and the company on the other side with the assistance of the German Government and nobody else was involved in these negotiations at all. Nobody has made this accusation that there was ever any agent in the course of the negotiations which were opened up by this Government for the purchase of two new submarines. Hard bargaining went on across the table. The Prime Minister gave clear instructions that the minimum possible price had to be struck in this bargain or we will not go in for the submarine. This fact is glossed over and they talk of cover-up exercise. Then what happens? The company then reduces the price. But despite this the Government of India and the Prime Minister refused to accept even the reduced price. They said that even that was not acceptable to them. They wanted the price to be reduced further. What happened at this stage? The company starts dallying. The Government of India does not approach any agent to intervene on their behalf to have the price reduced. The Government of India approaches the Government of West Germany to use its good offices to persuade the company in Germany to reduce the price. It is only at this stage that Dr. Molitor comes into the picture and there the misunderstanding comes in. So far as this thing is concerned, this Government was not in any manner connected either with any agent or with the purchase of any submarines or with the existence of any agent even with regard to the previous bargain under which the four submarines were purchased. Then the Ambassador sends this telegram. What transpires? According to this telegram, Dr. Molitor says that seven per cent commission

[Shri Madan Bhatia] is payable. He does not even say that the commission was paid even with regard to the first bargain. If this Government which was negotiating for the reduced price had known the existence of an agent or any commission being payable to the agent there was no question of Dr. Molitor giving such alleged information to the Ambassador and the Ambassador passing on this information to the Government of India. What does this show? This shows that even if Dr. Molitor said what he is alleged to have said, the Government of India was absolutely unaware of the existence of any such arrangement with any commission agent. And the hon. Member glosses over this. He misconstrues the statement. He says that para (15) says 'that after the investigation carried out by the investigating agencies of the Government of India it has been found that there was no violation and no commission agent. Then he reads para (10) which says that the investigating agencies of the Ministry of Finance could not make any headway, and then says that the two paragraphs are contradictory. Nothing can be more misleading than this particular observation made by the hon. Member. Para (15) says that the investigating agencies of the Ministry of Finance could not make any headway. He has himself said that for four months what happened. What happened for four months from April to July, when the letter was written by the Defence Secretary was that they were trying to find out the clue, they were trying to follow the lead. The investigating agencies of the Ministry of Finance did not succeed. It is as a result of this that other agencies and other means were adopted by the Government of India to find out whether any commission had been paid or had not been paid. It was a matter of historical importance so far as this Government is concerned that this Government had nothing to do with the payment of commission. But since the order had been made by the former Finance

Minister that this matter should be looked into, the Government of India respected that order although it was^s totally wrong and I will deal with that separately. They sent teams to West Germany. They investigated every person, they interrogated every person. The CBI interrogated so many persons . abroad and in this •country. And. Ultimately it' is found that there is absolutely no evidence of any commission having been paid. There is no evidence of the existence of any agreement of any commission agent. And in this regard, Sir, I will say only two things about what Dr. Molitor is supposed to have said to the Ambassador. First he says that there is an open-ended agreement with an Indian commission agent under which the commission is payable. What is an open-ended agreement? An open-ended agreement can only mean this that at whatever point of time, even 50 years later, whatever be the equipment which the Government of India will purchase from us you Or your heirs or your grand-heirs will Pay the commission. Is it thinkable? Can such an agreement be entered into by any commercial company that even 50 years later, if the Government of India decides to purchase some equipment on that you will be paid 7 per cent commission and if you are not alive, your heir will be paid and if your heir is not alive, his grand-heir will be paid? Is it imaginable that such an agreement can ever exist?

Secondly, Sir it has come on the record that immediately after that meeting the Ambassador wrote a letter to him, a letter to the West German Government that the Government of India does not recognise any agent and shall not deal through any agent and shall not enter into any transaction through any agent. When this letter comes to Dr. Molitor Dr. Molitor passes on this letter to the HDW without any comment. According to this Telex, he is supposed to have said that if it is so you want to raise the clause *force majeure* meaning thereby that since the Government of India has decided not to have

any agent, I shall consult my legal advisor and if he agrees, then, in those circumstances, I shall tell the Company that 7 per cent is not payable therefore, you reduce the price. Sir, in the first instance what does 'this show? The Government of India, the present Government of India did not know the existence of any such agreement or any such arrangement. But what is more important is that this alleged statement 5.00 p.M. contained in the telex does not fit in with the subsequent conduct of Dr. Molitor. If he had made this statement, he would have met his legal adviser and he would have communicated to the company that this talk has taken place between him and the ambassador and they are invoking the force majeure clause and, therefore, you would have to pay 7 per cent commission. Therefore you reduce the price. But he simply acts as a post box. He simply transmits the letter received from the embassy or the ambassador to the company. What for? Only to inform the company that so far as the Government of India is concerned, the Government of India is reiterating its position through its ambassador that no agent will be recognised and no agent will be allowed to come in the course of these negotiations. Does this conduct of Dr Molitor fit in with the statement made by him to the ambassador? I respectfully submit Sir, No. This is the third point that the hon. Member has made, namely, that Dr. Molitor was fully in charge of the sale of submarines, he was fully in charge of all these negotiations and he was fully in know of all these matters, clauses and all these agreements. I respectfully submit, Sir, nothing can be more untrue and more misleading than this statement which has been made by the hon. Member. I am afraid, he has gone away. He should have sat down here to hear the reply. It is a statement which is totally devoid of truth. It is not a case in which the daily columns of the front-page of a national daily

are thrown open to an individual and

in which he can write all sorts of fabrications. This is the hon. House in which he is answerable for every statement that he makes, but he runs away. It is not the columns of a newspaper in which he writes whatever he likes and he can get away with it. (Interruptions)

Sir, I am respectfully submitting that Dr. Molitor had nothing whatsoever to do with the sale or negotiation of submarines. The submarines were sold by a company of Germany and the documents which have been placed before this hon. House consisting of letters from the German Government, including the Secretary of State for Foreign Affairs and Defence show that so far as the Government is concerned, the Government has absolutely nothing to do with the sale of submarines by this company and if you have any inquiry to make, if you have anything to do with the submarines you go and approach the company, and so far as Dr. Molitor was concerned, he was merely an officer in the Ministry of Defence. His whole function was merely to clear the export of armaments from West Germany by a West German company to a non-NATO country, because no NATO country can export any military equipment to a non-NATO country unless that export is cleared by the Government. It is only to that extent that the Government came into the picture. And Dr. Molitor had no possible information, could not possibly have any information, could not possibly have any knowledge of what transpired between the company and the Government of India. And particularly in 1981, when probably he was not even a director there, he was nowhere even in the Ministry of Defence. This is the position. But the question that arises before this hon. House is that when this Government was not concerned, why was this piece blown up to such an extent? The most striking feature of this entire episode is the disturbing sequence of events, and on that I would beg

""[Shri Madan Bhatia]

you to bear with me for a few minutes. The disturbing sequence of events is this. The first note is written by the former Defence Minister on 11th of March, 1937. The file comes to him on 24th of February, or 28th of February. He does not write any note on that file at all. But all of a sudden on 11th of March he writes a note. And "what is the note? it is that the Directorate of Foreign Exchange Regulation and other Directorates of Ministry of Finance may be approached to look into the matter if there is any violation of the Foreign Exchange Acts, and secondly the Economic Intelligence Agency should be approached to hold an investigation into the *modus operandi* of the agents in general. He never ordered any enquiry into this particular deal. He had no power to order any enquiry. He did not order any enquiry into this deal and he knew that this deal had taken place in December, 1981, and yet he writes this. What was special about 11th of March? Sir, 11th of March was the day—it was, a fateful day—which was a turning point in the political career of the former Defence Minister. "Why say it was a turning point in the political career of the former Defence Minister? Reasons are there on record. On 9th of March, he surreptitiously seeks the file relating to Fairfax from Mr. Pande. The file is with him from 9th to 11th of March. That file belonged to the Ministry of Finance when he had become Minister of Defence. As Minister of Defence, he had no business to call for it he was prohibited from calling for this file much less making any noting on that file. On 11th of March, he suddenly receives a message from the Prime Minister's Secretariat. "Return this file immediately." Then he discovers that he has got in the middle of a most reprehensible, illegal, unconstitutional and *malafidg* act. He had no business to call for this file, and when the Prime Minister's office came to know that there was a possibility of his making any pre-dated notes to his

own benefit relating to Fairfax, the file was summoned back immediately, and then he writes the note on 11th of March. And what is that note? I will point out from that note. He says in this note: "I did not want the file itself but did want to go on record to say that I had given oral clearance when the matter was mentioned to me by Secretary Revenue." It is a startling note. If he did not want the file, and if he simply wanted to go on record to say that he had given oral instructions to Mr. Pande and Mr. Bhure Lal to engage a foreign agency, the simplest course for him was to send a letter to the Minister of Finance that this controversy has arisen and I want to bring it to your notice.....

SHRI PARVATHANENI U.PEN-DRA: On point of order. Sir, what is the point in his referring to the Fairfax case? Secondly, this point was raised and Mr. V. P. Singh had replied to this point elaborately in the House. There is no point in raising it again now.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): He is trying to explain why this kind of noting was done. He is pointing out the motives of the then Minister.

SHRI MADAN BHATIA: There are three striking features in this note One I have done. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): It has connections. (*Interruptions*) It has bearing. (*Interruptions*)

SHRI MADAN BHATIA: The second is, if he did not want the file, why did he make the note on the file itself? But the most disgusting part of this thing is the opening portion of this note 'I did not want the file itself. Nothing but falsehood. Pande has written on the file itself. He sent the file because the former Finance Minister wanted the file to be shown to him. Before the Commission, Mr. Pande swore on oath that Mr. V. P.

Singh wanted the file to be shown to him so that he can go on record that he had given the orders. Why did he say that he did not want the fill- the important question is, why did he write like this 'I did not want the file itself? This was for the consumption of the hon. Prime Minister. When he was found caught in a wrong act, he tried to convince the prime Minister because he started shivering in his legs that he would loose his job. There fore he tried to convince the Prime Minister by writing on the file 'I did not want the file itself; it has just been sent to me. (Interruptions) This was the object. (Interruptions) But Sir, I come back to this episode. While writing this note he became conscious of the fact that, perhaps, this falsehood was not going to be Swallowed 'by the hon. Prime Minister and his Secretariat and if this was not going to be swallowed, it means he has done something, the consequences of which may be his dismissal and his goose may be cooked. From that point of view, he started building Up material for the purpose of advancing preemptive political defence to strike a posture of morality,—and the impending exit from the Cabinet—and on that very day, on 11th March, he thought it fit to write this particular note in regard to the inquiry into the HDW deal. Kindily note the synchronisation. The important thing is the, synchronisation between the two. What happened subsequently? He knew that his goose may be cooked on any day. He had his apprehensions. Then, the newspapers started reporting about his visits to the Rashtrapal Bhawan which became very frequent. He knew that the President was going to be on his side. On the 13th April, the President sent a letter to the Prime Minister, the letter which had been corrected Or drafted not in the Rashtrapal Bhawan but which was drafted in the guest house of a national newspaper. What happened thereafter? I am on the mental workings of this gentleman. Why did he behave like this? Why did he write this note?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Please be brief.

SHRi MADAN BHATIA: I am going to be brief. What happened? On the 31st March, debate takes place in the Lok Sabha where his action in regard to engaging a foreign agency is attacked by the Members of his own party. He made no efforts to check the credentials of this agency which later on was found to be headed by a man who had CIA links. Then, what happened? On 2nd April, the Commission of Inquiry is announced into the Fairfax affair. On 9th April, a note is put up by the Defence Secretary in terms of his order of 11th March. But what does he do on 9th April? He goes a step further and he writes an additional note that the *modus operandi* of the agents may also be looked into by the Defence Secretary, namely, Mr. Bhatnagar. Even at that stage he does not order any enquiry into this particular deal, this is most important. What he orders is the repetition of his previous order that the *modus operandi* of the agents in general should be looked into by the economic intelligence agents. But the mischief comes in when he releases this press release note and I just come to the press note . which is on the last Page. see this press release, it says, "the Defence Ministry has received formal intimation through a telex from an Indian Embassy that an Indian agent is involved in a defence deal in which the agent has an arrangement for receiving payment of 7 per cent, commission from the supplier. Total commission on the whole deal would come to Rs. 30 crores." Which defence deal is he talking about? He is deJi-berately, mischievously and disinge-niously vague about it in order to create an impression in the minds of the Indian people as if this deal has been struck by this Government. There was no deal in 1987. If there was a deal, that deal was in December 1981 or earlier. In 1987 there was no deal at all, and then he says: "the agent has an arrangement for receiving payment...". It is a franjy)

[Shri Madan Bhatia]

thing. If there has been a deal and there was an agent, the payment must have been made, but why does he say? There is an arrangement for payment of the commission to the extent of 7 per cent. Why does he say like this because there was no material before him on the basis of which he could say in the press release that the commission has been paid. All that the telex has said is that ^{Dr} Molitor says that there is an open agreement in which commission is payable, so, he could not go to the extent of saying that the commission has been paid, but he could be mischievous by talking about the deal and not mentioning which deal and when this deal took place. And what is his next sentence? It says: "The Defence Minister has ordered an enquiry into the matter. Which matter? He never ordered an enquiry into this deal. The only enquiry that he ordered was an enquiry into the *modus operandi* of the agents in general and a reference to the Ministry of Finance to find out whether there has been any commission of offence under the FERA or other Acts. So far as this deal is concerned, he never—never I repeat—ordered any enquiry. And why does he say this? It is because by that time he knew that he is going to be out and he wanted to strike a posture of moral superiority against the hon. Prime Minister against whom he tried to create insinuations of this particular deal, by not mentioning what deal and when this deal took place. It was the most mischievous press release that one can ever think of. And then what happens? This is on 9th of April. I said, the sequence of events is disturbing. Then on 13th April an article appears in the 'Indian Express' calling for the removal of the existing Prime Minister and his replacement by another Prime Minister. This is on 13th April. On 14th April the representative of the Swedish Radio becomes present in 'Delhi. And on 15th Of April the BOFORS game is exploded in the Indian scene by the Swedish

Radio. See the entire sequence . of events from 13th March onwards, The entire sequence of events indicates the possibility, a strong possibility, of the former Defence Minister, Mr. V. P. Singh, having not only entered into liaison and concerted moves with the internal forces in this country but also the external forces outside the country.

SHRI PARVATHANENI UPENDRA; Sir, will you allow this? It is a very serious matter.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): It is not an allegation at all. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: He says that there are internal forces and external forces with which he is in liaison

THE VICECHAIRMAN (SHRI JAGESH DESAI): This is his surmise. He is not making an allegation.

SHRI PARVATHANENI UPENDRA: When somebody here said that they all got up

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): That was an allegation,

SHRI PARVATHANENI UPENDRA: This is also an allegation.

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

SHRI MADAN BHATIA; I am respectfully submitting.... I am concluding within one minute.... that in foreign countries, the highest dignitaries have been declared security risks on much less evidence than this. I say this with all the responsibility that not only he is guilty of committing breach of his oath of office and secrecy not only was he guilty of misusing his office for personal political ends but he is capable, because the possibility is suggested by the sequence of events, of entering into any concerted moves with the foreign elements who are out to destabilise ^ this country-and destabilise- the present Government. I respectfully submit, if this is so.... (*Interruptions*)

**Not recorded.

SHRI ASHIS SEN (West Bengal): Whatever he has said cannot be allowed.

SHRI PARVATHANENI UPENDRA: What prevents the Government from prosecuting him?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): The Government may take some action. That is for the Government to decide.

SHRI PARVATHANENI UPENDRA: You call the former President a security risk; you call the former Defence Minister a security risk, and you cannot take action. *(Interruptions)*

SHRI MADAN BHATIA: I wish to convey to the Minister of Defence, I wish to convey to my countrymen, I wish to convey to the people of this country that Mr. V. P. Singh is a security risk and cannot be entrusted with any high office of this country.

And the last submission, I will make is— they have been interrupting me, I can understand their sentiments ...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): This is his view. I cannot compel him, "you don't hold this view".

SHRI MADAN BHATIA: On this interruption I would like to submit one sentence.... *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): No no, I am being very fair.

SHRI MADAN BHATIA: This type of man _____

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

SHRI MADAN BHATIA: I am ending, Sir.

SHRI PARVATHANENI UPENDRA: Let us have a separate, discussion on the security risk. *(Interruptions)*

श्री वीरेंद्र वर्मा (उत्तर प्रदेश) : उनको एक घंटे से ज्यादा ही गया है।

उपसभाध्यक्ष (श्री जगेश देसाई) : यह कांग्रेस पार्टी का टाइम है। कांग्रेस पार्टी का टाइम ले रहे... *(व्यवधान)*

SHRI N. E. BALARAM: sir, on a point of order.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): He is finishing now.

SHRI MADAN BHATIA; I am finishing.

THE VICE-CHAIRMAN (SHRI; JAGESH DESAI); Let him finish. After that I will allow you.

SHRI N. E. BALARAM: No, after my point of order, he can continue. *(Interruptions)* According to the Rules of Procedure adopted by this Sabha, is it proper on the part of a Member to quote a person who is not here?

SHRI MADAN BHATIA: Why not? He started the enquiry.... *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Let him complete. Don't worry. I am here.

SHRI N. E. BALARAM; Sir, I am raising a point of order.

SHRI PARVATHANENI UPENDRA : His decisions can be questioned, but his character and integrity cannot be questioned,

SHRI N. E. BALARAM: I am not against his criticism of the former Defence Minister. I can understand that. But he said that V. P. Singh is a security risk inside the country. He is not a Member of this House but he is talking about a person who is not in this House. Is it in order?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); It is in order. When he says he is a security risk, it is his view and that he can say. He has not made any allegations.

SHRI PARVATHANENI UPENDRA; Is it not an allegation? What else is it, if not an allegation? (Interruptions) ... What do you call it? Is it a statement of fact?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): It is his view that he is a security risk.

SHRI PARVATHANENI UPENDRA: Can I say that Rajiv Gandhi is a security risk? Will you allow? (Interruptions). .. I will say that Rajiv Gandhi is the biggest security risk. Will you allow it to go on record?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): It all depends upon in what context you say it----- (Interruptions)___

SHRI N. E. BALARAM; Sir, I will accept the ruling. Your ruling is that we can speak about anybody outside. Is this the ruling?

SHRI PARVATHANENI UPENDRA: And call him anything?

(Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): My ruling is this. It has to be viewed in the context in which he has spoken _____ (Interruptions)___ And according to the context he can speak.

SHRI PARVATHANENI UPENDRA; If his decisions are criticized, we do not object. But you cannot call him a security risk, traitor and all that, ... (Interruptions).... Tomorrow Mr. Pant may be called a security risk. Tomorrow somebody may say it when he ceases to be the Defence Minister.

SHRI V. NARAYANASAMY: The subject-matter relates to the conduct of V. P. Singh... (Interruptions)..

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I have given my ruling now. Please sit down.

SHRI A. G. KULKARNI: sir, I am on a point of order. I want to draw

the attention of my senior friends like Mr. Upendra and Mr. Balaram -----

SHRI PARVATHANENI UPENDRA; I am not senior.

SHRI A. G. KULKARNI: who - are senior Members of Parliament and legislators also. You talk anything against the Prime Minister but when a friend of mine from here is speaking you are objecting. The basic thrust of the discussion is, it is Rama-yan where Ram has to be quoted. (Interruptions)

SHRI N. E. BALARAM; I am not against quoting anybody. My point is, V. P. Singh is not here. So in this House we can criticize anybody who is not here—and that is the ruling... (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): These are not allegations)

SHRI A. G. KULKARNI; Sir, Mr. Ram Jethmalani mentioned Mr. Pande and others. Are they here? At that time they all clapped... (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Now this subject is-closed; I have given my ruling. • Mr. Bhatia, please conclude.

SHRI MADAN BHATIA: Sir, to conclude, I can understand the sentiments of the honourable Members on this side because he has appeared on the political horizon as a man whom they are treating as a political messiah who will pull them out of their political wilderness. He has come the natural ally of the rightists, the *rajarshi* of the leftists and the future Prime Minister of the centrists. They are hugging him to their bosom. But let me remind them _____ (Interruptions)

SHRI SATYA PAL MALIK (Uttar Pradesh): is it relevant? Will it go on record? ... (Interruptions)¹

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): It is not parliamentary.

(Interruptions)

श्री राम अरधेश सिंह : मैं चाहता हूँ कि वह फ्यूचर प्राइम मिनिस्टर हो और यह चले जाये... (व्यवधान)... इनकी बात सही हो जाए, इनके मुँह में घी-शक्कर... (व्यवधान) ...

SHRI MADAN BHATIA; Sir, before they continue to hug him and seek him out, let me remind them of what he said on the 10th of April:

"Mr. V. P. Singh, on Friday, undertook to undergo the severest test to prove his loyalty to 'my party and my leader, Mr. Rajiv Gandhi'

If he could betray Mr. Rajiv Gandhi, don't you worry, one day he is going to betray you also, if not the country also... (Interruptions) ...

SHRI B. SATYANARAYAN REDDY; Mr. Vice-Chairman, Sir, we are here discussing about the statement laid on the Table of the House by the Minister of Defence regarding the allegation of payment of commission to Indian agents in the purchase of submarines from M/s. HDW of Federal Republic of Germany.

SHRI RAM AWADHESH SINGH: The loudspeaker is not working.

SHRI B. SATYANARAYAN REDDY; It is most unfortunate that the whole country is looking to find out the truth about this payment, about these commissions, and party issues are being discussed in this House. Unfortunately, some of us have entangled ourselves in some of the issues not involved and are trying to draw the attention of the people to unnecessary things.

Mr. Ram Jethmalani is an eminent Member of this House. He is an elected Member of this House. He has a

right to express his views without fear and without any pressure. Not only he is a Member of this House, but he is a legal luminary. He is an eminent public figure. But, when he rose to express His views, some of our friends tried to suppress his voice. I would like to inform the House, the friends on the other side that no amount of noise would lower the prestige of Mr. Ram Jethmalani either in this House or elsewhere in the country.

Now I come to the statement made by our Defence Minister on the 26th April. We have got great respect to our Defence Minister.

What is going on? Is there any other meeting, Mr. Defence Minister? Mr. Vice-Chairman, I would like to know this.

SHRI N. B. BALARAM: This is farce. You continue. Nobody is serious.

SHRI B. SATYANARAYAN REDDY; Are you free, Mr. Defence Minister?

SHRI K. C. PANT. Why is Mr. Reddy lacking in confidence? Whenever he speaks he is heard.

SHRI B. SATYANARAYAN REDDY; We have got great regard and respect to the Defence Minister. We are not against him, personally, as we were not against Mr. V. P. Singh when he was the Defence Minister or the Finance Minister. We have great respect for them because they are persons of integrity and men of reputation. We still hold that Mr. Pant Mr. V. P. Singh are on the same footing.

But the report, the statement which is before us will not convince anyone. Neither the Members of this House nor the country is going to be convinced by this statement because this statement has not revealed any truth. It will not convince anyone. The truth has not come out. The truth has been suppressed. There has been no independent enquiry into this

[Shri B. Satyanarayan Reddy] shady submarine deal. This statement tries to convince this House and the country that different organisations like the CBI, the income Tax Department and other departments have tried -their best, that; the Government has tried its best to come to the conclusion that there was no payment, there was no agent in this deal. There *wss no* agent in this deal. But this will not go to convince anybody. You know what' is the position today of the CBI, the Income-tax department and other departments. They have become laughing stock in the country. They are hot sincere. They have come under the pressure of the Govern--ment and industrial persons. So, this statement) Or. the findings of the report given by difference organisations that we have mentioned, will not convince the people. In order to convince the people that there was no payment of commission and if you really want that the people of the country should believe you, you should have a fresh independent inquiry headed by a Supreme Court Judge. Then ailone the truth will come out. Whatever the decision of the independent inquiry, that will give a clear picture which can be relied upon.

The Defence Minister has referred to so many documents and some papers have been placed on the Table of the House, but no paper or no report's of the different organisations such as the CBI inquiry, income-tax department inquiry or the Directorate of Enforcement inquiry, have been placed on the Table of (he House. I would request the Defence Minister that these reports also should be placed on the Table of the House. It has been repeatedly stated not only by the telex information from our Embassy in Bonn but from other sources also, that there was a deal for payment of seven per cent commission amounting to Rs. 30 crores. That has been stated on page 2 of the Statement "In-his discussions with the Ambassador regarding the supply of '

additional submarines, Dr. Molitor was reported to have said that HDW was being persuaded to further bring down their earlier quoted price. However, problems might arise on account of 7 per cent commission payable to Indian agents of HDW under an open-ended agreement."

Not only this, but the other information also shows that there was a deal for the payment of 7 per cent commission that has to be collected. So, where was the need for the gentleman, Dr. Molitor, to mention the 7 per cent commission here? This is not convincing to us. Of course, your departmental inquiry had come to the conclusion that there is no evidence of any FERA violations: there is no evidence of any violations of Income tax laws there is no evidence to indicate that the HDW had an Indian agent for the December 1981 contract for the supply of submarines: in respect of offer received from HDW as well as the negotiations with HDW, no Indian agent/representative was at any time working on behalf of the firm: there is no evidence to link Hindu jas with the HTJW contract. These conclusions you have given. I do not know whether you are also convinced with these conclusions. But really speaking I am not convinced with these conclusions. I have not come to believe yet that these are the conclusions and this is tile truth. I have not come to te conclusion so far. If I go into all details for which further information is available we may come to the conclusion or we may not come to that conclusion. But at present on the basis of your statement, on the basis of the conclusions that have been arrived at I have not been convinced and the majority of the people Of this country also do not believe that these conclusions are correct.

THE VTCE-CHAIRMAN (SHRI JAGESH DESAI): Thank you very much.

"SHRI B SATYANARAYAN REDDY: Sir, ours is a great country

We are elected representatives of the people. Our people have got great faith in us. Today, one party may be in power and tomorrow another party may come into power. But we are responsible to the people. We are responsible to the country. The country looks towards us, towards the Parliament, towards the Government that -whatever we do is really sincere, whatever we do is really for the people of this country, whatever we do is really in the interest of the country. We are not here to suppress the truth. We are not here to somehow show that we are right. Our motto should be to bring the truth. As I said...

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

SHRI B. SATYANARAYAN REDDY: They have taken One hour, one hour.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Your party's time is 9 minutes. You have already taken 12 minutes.

SHRI B. SATYANARAYAN REDDY: I am concluding in two minutes. Our Defence Minister also comes from the family of great freedom fighters and our people have got inspiration from their lives. So whatever we do must reflect with those great ideals. So it is not that we have to do patch-up work and show to the people that this is wrong or right. Even if it is right or wrong, it must be done in such a way that it should convince the people and the truth should not be suppressed and the truth must come out. That is what I wanted to say. I request that the truth must come out and no. commission should be allowed in such deals. If any such commission is received, the recipients of the commission should be punished. The truth must be found out. Thank you.

DR. (SHRIMATI) NAJMA HEPTULLA; sir, after Mr. Madan Bhatia's speech everybody from the Opposition has been torpedooed.

SHRI MIRZA IRSHADBAIG: Yes, yes.

उपसभाध्यक्ष (श्री जगेश देसाई) : कल्पनाथ जी, आप दस मिनट में खत्म कीजिए ।

श्री कल्पनाथ राय : मैं नहीं बोल पाऊंगा । मुझे बीस मिनट दीजिए ।

उपसभाध्यक्ष (श्री जगेश देसाई) : सभी को बोलना है ।

श्री कल्पनाथ राय : मैं कम बोलूंगा

उपसभाध्यक्ष (श्री जगेश देसाई) : अच्छा शुरू तो कीजिए ।

श्री कल्पनाथ राय : आदरणीय उपसभाध्यक्ष महोदय, विरोधी दलों के द्वारा जो सबमैरीन्स पर बहस का मुद्दा उठाया गया है, यह कोई सबमैरीन्स का मामला नहीं है, बल्कि हिन्दुस्तान के पोलिटिकल सिस्टम को डिस्टैबलाइज करने का लगातार प्रयास देशी और विदेशी ताकतों के द्वारा किया जा रहा है । फोर्सिज ऑफ डिस्टैबलाइजेशन ऐक्टिव हैं और उनके द्वारा यह षडयंत्र किया जा रहा है ।

बड़ा शोर सुनते थे पहलू में उनका, जब काटा तो कतराए खून न निकला ।

हमारे विरोधी दलों द्वारा बड़ा हल्ला मचाया गया, लेकिन खोदा पहाड़ निकली चुहिया । महोदय, यह प्रस्ताव 11 दिसम्बर, 1981 को रक्षा मंत्रालय ने किया जब प्रधान मंत्री श्रीमती इंदिरा गांधी के जमाने में सबमैरीन की डील हुई । लेकिन आज इस सवाल को विरोधी दलों ने हिन्दुस्तान की जनता के सामने रखा है जैसे राजीव गांधी ने कोई समझौता किया है, राजीव गांधी की सरकार ने कोई कमीशन लिया है और राजीव गांधी सारे घोटाले के लिए जिम्मेदार हैं । पूरे देश के अंदर एक चरित्र हत्या का वातावरण विरोधी दलों के द्वारा बनाया जा रहा है ।

आदरणीय उपसभाध्यक्ष महोदय, जनता सरकार के जमाने में 1979 में सबमैरीन डील हुई और जर्मनी से खरीदने का फैसला हुआ । कोई भी डिफेंस का कांट्रैक्ट

[श्री कल्पनाथ राय]

पांच साल से पहले पूरा नहीं होता। कम से कम पांच साल कांट्रैक्ट में लग जाते हैं। उसमें एक्सपर्ट कमेटी बनती है, डिफेंस के एक्सपर्ट क्लियरेंस करते हैं, प्राइस कमेटी नेगोशियेट करती है, कैबिनेट फंसला करती है। पोलिटिकल अफेयर्स कमेटी बैठती है और बहुत लंबे प्रोसेस के बाद टेस्टिंग होता है, तब चार, पांच, छः साल के बाद किसी चीज का सौदा होता है। सबमैरीन डील जर्मनी सरकार से जनता सरकार ने की थी, उसका फंसला जनता सरकार ने लिया था। लेकिन उन सौदों को ठीक करने में मैं जो, 7, 8 या 10 साल लगते हैं, वह कोई भी सरकार आएगी तो उसे उस प्रोसेस को पूरा करना होगा। इस डील के पीछे पूरे हिन्दुस्तान के अंदर एक चरित्र हत्या का वातावरण बनाने की कोशिश की गई और पहली बार प्रधान मंत्री के इस्टीमेशन पर हमला किया गया और प्रधान मंत्री को गलत साबित करने की कोशिश की गई। मैं सदन के माध्यम से कहना चाहता हूँ कि राजीव गांधी हिन्दुस्तान के सबसे ईमानदार, सबसे देशभक्त, राष्ट्रभक्त प्रधान मंत्री हैं। इन फोर्सेज ऑफ डिस्टेबिलाइजेशन ने ही ऐसी स्थिति पैदा की जिससे श्रीमती इंदिरा गांधी की हत्या हुई। श्रीमती इंदिरा गांधी की हत्या होने के बाद हिन्दुस्तान की जनता और हिन्दुस्तान की पार्लियामेंट ने राजीव गांधी को देश का प्रधान मंत्री बनाया। प्राइम मिनिस्टर बनाने के बाद हमारे भूतपूर्व वित्त मंत्री ने जो पत्र लिखा कि फेयरफैक्स पर टिप दी है, 31 मार्च को हिन्दुस्तान की पार्लियामेंट में बिना कैबिनेट की सहमति से बिना पोलिटिकल अफेयर्स कमेटी की सहमति के, बिना प्रधान मंत्री को कांफिडेंस में लिए भूतपूर्व वित्त मंत्री ने फारेन एजेंसी फेयर फैक्स की नियुक्ति की जिसका सी.आई.ए. से लिखा था। फेयर फैक्स एजेंसी में काम करने वाले लोग वही हो सकते हैं जो सी.आई.ए. के एक्स रिटायर्ड हैं या डिफेंस इंटेलिजेंस के एक्स रिटायर्ड लोग हैं वही लोग फेयर फैक्स एजेंसी में रह

सकते हैं जो भूतपूर्व सी.आई.ए. के अधिकारी हों। उस फेयर फैक्स की नियुक्ति भूतपूर्व वित्त मंत्री विश्वनाथ प्रताप सिंह ने की जिसके माध्यम से हिन्दुस्तान के पोलिटिकल सिस्टम को डिस्टेबिलाइज करने का षडयंत्र रचा गया। आदरणीय उपसभाध्यक्ष महोदय, जेठमलानी ने मार्च 1986 में बयान दिया कि अवर नैक्सट पी.एम. इज विश्वनाथ प्रताप सिंह। उनके बयान देने के बाद राष्ट्रपति भवन से पत्र लिखा गया। पत्र इंडियन एक्सप्रेस के मालिक रामनाथ गोयंका के गेस्ट हाउस में लिखा, मलावकर जो एक्स-एडिटर इंडियन एक्सप्रेस हैं। पूरे देश में तूफान उठ खड़ा हुआ। उसी दौर में, आदरणीय उपाध्यक्ष महोदय, 31 मार्च को फेयर फैक्स की डिबेट हुई, पार्लियामेंट के अन्दर विश्वनाथ प्रताप सिंह ने कहा

I own the responsibility for the appointment of the Fairfax Agency. ठककर नटराजन आयोग कमीशन इस बात का अंदाज है कि विदेशी एजेंसी सी.आई.ए. से लिंकड एजेंसी की नियुक्ति करके विश्वनाथ प्रताप सिंह ने हिन्दुस्तान के राजनीतिक जीवन को डिस्टेबिलाइज करने का एक षडयंत्र किया था। इसी कारण प्रधान मंत्री ने उनको वित्त मंत्री से हटाया। होना तो यह चाहिए था कि प्रधान मंत्री उनको बर्खास्त किए होते लेकिन जो भोलापन है जो ईमानदारी है जो सच्चाई है जो मन में अच्छी भावना है उसके रहते हुए राजीव गांधी ने उन्हें डिफेंस मिनिस्टर बना दिया। डिफेंस मिनिस्टर बनने के बाद वह कायर कांप गया उसके हाथ-पैर कांप गए क्योंकि वह फकड़ा गया था चोर भयान में फकड़ा गया था वह गिड़ की तरह कांप रहा था कि राजीव गांधी अब उसे माफ नहीं कर सकता। इसलिए उसने फेयर-फैक्स यह बोफोर्स यह सारे मामलों को उभार कर देश की जनता के सामने यह प्रोजेक्ट करने की कोशिश की कि मैं बड़ा ईमानदार हूँ।

आदरणीय उपसभाध्यक्ष महोदय 1981 में जो डील किया गया, जो पार्लियामेंट में बहुत हो रही है, पूरे देश में ऐसा वातावरण बनाया जा रहा है जैसे कि

यह शिप का कान्ट्रेक्ट राजीव गांधी ने किया है, उनके जनाने की सरकार ने किया है, उसमें कमीशन लिया गया है, उसमें धांधली प्रारंभ की गई है। यह काम करने की कोशिश विश्वनाथ प्रताप सिंह ने की।

आदरणीय उपसभाध्यक्ष महोदय, यह सी० आई० ए० का पुराना हथकंडा रहा है कि दुनिया के विकासशील देशों में जहाँ-जहाँ सी० आई० ए० ने वहाँ के मुल्कों के प्रधानमंत्रियों और राष्ट्रपतियों के खिलाफ षडयन्त्र किया है तो उन देशों के प्रधानमंत्रियों और राष्ट्रपतियों पर भ्रष्टाचार का आरोप लगाया है। मुजीबुर्रहमान की हत्या के पहले बार-बार मुजीबुर्रहमान पर भ्रष्टाचार का आरोप लगाया गया। पूरे बंगलादेश में उनकी चरित्रहत्या की गई, जनता को गुमराह किया गया उसके बाद उनकी हत्या की गई। भूटान की फांसी लगाने के पहले भ्रष्टाचार के मामले उठाए गए। लुम्बा को गोली मारने से पहले चरित्र हत्या भ्रष्टाचार के आरोप लगाए गए। एलेण्डे का तख्ता फलटने से पहले सी० आई० ए० ने अपने एजेंटों के माध्यम से भ्रष्टाचार का आरोप लगाया।

आदरणीय उपसभाध्यक्ष महोदय, आज राजीव गांधी के व्यक्तित्व पर की गई उछालने का काम विरोधी दल के नेता और हिन्दुस्तान के सी० आई० ए० के एजेंट और जो विदेशी और देशी ताकतें हैं, ये दोनों ताकतें इस गर्ज से उनके ऊपर आरोप लगा रही हैं कि ऐसा वातावरण विषाक्त बना दिया जाए कि या तो जनता गुमराह होकर उनका निकाल बाहर करे या किसी व्यक्ति के माध्यम से उनकी हत्या करा दी जाए। ये आतंकवादियों के पीछे किसका हाथ है। हिन्दुस्तान का डिस्टेबिलाइज करने के पीछे किसका हाथ है। मैं पूछना चाहता हूँ कि राजीव गांधी सत्ता से हट जाएं तो कौन विरोधी दल का प्राइम मिनिस्टर होगा? भारत की जनता यह जानना चाहती है। पच्चीस सी० प्रधानमंत्री पद के उम्मीदवार हैं, लाठी चलाने वाले हैं, ये कभी एक नहीं हो सकते। यह केवल देश का बर्बाद करने के लिए और कुर्सी प्राप्त करने के लिए राजीव गांधी की चरित्र-हत्या कर रहे हैं। आज राजीव गांधी दुनिया

में भारत की आवाज के रूप में माने जाते हैं, इंडिया की आवाज है राजीव गांधी। आज कौन है विरोधी दल में जिसकी आवाज को दुनिया के लोग भारत की आवाज मानेंगे, मैं पूछना चाहता हूँ। इसलिए अगर आपको प्राइममिनिस्टर बनना है कांग्रेस को हटाना है तो पहले आप अपने को ठीक कीजिए। कांग्रेस हट जायेगी। आप आइये और देश को चलाइये। लेकिन किसी प्रधान मंत्री को जनता के बीच में लगातार भ्रष्ट और करप्ट कह कर लोकतंत्र की परिभा को नष्ट करने का प्रयास आप कर रहे हैं यह बड़ा ही भयंकर है, इसके परिणाम बहुत भयंकर होंगे। लोकशाही खत्म होगी, जनतंत्र का चिराग जल जायेगा। प्रधान मंत्री पर कीचड़ उछालने वालों से मैं एक ही बात कहना चाहता हूँ। राजीव गांधी अपने कण्ड निचोड़ दें तो उसका पानी पी कर फरिश्ते भी कहेंगे यह बहुत अच्छे हैं। राजीव गांधी हिन्दुस्तान के ही नहीं राष्ट्र के नेता हैं।

श्री सुब्रह्मण्यन स्वामी : जनता की हद है।

श्री कल्पनाथ राय : यह ऐतिहासिक तथ्य है। राष्ट्रपिता महात्मा गांधी ने क्या कहा था शायद आपको पता न हो। सुब्रह्मण्यन स्वामी जी आप इंटेलिक्चुअल हैं लेकिन जो हिन्दुस्तान की परिस्थितियाँ हैं या रहीं हैं उसमें महात्मा गांधी ने कहा था कि जवाहरलाल नेहरू हमारे उत्तराधिकारी हैं, ही इज पालिटिकल सक्सेसर। जवाहरलाल जी की बेटी विश्व की नेता इन्दिरा गांधी, वर्ल्ड लीडर हैं और इन्दिरा गांधी के पेट से जनमा हुआ राजीव गांधी इतिहास का बेटा है। जो इतिहास को ठुकराने की कोशिश करेगा वह चकनाचूर हो जायेगा। पहाड़ से मत टकराओ। बहुत से लोगों ने इतिहास से टकरा कर देख लिया है। इतिहास से टकराने की कोशिश विरोधी दल के लोगों ने भी की और कांग्रेस पार्टी के लोगों ने भी की मगर टकराकर चकनाचूर हो गये। हिस्ट्री से मत लड़िये। भारत की जनता का विश्वास है राजीव गांधी की लीडरशिप पर।

[श्री कल्पनाय राय]

उसके नेतृत्व में भारत की जनता को विश्वास है। राजीव गांधी खुद प्रधान मंत्री नहीं बने थे। जब प्रधान मंत्री श्रीमती इन्दिरा गांधी का कत्ल हुआ तो उसी की मातृभूमि की बलिबेदी पर सारे राष्ट्र ने राजीव गांधी को प्रधान मंत्री बनाया। कम अनुभव था, उम्र भी कम है, नौजवान है, इसलिए घोखेबाजों ने मक्कार, गद्दार और राष्ट्रद्रोही विश्वनाथ प्रताप सिंह ने उनको धोखा दिया। उनमें घोखेबाजों को पहचानने की ताकत नहीं थी वह पहचान नहीं पाये इसलिए गलती हो गयी। अब आप उसको नेता बनाकर घुम रहे हैं। जो राजीव गांधी को धोखा दे सकते हैं वह कभी आपके दोस्त बन सकते हैं क्या? मैं कहना चाहता हूँ कि विश्वनाथ प्रताप सिंह हैं क्या? इसका परिवार अंग्रेजों का दलाल रहा है, अंग्रेजों का साथ दिया है। भारत की जनता ऐसे राजे-रजवाड़े को इसका विकल्प नहीं बना सकती। यह नोट कर लीजिए धर्मा जी। यह साजिश है। भारत के पोलिटिकल सिस्टम को डिस्टेबलाइज करने की साजिश है। चरित्र हत्या के माध्यम से गुल खिलाणे की साजिश है। सांप्राज्यवादियों को देश को मजबूत होने देना अच्छा नहीं लगता। इसलिए तोड़-फोड़ की। देश की साम्प्रदायिक ताकतें, जातीयता की ताकतें, क्षेत्रीय ताकतें, देशी-विदेशी सारी ताकतें देश को डिस्टेबलाइज करना चाहती हैं। यह सब-मेरीन्स पर बहस चरित्र हत्या करने के लिए आयी है। इससे ज्यादा शर्म की बात क्या होगी। इस देश में इन्दिरा गांधी के हत्यारों के वकील को एम. पी. बनाया जा रहा है (व्यवधान) जनता पार्टी ने अपनी कन्नू खुद खोद ली जिस दिन उसने राम जेटमलानी को, इन्दिरा

गांधी के हत्यारों के वकील को एम. पी. बना दिया था। श्री आडवाणी ने लेखी को अपनी पार्टी से निकाल दिया। श्री अटलबिहारी वाजपेयी ने जेटमलानी को अपनी पार्टी, बी. जे. पी. से निकाल दिया। उसी जेटमलानी को

6.00 P.M.

हेमड़े पार्लियामेंट में ले आए हैं। श्रीमती इन्दिरा गांधी के हत्यारों को यहां पर लाया गया है। रामनाथ गोयन्का के कहने पर श्रीमती इन्दिरा गांधी के हत्यारों को पार्लियामेंट में लाया गया है। अरे, जनता पार्टी वालों तुम्हारा जनाजा निकलेगा। भारत की जनता इसको सहन करने वाली नहीं है। मैं आप लोगों से कहना चाहता हूँ, जनता पार्टी के नेताओं से कहना चाहता हूँ... (व्यवधान)। भारत की जनता तुम को माफ करने वाली नहीं है। श्रीमती इन्दिरा गांधी का हिन्दुस्तान की जनता के दिल में जो स्थान है, राष्ट्र की नेता, विश्व की नेता, श्रीमती इन्दिरा गांधी की हत्या करने वालों की कबालत करने वालों को इस देश की जनता कभी माफ नहीं करेगी। आप लोग आम लोगों में चलिए। आपको पता चलेगा कि आप की जनता में क्या इज्जत है। जेटमलानी में हिम्मत है तो जरा पूर्वी उत्तरप्रदेश में चलकर देखें? इस देश की एकता और अखण्डता को समाप्त करने वालों को वे कभी माफ नहीं करेंगे। जो शक्तियां देश को डिस्टेबलाइज करने पर तूली हुई हैं उनको इस देश की जनता कभी बर्दाश्त नहीं कर सकती है। आप जानते हैं कि हिन्दमहासागर में किस प्रकार से महाशक्तियां सक्रिय हैं। हमारे देश को तोड़ने के लिए किस प्रकार से विदेशी शक्तियां काम कर रही हैं, यह किसी से छिपा हुआ नहीं है। हमारे देश की एकता और अखण्डता को तोड़ने के लिए किस प्रकार से विदेशी शक्तियां काम कर रही हैं, यह भी किसी से छिपा हुआ नहीं है। इसलिए प्रधान मंत्री की चरित्रहत्या की कौशिल्य की जा रही है। ये चीजें भारत की जनता को स्वीकार नहीं हैं... (व्यवधान)... कम्युनिस्ट पार्टी वालों तुम्हारा वही हाल होगा जो जर्मनी में कम्युनिस्ट पार्टी का हुआ था। आपने जर्मनी में हिटलर का साथ दिया तो हिटलर ने पहले तुम्हारा ही कत्लेआम किया। आप लोग आप प्रतिश्रियावादियों का साथ दे रहे हो, इसको इस देश की जनता कभी भी बर्दाश्त नहीं करेगी। हिन्दुस्तान के एक छोटे राज्य में तुम लोग आज सत्ता में हो, लेकिन तुम्हारी

यह चाल अधिक दिनों तक चलेनी वाली नहीं है। कम्युनिस्ट पार्टी को समय पर होश नहीं आता है। सन् 1942 में उन्होंने अग्रजों का साथ दिया और 1947 में इनको होश आया। इसी प्रकार से ये पहले इन्दिरा गांधी जी का साथ देते रहे, लेकिन बाद में जनता पार्टी के साथ हो गये। 1977 में आपको होश आया।

महोदय, मैं सरकार से मांग करता हूँ कि ठक्कर-नटराजन आयोग ने जो रिपोर्ट दी है जिस में उन्होंने सी० आई० ए० से लिंक होने का दोषारोपण भूतपूर्व रक्षा मंत्री और वित्त मंत्री श्री विश्वनाथ प्रताप सिंह पर लगाया है और हर्षमेन और सी० आई० ए० लिंक होने की जो बात कही है, क्या उसकी जांच के लिए कमीशन आफ इन्क्वायरी एक्ट के अधीन कोई जांच आयोग बैठाया जाएगा? भरी यह मांग है कि इस प्रकार की जांच बैठायी जानी चाहिए। इन शब्दों के साथ मैं आपको इस बात के लिए धन्यवाद देता हूँ कि आपने मुझे बोलने का मौका दिया।

SHRI JASWANT SINGH (Rajasthan):
Mr. Vice-Chairman, Sir, perhaps we have just had an exhibition of offensive interest. Then I suppose being offensive comes naturally to some. The subject of today's Short Duration Discussion is regarding the allegation of payment of commission in the purchase of submarines from M/s HDW of West Germany. I do not find anything on the subject in the previous speaker's eloquent peroration. I was tempted for a moment to request you to ask the hon. Member to repeat all that he had said but this time slowly. I checked myself only because that would tantamount to a self-inflicted torture. Then there is the smouldering nuclear core of our concern to issues relating to public probity. I hope you should treat us better.

I hold that the Government has failed in the last one year to consistently take one step ahead of

public concern. Has the Government been able to demonstrate just this simple aspect of governance that we recognise the public concern, that we recognise the legitimacy of public concern on an issue as vital as the procurement of weapon systems? If we had managed to stay a step ahead of the public concern, none of this would be necessary, not even this debate.

I spent a great deal of time in going through the hon. Defence Minister's statement which he had laid on the Table of the House. There is a political content in the statement that he has laid on the Table of the House. I can understand that the Government should find it necessary to have a political content in it because the spectre of the former Defence Minister haunts the Government. Indeed, a number of Members from the Treasury Benches have concentrated more on the conduct, character, abilities, disabilities or whatever it is of the former Defence Minister rather than on the substance, of our concern. It is not for me to try and engage myself in attempting to answer the political content of the hon. Defence Minister's statement that he has laid on the Table of the House. But I did spend a great deal of time in reading through these 17 or 18 odd pages. I would request the courtesy of a certain amount of indulgence from the Chair to permit me to voice this concern. That arose in my mind from a specific query. Sir, on the second page itself of his statement, the hon. the Defence Minister has informed us of a meeting that takes place in the Indian Embassy in Bonn with indeed the much-mentioned Dr. Molitor or how his name is pronounced. These foreigners do have strange names. Our Ambassador in Bonn was also present. I would like to know, as is customary, whether any minutes of this meeting were kept in addition to the Telex message which was sent. Were any minutes kept of this meeting? Did anybody examine these minutes? Did the Government ask

[Shri Jaswant Singh] for these minutes? If the Government have been so good as to part with a lot of other information, why not these minutes? Thereafter, Sir, on that day itself when an assertion is made by this Dr. Molitor or whoever that there is an open-ended agreement, etc., about which there is a considerable discussion, did the Ambassador not find it necessary, indeed natural to ask, "if you have an open-ended agreement with an agent, who is this agent? Why don't you please inform us who this agent is to whom you are obliged to pay 7 per cent or whatever percentage it is and you say that it is an open and a continuing obligation that you have? Did the Ambassador ask this question? If he did not—to which I will come subsequently—I am astonished at the naivety of the Ambassador or the acceptance of a de facto situation as if the Ambassador also accepted that if there is an agent, and Dr. Molitor also mentioned about it, then there is no need for him to enquire about it.

Then, at page 3, a reference is made to a telex that was received on February, 24. Now, here I base, my questions only on what I have read. I am not privy to the Government's functioning, I am not even privy to its thinking. Now, I am given to understand, Sir, by what the hon. former Defence Minister has stated in Parliament that a copy of this telex was in the Prime Minister's office on 24th February itself. The day it was transmitted from Bonn, the very day, as it was received in the Defence Ministry, it was also received in the Prime Minister's office. I am informed that it is customary for important telex messages of this kind to be duplicated simultaneously to the Prime Minister's office. Indeed, the former Defence Minister has made a statement to that effect. And if it was not, is it customary for such telex messages to be normally routed through the Prime Minister's office and was an exception made in this particular

message? Thereafter, it is only natural to enquire what action did the Prime Minister's office take because here is a specific mention that there exists an agent. So, the Prime Minister's office could well have directed the then Raksha Mantri: take this action; of course, independently having sent a message back to the External Affairs Ministry: "What nonsense is this Molitor talking, and if he is rot tal nonsense, who is this agent?" The former Raksha Mantri has indeed gone a step further and has said that he discussed this very telex message informally with the Prime Minister. In addition to having received a copy of it, he also discussed it with the Prime Minister. *(Interruptions)* I do not want to go into a controversy in which the hon. Home Minister involved himself. The hon. Home Minister is a little free in the phrases that he uses. He called the statement made by the President of a neighbouring country as a pack of lies. Similarly when the former Raksha Mantri said that the Prime Minister in private conversation informed the then Raksha Mantri as to why are you going in for these enquiries; etc., and no results will be obtained, the hon. Home Minister has denied this. It is not for me to know where the truth stands because on the one hand there is the former Raksha Mantri who has made a statement and that has been denied by the present Home Minister. But doubts arise. Thereafter, Sir, the whole basis of this—and that is what disturbs me when I go through the 18 odd pages, as indeed we will come to that subsequently when we come to the Bofors and that is not our present enquiry—the message that is conveyed somehow as it was directly put by my senior colleague, Shri Lal K. Advani, is that the whole emphasis seems to be to underline who has not done it, not so much as to identify and establish who could or who might possibly have done it. Now, Sir, this is all based on this theory of misunderstanding that that telex was a

misunderstanding or what Dr. Moli-

tor said was a misunderstanding or Dr. Molitor has misunderstood the situation that either existed or did not exist. I have neither the legal acumen nor the legal abilities of prominent barristers like my hon. colleague, Mr. Bhatia, or another one. Mr. Jethmalani. I make these enquiries only as they arose in my mind when I went through it, and I find it very difficult when I relate this misunderstanding theory to aide memoire of 13th November, 1987, which at one place, because I have got to come back to it, specifically says, please appreciate, and this is signed by one professor Timmerman who is the Federal Minister of Defence, I do not know whether he himself is a Minister or only a secretary, please appreciate that for this reason I must refrain from any kind of speculation and presumption about this affair as well as of any real or alleged misunderstanding that may have accrued from. The Government of FRG is quite categorical in allegations of alleged misunderstanding real or imaginary. So, on page 3 of the statement, it must be an error. I was intrigued. It says that there is, at page 3, the hon. Minister says that in this context information received from our ambassador was very useful. I do not know how. Because not much use was made of it. Thereafter the hon. Minister says, and had to be purposely employed. I cannot quite follow how was it to be purposely employed. This may be a typographical error....

SHRI K. C. PANT: You will soon understand.

SHRI JASWANT SINGH: Indeed. I am only basing my queries.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Have you completed your queries?

SHRI JASWANT SINGH: No, I have not.

SHRI VISHVJIT P. SINGH: What is the Point?, 304 RS—8

SHRI JASWANT SINGH: The Minister said he will reply. (*Interruptions*). I will now come to the specific point. There is a specific mention, because I am intrigued by it. I do believe and I worked on that basis that it is very difficult for me to comment on this because there are documents here which are over the signatures of officials. I hold that the Defence Secretary is a civil servant of distinction and great experience. And I am not for a moment here to question his band of dedicated civil servants that today or even then were part of the Ministry of Defence. But if as the former Raksha Mantri mentions on the file that it is his belief, that is the Defence Secretary's belief, that possibly this money could have been paid to the Hinduja's, then I would like to know from the hon. the Defence Minister, did the Defence Secretary actually say so, and if he did say so, then on what basis suspicions, antecedents, apprehensions or whatever did the Defence Secretary actually inform the Defence Minister that his fear is that it is the Hinduja's. Then there is a mention in the Minister's statement that there were instructions given for confirming that strict action be taken after this is confirmed. And naturally thereafter we are to believe and understand that -whatever action was taken was for confirming this, and here again am foxed because after confirming whether the Hinduja's were involved or not involved, the matter rested on the ability of this Government to permit the Hinduja's as NRIs to purchase the shares of Ashok Leyland and acquire assets of an Indian company, then it leaves me very intrigued, it leaves me further intrigued because of two reasons. One is in the context of the Bofors. I had occasion to mention in April 1987 in print, in writing, that my information and understanding is that in the context of the Bofors the Hinduja's are the people who have received the moneys. We do not go into the history of Bofors Joint Parliamentary investigation, or whatever, Thereafter, a great deal of time is

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devoted in this as also in other reports on the media, on Doordarshan to explain that Hinduja as have not done it. You let Hinduja buy Ashok Leyland; let Hinduja operate here. As the distinguished civil servant as Defence Secretary informs the Defence Minister that it is his fear that it is the Hinduja. How do you confirm by letting them buy Ashok Leyland...

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

SHRI JASWANT SINGH: Just one or two aspects; I will not take more than a minute. About speed of reactions, first telex message is received on February 24 and up to April 9, it keeps on lobbying between the Prime Minister's office and the Defence Minister, and the hon. Defence Minister finds it convenient to mention that after five weeks, and did very little, about it. The Prime Minister was fully in the know of what was happening, that serious allegations had been made quite openly, and the responsible officials had formally communicated that allegation in writing to the Government of India. What was the Prime Minister's office doing for five weeks? Next, from February 24 to June 12, that is, for 135 days; we do nothing. Government of India does nothing, and it is only after 135 days that a first communication is addressed to the Federal Republic of Germany. Thereafter, it is on 27th June, that is after a lapse of 150 days—it is not five weeks, but five months—after the first receipt of communication that a simple thing like asking HDW as to what the facts are, that for the first time the Government of India moves. From February 24 to October 25, almost eight months it takes for the Government of India to send an official delegation. I am intrigued at, on the one hand, condemning the delay of five week and on the other hand not explaining sufficiently urgency for action so far as the serious charge is concerned. I would conclude that there is a matter which intrigues me in the aide-memoire of

June 12 which was sent by the Ministry of External Affairs. There is an apparent discrepancy there. The External Affairs aide-memoire says that negotiations were conducted in early 1986, while the Ministry of Defence says that negotiations had been going on since end of 1985. Would the hon. Defence Minister reconcile this discrepancy? And here it is very categorical. The Ministry of External Affairs says that under no circumstances, could Indian agents be engaged to do any kind of liaison work—this is on June 12— "any kind of liaison work". Globtech of which we have been provided a copy of the agreement, in fact says in one point of their agreement: Globtech agrees to further HDW interest in all matters pertaining to fulfilment of contracts with the Indian! Navy, to acquire information necessary in the) course of fulfilment of the said contract and to provide capable personnel, to provide consultancy support services, etc. On the one hand. The Ministry of External Affairs says 'No liaison work of any kind' and Globtech agreement itself says what I have just pointed out. I do not want to tax your patience; you have been kind to me. I would only read the conclusion which the hon. Defence Minister would like us to accept, and the conclusion very briefly, without quoting or reading out, says that there was no FERA violation. Thereat was no Income-tax violation no evidence to indicate¹ that there was any agent, Indian or otherwise, etc. In respect of the offers received from HDW as well as negotiations with HDW. no Indian agent or representative was at any time working on behalf of the firm. Despite Globtech \ No evidence to link Hinduja with HDW. Naturally, no payment. Nothing has happened. No violation of Saw has taken place. It is all *Maya*. Perhaps, there is no submarine even and we are all imagining! But Sir, our concern is very serious. My real perplexity—I have not touched on the political content of this at all—arises because I believe sincerely that the country has already paid a

[Shri Jaswant Singh]

very high price for the weapon systems. The price is not in the millions of dollars that we have paid for the weapons systems themselves or the commissions, bribes; whatever euphemism you may like to use; which have been paid to whosoever it is. The price is riot to be counted in the millions of dollars. DMs or SEKs. I believe, the cost to the country is infinitely higher. Some very eminent Indians have paid for this, have paid this cost by being called names here, outside very eminent Indians without any exception. I believe, the cost is going to haunt us as Indians for many years to come.

Secondly, Sir, the price that we have already paid is a terrible paralysis of our institutions, not just a devaluation of their importance but the debility which has been caused to our institutions. I say with all humility and I consider it my function to say so that our present paralysis which afflicts and decision-making in the Government, particularly, in the Ministry of Defence is the direct cause of this. You have to stay ahead of public concern. The problem is not going to be solved by your calling me names or saying that nothing happened or that all is Maya. All is not Maya.

SHRI VISHVJIT P. SINGH: Mr. Vice-Chairman, Sir, I have very little to add to the various things said by Shri Madan Bhatia who has very ably demonstrated what the real position was, as it existed. He made the position very clear and he answered each and every point. I do not want to take too much of your time.

[The Vice-Chairman (Shri B. Satyanarayan Keddy in the Chair)]

However, Sir, I would like to reiterate a few things. There is one particular point which I would like to make in regard to what Mr. Jaswant Singh said. As he himself said, he has put some specific questions to the hon. Minister and it is for the

hon. Minister to reply to them. I will, therefore, not attempt to reply to any of those questions. But I would like to set the record straight on one point which he has made and that is when he quotes the letter of Dr. Timmerman. He quoted a particular paragraph, the penultimate paragraph:

"Please appreciate that for this reason I must refrain from any kind of speculations and assumptions about this affair as well as of any real or alleged misunderstanding that may have accrued from it.

But what he did not do, Mr. Vice-Chairman, Sir, and which I will attempt to correct now, is that he did not read the previous paragraph which I may be permitted to react and which makes the position clear. It says:

"However, I regret that I must repeat what has already been stated by the Foreign Office that the German Government has no information whatever regarding the circumstances surrounding the negotiations conducted by the HDW AG and its development."

The Government categorically distanced itself from the company. They have made it clear that there were two separate entities, they have made it clear that they were not involved in the negotiations. As was put forth by Mr. Bhatia earlier, the position of Mr. Molitor has already been made clear. Before I go on to my own points, I would like to refer to two or three points made by Mr. Jethmalani. Most of his points have been answered by Mr. Bhatia, but there are two or three more points which I would like to reiterate. I am sorry, but I have to do it because it is important. Mr. Jethmalani, as we all know, distorted the reading of paragraph 15 and contradicting it will paragraph 10 because this paragraph went on to describe how a team of the Ministry of Finance was then formed and how the Ministry of

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Finance could not get at the root of the matter. Then the CBI was involved in the whole thing. Firstly, this explains the delay because the time till June was consumed by allowing the Ministry of Finance to investigate this matter.

Secondly, he referred to a report when he said that the Ministry of Finance had found itself hampered because of lack of staff. At that point of time I asked him which report he was referring to, but he refused to give the reply. He quoted from a document but he refused to give its origin. Here, Mr. Vishwanath Pratap Singh has also in his press statement said exactly the same thing. This is the press statement of Shri Vishwanath Pratap Singh which has appeared in the Hindu of 25th April and he has not given any reason for that. He has said, "The Enforcement Directorate has put its hands up, on the ground that it had not the personnel enough to enquire into the matter." He says the same thing and I do not understand where this report has come from and he did not even elaborate this.

Another point made by Mr. Jethmalani was about the Company, called Globtech, which was actually the representative of HDW in India. He went on to say, because of the information supplied by HDW itself the Ministry of Defence was aware of the agreement and the exact clauses of the agreement, because a copy of the agreement was lying with the Ministry of Defence, the Chief of the Naval Staff. Let me tell you. I would like to quote the exact words because this would make the position quite clear. I am quoting from the letter addressed to Shri Bhatnagar, Defence Secretary, by HDW dated 9th July, 1987. This was referred to by Shri Jethmalani but he did not quote it. Now I would like to quote it and it says:

"As known to the Indian Government, we only use the Globtech

Company as our retainer which we notified in writing to the Chief of Naval Staff on 22 September 1982."

This establishes the fact that they had appointed a retainer. All that is established and then it goes on further to say: "Though we normally do not disclose company confidential information, we are submitting enclosed the complete contract signed between Globtech and HDW giving all answers to your detailed questions under paragraph 3 of your letter." Therefore, this was the first time when the agreement and the exact clauses of the agreement and all these details came out. Before that the only information that the Chief of the Naval Staff, in other words the Defence Ministry had, was that they had a representative working for them, an office working for them in India called Globtech.

And the last point I would like to clarify is that Mr. Jethmalani quoted Mr. Bhatnagar's letter of 19th October, 1987. He quoted the letter to try to show this was what was happening. But he did not quote this letter fully. JTe did not mention that part of the letter which actually asked for information from the HDW. He tried to distort the situation, he misquoted, he quoted out of context and he quoted only one sentence:

"It would, therefore, be seen that the 'misunderstanding', if any, requires to be explained by your Company".

I would read further from that:

"Specific questions in regard to the payments of commission by your Company in the Indian SSK contract were raised in the Bundestag. In response thereto, the FRG Government stated that the responsibility for paying commissions lies entirely with the management of the concerned company.

Questions regarding the alleged payment of commission to an Indian agent by your company

have been raised in our Parliament and the issue has developed into an important public debate. It is the responsibility of our Government to establish the truth and initiate appropriate action against those who have infringed the laws of the country. We expect the HOW, adequately appreciating the situation, will cooperate fully and furnish complete facts in respect of the questions asked in para 3(i) to (v) of my letter of June 27, 1987.

We trust that your company will do nothing which may jeopardise our future business relations and supply the requisite information on the most immediate basis."

Mr. Bhatnagar, Secretary (Defence) actually put in a threat in this letter and said: "We threaten you. You have to give us this information. This is most important". And let me reiterate, Sir, that this was not the only time that a threat was given. A threat was given even earlier. The threat was given by Mr. Bhatnagar in his letter of 28th September, 1987— i.e. 20 days earlier. It said:

"The disclosure made by Dr. Molitor to our Ambassador has, as ifcot* would be aware since become a serious public issue in our country. To ascertain full particulars of HDW's Indian agents, we had written to the Company. We had also addressed to FRG Government, through your Ambassador in Delhi. While HDW has termed the entire matter as a "misunderstanding", the FRG Government has taken the position that HDW has already answered the questions raised in my letter addressed to them. In brief, the FRG Government have disowned the statement that Dr. Molitor made to our Ambassador.

As you know, India has extensive commercial and economic dealings with the FRG. We greatly value our relations and it is our sincere belief that these will continue to grow and expand. However, the

public controversy in our country, arising from Dr. Molitor's disclosure, has created a situation which cannot be resolved by the position so far taken by your Government.

I request your personal intervention to ensure that complete information is supplied to us in respect of the Indian/foreign agents involved,"

I would like to point out here, he said "Indian/foreign agents" and not just Indian agents, A lot of heat' has been generated here as to why there is emphasis on the Indian agents. Mr. V. P. Singh also in his statement says; why do we always ask for Indian agents? We are not asking for Indian agents only; we are also asking for foreign agents and asking them to give us exact information.

SHRI SUBRAMANIAN SWAMY: What about Indian-foreign agents?

SHRI VISHVJIT P. SINGH: It is Indian/foreign agents. Dr. Swamy, it is a very serious matter please do not lower it to your level.

SHRI SUBRAMANIAN SWAMY: It could be hyphen.

SHRI VISHVJIT P. SINGH: Let me point out once again here that in even a previous letter, even going farther back, even on 27th June, we had asked all this information. We say:

"In the aforesaid context, we call on your company to furnish us complete information regarding the agreement which has been made.... specifically in regard to the following aspects:

- (i) The precise amounts which have been paid and amounts which are due to be paid by you in by way of commission, secret payments etc. alongwith dates, places and modes of payment;
- (ii) Full details of the recipients of such payments whether they be persons or companies and

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in the case of latter, their proprietor/Si/Presidente/Directors' and places of incorporation",

The services rendered by such persons/companies with reference to which such amount have been paid/due to be paid.

Copies of the contracts agreement and correspondence between your Company and such recipients.

All other facts, circumstances and details relating to these transactions in your possession."

We have been constantly asking categorically for each one of these things.

I would like to refer even to the *aide-memoire* of 12th June addressed to the Federal Republic of Germany. In the *aide-memoire* it is said—this is a very vague, diplomatic kind of threat given by the Government of India to the Government of West Germany—in the last portion:

"However it has to be recognised that a shadow has been cast over these transactions by the alleged payment of commissions. The Government of India, therefore, would impress upon the Government of FRG to make known to the Indian Government the fullest details of any commissions paid to whom, when and for what services, and whether such agreement still subsists."

We have made it clear right from the beginning, starting from the *aide-memoire*, going on to another letter dated 27th of June and then going on to another letter dated 28th September then of October 19th and 13th of November, When we finally found that they were not willing to give us this information, we did not buy any submarines from them we did not go through with anything.

Sir, before I conclude I would like to point out two more things. One

basic thing to understand is, why I and how did this matter come up, why and how did this matter see the light of day? This matter of payment of commissions, this matter of HDW, saw the light of day because, when we were negotiating, when this Government of Mr. Rajiv Gandhi was negotiating for the purchase of two more submarines to add to that fleet of four—two which we had purchased as a package and two for which the technological transfer was to take place and which were to be built at the Mazagon Docks—and when we wanted the next two submarines— Nos. 5 and 6—they quoted a higher price. We asked for a lower price, they quoted another price; we asked for a further lowering of the price, twice they lowered the price but still it was not acceptable to us. If this Government—and I say with responsibility—had been responsible for receiving or was in the process of receiving any commissions on this deal, it would not have seen the light of day because it was entirely because of our negotiations, it was entirely because of our pressures that the factor came out that there could have been something else involved in it. Not for a moment do I admit that there was something, but I am saying that this whole thing would not have even seen the light of day. It saw the light of day because of our insistence on a lower price. If we had been wanting a commission, we would not have gone for a lower price: there was nobody to question us. We went on and asked for a lower price.

Sir, nobody has gone into the technical aspects of the submarine. Every body admits that the submarine itself is very good; it is one of the best submarines. But don't forget that at the time when we were negotiating for a package of the last two submarines which we wanted, we were also negotiating with the Swedes at that point of time. We had competitors working. We said we were not going to rely only upon HDW but were also going to other companies. We also tried to do that. Furthermore if any

such telex had been properly received by the Minister, as was received, because Mr. Vishwanath Pratap Singh again made an allegation—here again I would like to read out to you because this makes clear what he thinks.

"Why has not the Government of India made public the telex sent by our Ambassador?"

Then he goes on to say:

"If this is brought out the Government will fall."

... (Interruptions)...

SHRI SUBRAMANIAN SWAMY: You are obsessed with V. P. Singh...

SHRI VISHVJIT P. SINGH; No, am not obsessed. am V. P. Singh myself, in case you have forgotten!.. (Interruption) I would like to point out that the text of the Original telex, after deciphering it, has come out and has been laid on the Table of this House, the original telex What does the original telex say? Nobody has bothered to read it- The original telex says: "Dr. Molitor has said that a commission has to be paid. Would you like to enforce *force, majeure*" The logical answer to this telex would have been for any reasonable man including you you, Mr. Vice-Chairman, Sir—I hope you are a reasonable man—when he is occupying the Chair of the Finance Minister

SHRI SUBRAMANIAN SWAMY: You cannot cast aspersions on the Chair.

SHRI VISHVJIT P. SINGH; I am not casting aspersions, I am just saying. You would have sent the telex right back saying, "Yes; enforce the clause of *force majeure* Ask for a reduction in the price. Let us see what they come to." An enquiry would have been a separate issue. An enquiry was an issue which was to be decided in India. You would have sent the telex back to them because

this was the suggestions given in this telex. The Ambassador had said, "Can I raise the *force majeure* clause?" You were to reply back to that. Instead of replying back to that, Mr. Vishwanath Pratap Singh goes to the press. I do not know the reason. That has been elaborated by Mr. Madan Bhatia.

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): Please conclude.

SHRI VISHVJIT P. SINGH; Do you want me to conclude? I would conclude in one minute, Sir.

As far as am concerned, the statement of the hon. Minister of Defence is totally comprehensive. It has covered practically every aspect. If you wish to read the statement in its entirety, the whole thing becomes clear. If you wish to pick up clauses in it, pick up paragraphs from it, quote out of context yes it is not clear. But, then, no document can be clear. If you read the whole thing it becomes quite clear.

There was no commission paid. There was no agent. In fact as has been made quite clear, there was no submarine, there was no sale, there was no purchase, there was no commission agent, there was no money made. What are you taking about? I just don't understand.

Thank you, sir.

श्री वीरेन्द्र वर्मा : माननीय उपसभा-
ध्यक्ष महोदय, दूख का विषय है कि इस
देश में प्रारम्भ से ही रक्षा के सौदों में
कमीशन खाई जाती रही है। बिचौलिया
और एजेंट्स लगातार प्रारम्भ से ही इस
देश में रहे हैं। यह शिकायत मुझे नहीं,
सरकार भी स्वीकार करती है और इसी
कारण 1980 ईस्वी में तत्कालीन प्रधान-
मंत्री श्रीमती इंदिरा गांधी जी ने बिचौ-
लियों को, कमीशन एजेंट्स को बीच में
से निकालने का निर्णय किया। 11
दिसम्बर, 1981 को उस निर्णय के
पश्चात् सयमेरीन की खरीद का सौदा

[श्री विरेन्द्र वर्मा]

हुआ, करार हुआ। मैं माननीय रक्षा मंत्री जी से विशेष प्रश्न, स्पेसिफिक क्वेश्चन स्पष्टीकरण के लिए जानना चाहूंगा। जब भारत सरकार यह निर्णय ले चुकी थी कि किसी भी प्रकार के कोई बिचोलिए और कमीशन एजेंट्स नहीं होंगे तो जो यह सौदा हुआ, 11 दिसम्बर, 1981 में क्या उस सौदे में, उस करार में, जो एग्रीमेंट आपन किया, स्पेसिफिकली यह लिखा दिया गया था कि बीच में कोई कमीशन एजेंट नहीं होगा और यदि नहीं लिखा गया तो कारण बताने की कृपा करेंगे कि क्यों नहीं लिखा गया। मान्यवर, दूसरे रक्षा मन्त्रालय, भारत सरकार की ओर से पश्चिमी जर्मनी की सरकार को भी, जिसकी यह एच०डी० डब्ल्यू० कम्पनी है, क्या उस सरकार को भारत सरकार ने यह लिखा था उस निर्णय के अनुसार कि भविष्य में कोई कमीशन एजेंट नहीं होगा? भारत सरकार ने अगर इस प्रकार का पत्र व्यवहार किया है, तो माननीय रक्षा मंत्री जी उसे भी पढ़ने की कृपा करेंगे कि भारत के प्रधान मंत्री ने, अथवा रक्षा मंत्री ने जर्मनी के रक्षा मंत्री या प्रधान मंत्री को यह लिखा था कि हमारे निर्णय के अनुसार भविष्य में किसी प्रकार का कोई कमीशन एजेंट नहीं होगा और यदि नहीं लिखा गया तो इसका कारण बताने की कृपा करेंगे।

मान्यवर, सन् 1985 में बोफोर्स का सौदा हुआ, 1986 में उसका करार हुआ, स्वीडन के भूतपूर्व प्रधान मंत्री ओलोफ पाल्मे और हमारे देश के प्रधान मंत्री, श्री राजीव गांधी जी ने यह निर्णय लिया कि किसी भी प्रकार के कोई कमीशन एजेंट नहीं होंगे। यह सन् 1986 के जनवरी की बात है। इसका मतलब यह हुआ कि डिसेम्बर ले लिया था 1980 में कि कोई कमीशन एजेंट नहीं होगा और 1986 की जनवरी में भी प्रधान मंत्री, स्वीडन से यह बात हो रही है कि कमीशन एजेंट नहीं होगा। तो क्या सन् 1986 तक भी कमीशन

एजेंट चल रहा था, कमीशन खाया जाता रहा था? इसे भी बताने की कृपा मंत्री जी करेंगे।

मान्यवर, अब यहां से भाटिया साहब चले गए। उन्होंने सेक्युरिटी रिस्क की बड़ा चर्चा की है। देश की सुरक्षा के दृष्टि से मैं मान्यवर रक्षा मंत्री जी से फिर कुछ प्रश्न रखना चाहूंगा, जिसका स्पष्टीकरण मैं उनसे चाहता हूँ। जो करार हुआ था पनडुब्बियां खरीदने का, उसमें यह शर्त थी कि इस प्रकार की पनडुब्बियां जर्मनी सत्तार के किसी भी देश को विक्रय नहीं करेगा, उनके डिजाइन, उनके नक्से वगैरह किसी प्रकार से दूसरे किसी देश को नहीं दिये जायेंगे और इसी कारण भारत सरकार को इन पनडुब्बियों की कीमत मुकाबलन बहुत अधिक बढ़ा करनी पड़ी। मान्यवर, क्या यह सही नहीं है कि जर्मनी की इसी फर्म ने साउथ अफ्रीका को इस पनडुब्बी के डिजाइन, इसके अक्सरे आदि सभी बेच दिये और एक टेक्निकल निदेशक साऊथ अफ्रीका में वहां कारखाने को स्थापित करने के लिए भेजा, जिसका मामला सयुक्त राष्ट्र संघ में भी उठा और पश्चिमी जर्मनी की पार्लियामेंट में भी उठा और अगर सयुक्त राष्ट्र संघ, जहां से प्रतिबंध लगाया हुआ था कि इस प्रकार के कोई सौदे साउथ अफ्रीका से न किये जाए साउथ अफ्रीका को फिर भी दिये गये।

तो मैं माननीय रक्षा मंत्री जी से जानना चाहूंगा कि शर्त के उल्लंघन के बाद—जो शर्त थी कि किसी को नहीं देंगे, उसका उल्लंघन किया गया और हमारे जो दुश्मन हैं, साऊथ अफ्रीका की अग्रेजी सरकार जिसको हम हमेशा कनडैम करते हैं और जो इंडियन ओशन में ही स्थित है हिंद महासागर में भी सुरक्षा का फिर विषय आता है तो माननीय रक्षा मंत्री जी बतायेंगे कि फिर भारत की सुरक्षा की दृष्टि से जो इस शर्त का उल्लंघन किया है जर्मनी की एच०डी० डब्ल्यू० फर्म ने, उसके ऊपर उन्होंने क्या कार्यवाही की है? इस सौदे को कैसेल क्यों नहीं किया? जवाबतलब किया है क्या? नहीं किया तो क्यों नहीं किया? यह सौदा कैसेल क्यों नहीं

किया? क्या इसमें सुरक्षा रिस्क नहीं था? क्या इसको गलत नहीं समझा गया? जिन शर्तों का उन्होंने उल्लेखन किया, इस पर भी माननीय मंत्री जी अपने उत्तर में प्रकाश डालेंगे, ऐसी आशा है।

मान्यवर, जहाँ तक इन सारी बातों का संबंध है, ये जर्मनी की पार्लियामेंट में पत्र-पत्रिकाओं में तथा यू.एन.ओ. में भी आ चुकी हैं। इसलिए मैं यह जानना चाहता हूँ कि भारत सरकार की ओर से इस संबंध में क्या कहा गया और क्या एक्शन लिया गया है, इस देश की जनता के लिए और इस माननीय सदन की जानकारी के लिए उस पर प्रकाश डाला जाना चाहिए। मैं दो बातों की ओर ध्यान दिलाना चाहता हूँ। दो और पनडुब्बियाँ खरीदी जाने वाली हैं। इस संबंध में सुरक्षा की दृष्टि से दो चार बातें मैं जानना चाहता हूँ। क्या यह सही है कि ये पनडुब्बियाँ पानी में रहते हुए बेतहाशा शोर करती हैं और सुरक्षा के लिए और जांच-पड़ताल के लिए जो राडार लगे होते हैं, वे क्या आसानी से इनका पता नहीं लगा सकते हैं? क्या इस दृष्टि से यह गलत नहीं है? यह भी कहा जाता है कि इसकी बैटरी 48 घंटे ही पानी में रह सकती है और यह फिर ऊपर लाई जाती है, उसको चार्ज करने के लिए ऐसा करना पड़ता है? मैं जानना चाहता हूँ कि यह सही है या नहीं? क्या ऐसी भी पनडुब्बियाँ हैं जो हफ्तों पानी में रह सकती हैं और चार्ज होने के लिए उनको ऊपर भी नहीं आना पड़ता है, शोर भी नहीं करती हैं, उनकी कीमत भी कम है, लेकिन फिर भी इसी पनडुब्बी को खरीदा गया है, इस पर भी माननीय मंत्री जी प्रकाश डालने की कृपा करेंगे।

महोदय, मुख्य मुद्दा है कि क्या कोई कमीशन लिया गया है या नहीं? सारा
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पत्र व्यवहार आपके पास है, सारी पत्रावली आपके पास है, पूर्व रक्षा मंत्री के पास थी, रक्षा सचिव के पास है, प्रधान मंत्री के पास है। हम लोग तो अखबारों में जो कुछ आता है, उसी को पढ़ते हैं, आपके जो स्टेटमेंट आते हैं उसी से अंदाजा लगाते हैं... (व्यवधान)। मेरी गुंजारिश यह है कि 3 मार्च, 1987 को तत्कालीन रक्षा मंत्री की टेबल पर एक टेलिक्स आया। यह टेलिक्स प्रधानमंत्री की टेबल पर भी गया। यह टेलिक्स किसी मामूली आदमी ने नहीं दिया था, बौन में हवारे राजहूत जो मिनिस्टर के बराबर होते हैं, उन्होंने यह दिया था। उसमें कहा गया था कि 7 परसेन्ट कमीशन दिया गया है जो 30 करोड़ होता है। इसमें यह भी कहा गया था कि इस कारण से जिन पनडुब्बियों का आर्डर दिया गया है उनकी कीमत कम नहीं की जा सकती है इस प्रकार का टेलिक्स प्रधानमंत्री को भी भेजा गया। मैं यह जानना चाहता हूँ कि प्रधानमंत्री ने उस टेलिक्स के ऊपर क्या कार्यवाही की, यह स्पष्टतौर पर हाउस को बताया जाये। जहाँ तक तत्कालीन रक्षा मंत्री की बात है, उन्होंने उस पर आदेश दिया, जानकारी प्राप्त करने के लिए और आवश्यक जांच करने के लिए कहा। मैं जानना चाहता हूँ कि इस संबंध में क्या जांच हुई, यह बताया जाय। मैं यह भी कहना चाहता हूँ कि जैसा आपकी रिपोर्ट में कहा गया है, यह सही है या गलत है, मैं नहीं जानता लेकिन आपने कहा है कि यह भ्रमवश और भ्रम के आधार पर टेलिक्स दिया गया था, लेकिन आप जरा यह बताने की कृपा करें कि आपके अम्बेस्डर ने जो यह टेलिक्स भेजा, जो आपका कहना है कि गलती से भेजा गया था तो आपने उनके खिलाफ क्यों कोई कार्यवाही नहीं

7.00 P.M. की? एक इतना जिम्मेदार आदमी, जिसने मेरे हिसाब से देश के हित में टेलिक्स भेजा था कि उस कंपनी ने मना कर दिया है कि हम प्राइस में कोई कटौती

[श्री बीरेन्द्र वर्मा]

नहीं करेंगे क्योंकि हमें 7 प्रतिशत का कमीशन देना है, 30 करोड़ खर्चा देना है। इसलिये हम इसमें किसी भी प्रकार की कटौती नहीं कर सकते। उन्होंने यह देश के हित में टेनेक्स किया था, उन्होंने अपना कर्ज पूरा किया था क्योंकि वह काम आपने उनके सुपुर्द किया था कि इसके मूल्यों में कमी करने की कोशिश की जाये। मान्यवर, आप यह बताने की कृपा करें कि क्या उनसे आपने जवाब तय किया है कि गलत उन्होंने क्यों दिया? अगर यह गलत बात है तो उनके खिलाफ क्या ऐक्शन आपने लिया है? अगर उन्होंने सरकार को गुमराह किया है तो उनके खिलाफ सरकार ने क्या ऐक्शन लिया है? मान्यवर, कल-परसों मने अखवार में पढ़ा कि माननीय बूटा सिंह जी ने कहा कि पद को गरिमा और गोपनीयता को भंग किया है तत्कालीन रक्षा मंत्री ने।

श्री कल्पनाथ राय : वह आप भी मानते हैं।

श्री बीरेन्द्र वर्मा : अगर उन्होंने कुछ गलत कहा है तो फिर गोपनीयता भंग कहाँ होती है और अगर बात उन्होंने सही कही है तो इससे गोपनीयता तो जरूर भंग होती है, इसको अप्रिसियेट नहीं किया जा सकता, लेकिन अगर यह सच है तो आप इसे कैसे झुठलायेंगे? इसको गलत कैसे कहेंगे आप? इसके ऊपर आपने क्या ऐक्शन लिया है उस गोपनीयता के आधार पर..

श्री कल्पनाथ राय : आप तो मिनिस्टर रहे हैं।

श्री बीरेन्द्र वर्मा : ये बातें मान्यवर इस प्रकार की हैं, मैं इन पर कोई बहुत लम्बा चौड़ा भाषण देना नहीं चाहता। लेकिन कुछ मुद्दों का स्पष्टीकरण चाहता हूँ जिससे जो शंकाएँ मेरे दिमाग में या पब्लिक के दिमाग में हैं वे दूर हो सकें। हमने कुछ समय पहले पढ़ा था हिन्दूजा। अब फिर हिन्दूजा का नाम आता है,

कोई बिन चड्ढा कहता है कि वह कमीशन एजेंट था और भाग गया। भारत सरकार ने उसको भागने दिया। अब तो यह भी कहा जा रहा है बोकारो में भी हिन्दूजा है और आपका सब-मेरीन खरीद में भी है। यह रक्षा मंत्री जी ने कहा है मैं नहीं कह रहा हूँ। वह कितना सही और कितना गलत है वह आप जानते हैं क्योंकि आप रक्षा मंत्री हैं और फाइल सब कुछ आपका बतायेगी। रक्षा सचिव ने बताया था, मैं अखवार की बात बता रहा हूँ जो हिन्दूजा इसमें कमीशन एजेंट है। मान्यवर, जो आपका स्टेटमेंट है, 26 अप्रैल का इस कमीशन के मामले में उससे मेरा दिमाग साफ नहीं हुआ और मैं यह समझता हूँ कि इन सीदों में कमीशन प्रारम्भ नहीं लिया जाता रहा है और आज भी लिया जा रहा है। मैं चाहता हूँ कि सरकार इसको कड़ाई से रोके और किसी भी हालत में इस देश में कमीशन एजेंट, सीदों के बीच में पैसा खाने वाला नहीं होना चाहिए। अगर ये हैं तो यह हमारे लिये, सारे देश के लिए शर्म की बात है।

उपसभाध्यक्ष (श्री बी० सत्यनारायण रेड्डी) : श्री मीर्जा इशादबेग। कम से कम समय में।

श्री मीर्जा इशाद बेग : उपसभाध्यक्ष महोदय, सर्वप्रथम तो मैं आपको इस आसन को ग्रहण करने पर बधाई देना हूँ।

महोदय, दिशा-विहीन, नीति-विहीन, लक्ष्य-विहीन अपोजीशन पार्टीज..

श्री कल्पनाथ राय : डाइरेक्शन लेन।

श्री मीर्जा इशाद बेग ...की इस सीदे के सम्बन्ध में जो गलत कथानी है, मैं आपके माध्यम से कहना चाहूँगा कि यह सम्पूर्णतया राजनैतिक लक्ष्यों से प्रेरित है और देश के लोगों के सामने अपना असली मुखौटा बताने के बाद भी उनमें अपना विश्वास सम्पादन नहीं कर पाए हैं इसलिए प्रजातान्त्रिक तरीकों से चुनी हुई सरकार देश और विश्व में जिसके नेतृत्व की सराहना की जा रही है उसको देश में और विश्व की नज़रों में तहस

नहस करने का और दरहस-बरहस करने का अपोजीशन का यह खोखला प्रयास है। जब जब समय आया है तब तब देश की जनता ने अपना विश्वास इन लोगों में प्रस्थापित किया है और जब जब समय आया तब तब देश के लोगों ने कांग्रेस में और उसके नेतृत्व में विश्वास प्रस्थापित किया है। पनडुब्बियों का करार और उसके कुछ बेकग्राउंड को हम देख लें उसकी सम्पूर्ण डिटेल पन्त जी ने अपने पेपर में जो यहाँ पर सदन में रखा था उसमें उन्होंने कहा है कि जब यह करार हुआ तब विश्व में पाँच देशों के सिवाई भारत को इस किस्म की पनडुब्बियाँ देने के लिए तैयार था। 1977-78 में उन से वार्ता हुई और फरवरी 1979 में एस.एस. प्रोजेक्ट को सेंशन किया और तीन वर्ष की लम्बी अवधि की वार्ताओं के पश्चात् पश्चिमी जर्मनी की एच.डी. डब्ल्यू. को सिलेक्ट किया गया और सिलेक्ट इसलिए किया गया क्योंकि उसकी कम्पीटीटिव प्राइम थी और उसका उत्तम डिलिवरी शिड्यूल था और उनका इस का विशाल अनुभव भी था। आज अभी तक विश्व के तीनों देशों की नेवी में इस कम्पनी की सबमैरीन चलती थीं। इसलिए इसको सिलेक्ट किया गया। दिसम्बर, इसके लिए 11 दिसम्बर, 1981 में करार पर हस्ताक्षर हुए और दो तैयार सबमैरींस थीं और दूसरी आठ सबमैरींस का सामान बम्बई की मन्नगांव डॉक पर तैयार किया जाता था यह करार भारत और एच.डी. डब्ल्यू. के बीच में हुआ। उस में कोई विचौलिया यही था। मैं आपको याद दिलाना चाहता हूँ कि अनर्गल झूठ की वृत्ति पर इन बातों को जब कहा जा रहा है तब मैं यह कह रहा हूँ कि यह आपका विश्वास कहाँ था उस वक़्त जब आप सरकार में बैठे थे सरकार आप बताते थे आपने मध्यस्थता करने वालों विचौलियों को एजेंटों को नाबूद करने की बात नहीं की जिस दिन राजीव गांधी ने देश का कार्यभार सम्भाला उसी दिन उन्होंने यह कहा कि किसी भी रक्षा जोड़े में विचौलियों को हम नहीं रखना चाहते हैं। यह राजीव गांधी

सरकार की नीति है, कांग्रेस की नीति है, यह अलग बात है कि इस की छवि को धूमिल करने के लिए मीडिया का भरसक उपयोग करने के पश्चात् विदेशों की कई एजेंसियों का इस्तेमाल करने का भरसक प्रयास किया गया है लेकिन लोकतांत्रिक तरीके से चुनी हुई सरकार को इस देश से यह हटा नहीं सके। 1987 में जनवरी तथा फरवरी में एक एक पनडुब्बी आई उसका कार्यकाल भी चला और वहाँ पर जो नयी सबमैरीन बनानी थी उसका भी कामकाज चला। 15 नवम्बर, 1988 को डिफेंस सेक्रेटरी ने पश्चिमी जर्मनी को साफ तौर पर भारत की नीति के संबंध में बताया था कि भारत सरकार कोई भी विचौलिये के बगैर तमाम डीलिंग प्रत्यक्ष करेगी। फरवरी 24, 1987 को भारत के राजदूत का कथित बयान प्राप्त हुआ जो यहाँ पर उन्होंने उछाल कर इस बात को कहा जो तीन मार्च को रक्षा मंत्री का दिया गया और उन्होंने कहा खुद ने यह इन्व्वायरी की वह अलग बात है। दूसरे दिन जा कर हिन्दू में अपना स्टेटमेंट दे कर कहते हैं कि प्राइम मिनिस्टर ने कहा था। यह बिल्कुल गलत बात है। फेरा वायोलेशन, इनकम टैक्स वायोलेशन के संबंध में इकोनॉमिक इंटेलिजेंस ब्यूरो को इस संबंध में तलाश करने की सूचना हस्तांतर की। इस के अन्तर्गत मैं यह कहूँगा कि भारत सरकार के प्रयत्नों से इस पनडुब्बी की कीमत में काफी मात्रा में कटौती की गई। तत्पश्चात् 24 मार्च, 1987 को पुनः यह फाइल रक्षा मंत्री को दी गई तथा पाँच सप्ताह के बाद यह समय गौर करने के काबिल है। पाँच सप्ताह के पश्चात् अचानक उन्होंने यह फरमान दिया कि देशों या विदेशी एजेंट्स के खोजने के संदर्भ में रक्षा सचिव की अध्यक्षता में समिति का गठन किया जाये और साथ में अपनी भी राय उन्होंने लिख दी और राय में उन्होंने यह कहा कि संभवतः भारतीय एजेंट हिंदुजा है और इस पर उन्होंने प्रेस विज्ञप्ति भी दी। नाम डालते हैं प्रधान मंत्री का जो सरासर झूठ है। उन्होंने

[श्री मीर्जा इशाद बेग]

खुद प्रेस विज्ञप्ति में कहा और फिर उनको कैसे पता चला, अभी तो इन्क्वायरी हुई नहीं और हिंदुजा का नाम उसके अन्दर कहे दिया। यह एक चाल है एक पड़पड़ है। कहीं तो हिंदुजा का नाम ले लेते हैं, कहीं अभिताभ बच्चन का नाम ले लेते हैं और कहीं विन चडडा का नाम ले लेते हैं। इन्क्वायरी करने और रिपोर्ट भेजने से सरकार मुक्त नहीं है और चाहे बोफोर्स का मामला हो चाहे अनडुबियाँ का मामला हो सरकार ने जब जब समय आया है तब तब मामले पर साफ तौर से कहा है कि आइये हमारे साथ बैठिये और इन्क्वायरी कीजिए। इन्क्वायरी करने पर वे समझते हैं और दिल में तो उन्हें भी पता है कि सच्चाई क्या है और सच्चाई खुलकर सामने आ जाये और उसमें सच्चाई सामने आ जाये तो दो वर्ष के पश्चात लोगों के सामने जाकर वे मुंह दिखाने के काबिल नहीं रहेंगे। किंतु मान्यवर इतने प्रयत्नों के बावजूद भी उन्होंने इन्क्वायरी में दिया और सरकार ने अपने विश्वासघाती साथी की सूचनाओं पर अमल करवाया। उसकी जांच प्रारम्भ हुई अक्टूबर 25 और नवम्बर 3-4 को। अधिकारी विदेश भी भेजे गये, ये पश्चिमी जर्मनी और युनाइटेड किंगडम जाते हैं और सी.वी. आई. ने भी इसकी जांच प्रारम्भ कर दी। मान्यवर, यह अलग बात है कि, उनको सी.आई.ए. में विश्वास है सी.वी.आई. में विश्वास नहीं है। अब तो वह समय आयेगा कि जब कुछ भी बात होगी तो ये कहेंगे कि विदेश के लोगों की कमेटी बनाइये हमें उस पर विश्वास है। विदेश का रेडियो अनाउंस करे या विदेशी पार्लियामेंट अनाउंस करे तो उस पर विश्वास है लेकिन यहां के लोगों द्वारा चुनी हुई सरकार पर उनको विश्वास नहीं। क्योंकि उनका विश्वास प्रजातंत्र में नहीं रह गया है। हर्षमन पर विश्वास है, सी.आई.ए. पर विश्वास है और यहां जब सच्चाई खोलकर सामने लाई जाती है तो उस पर उनको कभी विश्वास नहीं बनता है। लेकिन इसके बावजूद सरकार सच्चाई सामने लाना

चाहती थी। मान्यवर, सरकार ने पश्चिमी जर्मनी तथा एच.डी.डब्ल्यू. के साथ भी पत्र परामर्श कर हकीकतों की छानबीन की, इस पर मान्यवर, पश्चिमी जर्मनी की सरकार ने कहा कि इन हकीकतों पर एच.डी.डब्ल्यू. कम्पनी ही प्रकाश डाल सकती है।

मान्यवर, मैं श्री राम जेटमलानी जी को कोट करना चाहता हूँ। उन्होंने अपने भाषण में यह कहा कि यह जो एच.डी. डब्ल्यू. कम्पनी है वह कोई अलग कम्पनी नहीं है लेकिन यह पश्चिमी जर्मनी की जो सरकार है उसका ही अपना एक हिस्सा है। अब वे यह कह रहे हैं तो इसका मतलब यह हुआ कि यह सरकार की ही कम्पनी है और जब सरकार से उन्होंने पूछा तो सरकार ने यह कहा कि कम्पनी से उसकी मांग कीजिए तथा वे बताएंगे कि इसकी हकीकत क्या है। मान्यवर 27 जून, 1987 को लिखा जिस पर जुलाई 9 को कम्पनी का जवाब आया। यह मैं आपके सामने कोट करना चाहता हूँ। इसमें इस कम्पनी ने यह कहा कि:

"The information regarding the payment of seven per cent commission to any Indian agent has surprised him and was not correct and could only have been caused by a misunderstanding. HDW further stated that the submarine deal was dealt directly with the Indian Government and no agents were engaged."

कहा तो एजेंट वर इन्जेज तो जरा विशाल अर्थ में देखें, न भारतीय एजेंट है न विदेश में रहने वाले भारतीय विदेशी एजेंट हैं। साफ तौर पर ये कहते हैं लेकिन इस पर उनको आपत्ति है। ये कहते हैं तुमने उनको जाकर कह दिया। तो अब किस पर विश्वास करेंगे। लोगों द्वारा चुने हुए लोगों पर विश्वास नहीं तो क्या बाहर के विदेशियों पर विश्वास है। इसके बावजूद जो इन्क्वायरी उन्होंने दो डाइरेक्टर आफ इन्फोर्समेंट, सेंट्रल बोर्ड आफ डाइरेक्ट टैक्सेज तथा सी.वी.आई. की जांच का जो निष्कर्ष आया वह

मैं आपके सामने पढ़कर सुनाना चाहता हूँ कि उनका निष्कर्ष क्या था। उसका कन्क्लूजन यह हुआ :

"(1) There is no evidence of any FERA violation.

(2) There is no evidence of any violation of the Income-tax laws.

(3) There is no evidence to indicate that M/s HBW had an Indian agent for the December, 1981 contract for the supply of submarines.

(4) In respect of the offer received from HDW as well as the negotiations with the HDW no Indian agent or representative was at any time working on behalf of the firm and there is no evidence of linking Hinduja's with the HDW contract"

जितने भी सरकार के माध्यम थे जिन माध्यमों से जांच और तलाश की जा सकती थी उन तमाम का इस्तेमाल करके सरकार यह कन्क्लूजन देती है, समिति जो आपने गठित की थी वह यह कन्क्लूजन देती है तो क्या वह कन्क्लूजन हमारे और आपके लिए वाध्य नहीं है कि हम उस कन्क्लूजन को मान्य रखें। अगर उनको लुभाने वाला कन्क्लूजन होता है तो उनको अच्छा लगता है और जब तनाम प्रयत्नों के बावजूद सच्चाई को सामने लाने का प्रयास किया जाता है तो यह उनके लिये गलत होता है। भारतीय इतिहास की परम्परा रही है कि जब-जब देश में सिराजुदोला पैदा हुए हैं तब-तब मोर जाफर, अमीर चंद पैदा हुए हैं। अभी भी ऐसे लोग पैदा हुए हैं। उनका विश्वास देश की धरती पर नहीं है, उनका विश्वास देश की प्रजातंत्र में नहीं है, उनका विश्वास है साम्राज्यवादी ताकतों में। उनका विश्वास है सी.आई.ए. में, उनका विश्वास है विदेशी लोगों में। मैं आपसे कहना चाहूंगा कि यह उनके लिए कोई नयी बात नहीं है।

बोफोर्स डील की बात आयी थी तो हमने समिति की बात की थी आपकी मांग पर। मैं उन शब्दों को दोहराना

नहीं चाहता। मैंने कहा था कि जब समिति नहीं बन रही थी तो शोर और बबेला इतना मचा दिया कि समिति बनाओ, समिति बनाओ के नारे लगाने लगे और कहने लगे कि इसकी इन्क्वायरी कीजिए। जब हमने समिति बनाने की बात की और समिति के गठन की बात आयी तो उसमें शामिल नहीं हुए। एक तरफ समिति बनाने की बात करते हो और जब समिति बन जाती है तो उसमें शामिल नहीं होते हैं। मैंने साफ शब्दों में कहा था समिति अगर बनाओ तो शोर और समिति न बनाओ तो मातम। मैं आपके माध्यम से यह कहना चाहूंगा कि जेटमलानी जी इन्क्वायरी रिपोर्ट की बात करते हैं और उन्होंने कहा कि दिस इज आल बोगस। हमारे मदन भाटिया जी ने साफ शब्दों में बताया कि बोगस की मात्रा क्या थी। बोगस शब्द आपका पर्याय कैसे बना है वह न सिर्फ इस माध्यम से बल्कि देश के महान न्यायालय ने भी आप को बताया कि बोगस की मात्रा क्या हो सकती है।

श्री वीरेन्द्र वर्मा : आप को तो वह मान्य हो जायेगी।

श्री मीर्जा इशार्द बेग : मैं कोट करना चाहूंगा और बताना चाहूंगा कि जिस वक्त इन्दिरा गांधी सत्ता में नहीं थीं तब एक अखबार में छपा गया था कि इन्दिरा गांधी राज्यसभा में आना चाहती हैं और उसके लिए, नामिनेशन के लिए अपना नाम दर्ज कराने के लिए उन्होंने एक एप्लीकेशन कर्नाटक में दी है। इन्दिरा गांधी के दस्तखत भी गलत यानी फोर्ज और उसमें इन्दिरा गांधी के साथ फिरोज गांधी का जो नाम लिखा गया उसमें भी स्पेलिंग मिस्टेक। लोग जानते हैं कि इन्दिरा गांधी की इंग्लिश क्या थी। अगर वह लिखती तो अपने पति का नाम तो सही लिखती। लेकिन वह अखबार में छपा और जेटमलानी जी ने इसको आधार बना कर पेट्रीशन की कि उनका नाम वोटिंग लिस्ट में दर्ज नहीं करना चाहिए, मतदाता सूची में इनका नाम शामिल नहीं किया जाना

[श्री मीर्जा इशार्द बेग]

चाहिए। बोगस कौन हैं? ये लोग बोगस हैं और बोगस के पर्याय बन सकते हैं। जब असत्य को पुनरुक्त किया जाता है तब कभी-कभी सत्य की छवि भी धूमिल हो जाती है। ये बार-बार झूठ और अनर्गल बातें कह कर राजीव गांधी की छवि को धूमिल कर रहे हैं। मैं एक उदाहरण देना चाहूंगा। एक बेचारा गरीब ब्राह्मण था। वह अपने गांव से दूसरे गांव जा रहा था तो एक बकरी का बच्चा अपने माथे पर ले करके वह आगे बढ़ने लगा। मान्यवर, चार ठग रास्ते में थे। उन्होंने देखा कि बकरी का बच्चा किसी भी सूरत में इसके पास से हथिया लें। अब पहला ठग थोड़ी दूरी पर मिला। उसने कहा, अरे गुरुदेव, यह आप कुत्ते का बच्चा कहां लेकर चलते जा रहे हैं? दूसरा मिला। उन्होंने कहा, नहीं भाई यह तो बकरी का बच्चा है। यह कुत्ते का बच्चा कैसे हो सकता है। दूसरा मिला और उसने कहा, छी-छी-छी, आप तो भ्रष्ट हो गए। आपने कुत्ता अपने सिर पर ले लिया है। गुरुदेव को संशय हुआ कि मेरे सिर पर बकरी का बच्चा है या कुत्ते का बच्चा है। उन्होंने फिर से उसे देख लिया, नहीं-नहीं बकरी का ही है। जब तीसरा मिला तो उसने कहा कि सत्यानाश हो गया, सर्वनाश हो गया, भ्रष्ट हो गया, फेंक दीजिए, आपने तो कुत्ते का बच्चा ले लिया। चौथे ने भी जब असत्य की पुनरुक्ति की तो भोले-भाले गुरुदेव समझ गए कि मेरे से ही कुछ गलती हुई है। शायद यह बकरी का बच्चा नहीं है, यह तो कुत्ते का ही बच्चा है और गुरुदेव ने उसे फेंक दिया। इन प्रकार ठगों ने वह बकरी ठग ली। अब यही टोली जमा हो करके बकरी के बच्चे को ठगने आई है और मीडिया के माध्यम से भी असत्य कह कर और बार-बार

झूठ को चला करके इस देश की जनता को धकाने वाली बातें कर रही है।

श्री सुब्रह्मण्यन स्वामी : यह ब्राह्मण का क्या संबंध है आपने कैसे गरीब ब्राह्मण कह दिया? इसका क्या संबंध है?

श्री मीर्जा इशार्द बेग : वह संबंध मैं भी समझता हूँ और आप भी समझते हैं। मान्यवर, यह सब बातें चलाई जा रही हैं इस देश के प्रजातंत्र को खत्म करने के लिए, राजीव गांधी की सरकार को तोड़ने के लिए, प्रजातंत्र की नींव को कमजोर करने के लिए, न तो बोफोर्स वाली बात उसका रिपोर्ट उनके सामने आ गया है और उसके बारे में झूठ चलाया जा रहा है। हालांकि रिपोर्ट के अन्दर क्लियर कह दिया है कि कौन-कौन और क्या-क्या है फिर भी उस पर विश्वास नहीं है। अब कहां से इन्क्वायरी कराई जाए और इसके लिए किन-किन लोगों को बैठाने? यह पहली बार हुआ कि राजीव गांधी से जितनी मांग की आपने, जितने भी सरकार के माध्यमों से और अन्य माध्यमों से इन्क्वायरी कराई और आपकी मांग को पूरा किया। और अगर इस तरह झूठ बार-बार कहा जाए तो फिर भी झूठ कभी सच नहीं हो सकता है और आपकी मंशा कभी पूरी नहीं हो सकती है कि इस देश में से, कांग्रेस में से या राजीव गांधी में से इस देश के लोगों का विश्वास उठ सकेगा। मान्यवर, कुछ लोग हैं, एक सदस्य हमारे इधर थे वह उधर चले गए। वैसे तो ज्यादा उधर यहां के छटे हुए लोग बैठे हैं। वह अपने कारणों से वहां चले गए।

श्री जसवन्त सिन्हा (बिहार) : आपकी भी बारी आयेगी।

श्री मीर्जा इशार्द बेग : मेरी नहीं आयेगी। जिस दिन बारी आयेगी उस दिन अपने घर पर बैठ जाऊंगा। हमें पता है हमारी कम से कम आपकी तरह बात नहीं है कि दस दफा दल-बदल करके फिर वहीं जाकर बैठें।

टोलरेट आप ऐसे ही लोगों को करते हैं जो निरन्तर झूठ बोलते हैं। देश की नेता इंदिरा गांधी के साथ और उनके मर्डर केस के खिलाफ काम करने वाले लोगों के साथ आप बैठ सकते हैं, ऐसे लोगों के साथ हमारी तो उन पर छाया भी नहीं पड़ सकती। मान्यवर, इसके बाद एक बात याद आती है कि चांदी के चंद सिक्कों के लिए और सोने के चंद निवालों के लिए, लोग अपने ईमानों को किस तरह बेच देते हैं और इस ईमान को बेचा गया है। ठक्कर-नटराजन पंच आयोग ने इस बात को सिद्ध करके बताया है कि किस तरह अपने ईमान को बेचा, अपने देश को बेचा। मान्यवर, इस सदन के कवि महोदय बेकल जी ने साफ शब्दों में कहा है कि,

“बेच दे अपनी जुवां अपनी अना
अपना जमीर।

फिर तेरे हाथ में सोने के निवाले
होंगे।”

यह जमीर बेचकर यह अना बेचकर, सोने के निवाले खाने वाले मैं तुम्हें कह रहा हूँ कि देश की जनता अगर उसके साथ में यह धोखा-धड़ी की है तो वह कभी तुम्हें मुआफ नहीं करेगी।

आखिर में अपने नेता के बारे में एक बात कहता हूँ कि कीचड़ उछालोगे अगर सूरज के सामने तो कीचड़ अपने मुंह पर गिरेगा और देश की जनता उसे देखेगी। नुम तो बेच आए हो बिनाई भी अंधारों के हाथ...। बेकल “उत्साही” जी कहते हैं:

तुम तो बेच आए हो बिनाई भी
अंधारों के हाथ,

तुम क्या कम देखोगे अब मेरे सूरज
की तरफ।

इन्हीं शब्दों के साथ मैं अपनी बात को समाप्त करता हूँ। धन्यवाद।

SHRI N. E. BALARAM: Mr. Vice-Chairman, Sir, I would like to make a few observations mainly based on

the statement of the hon. Minister and some of the other materials attached to that statement sir, some of my friends on the other side were saying that the statement was a comprehensive one. I have gone through that statement Sir, and I am sorry to say that that statement contains a number of gaps and because of those gaps that statement could not explain the whole issue. Not only that. It has strengthened my doubts also.

Sir, the issue is very simple. In 1981, We signed an agreement for the purchase of two submarines. And during 1985-86 again we tried to purchase two or three more submarines. On these two occasions, it came to the notice of the Government of India—it is not raised by the Opposition parties or any newspapers and you cannot say that any of us raised this issue—that some middleman was employed and that some commission was paid. This is the issue on which, according to me, we are debating. Some of them are debating about so many other issues and I do not want to go into them. On these two issues, I don't think that the statement throws any light. I am sorry to say that because the first thing was that we got a message from our Naval Attache, attached to the Embassy in West Germany stating that he had a talk with one Dr. Molitor, who is the salesman of the armaments of the West German Government. And we got the information that middlemen were employed and commission was paid. This is the first occasion that we came to know of these things through the Naval Attache and in these documents—I read them twice—there was a mention of a long discussion between that Dr. Molitor and our Defence Secretary. It was mentioned twice. What was that discussion about? Nothing is mentioned in the documents. In that discussion, did Dr. Molitor ever say that it was a misunderstanding or that it was wrong on his part, to say that a commission agent was employed or commission was paid? Did he say anything about this to our Defence Sec-

[Shri N. E. Balaram]

retary? This is one of the gaps that I find. Have you got any record about these discussions between Dr. Molitor and our Defence Secretary? On record, nothing is there, nothing is available here, so, we are in dark about those discussions. Simply saying that "the Government have made all efforts to enquire into the allegations, all possible leads are followed up, allegations have been found to have no basis and, accordingly, the Government have decided to close the matter", does not solve the problem. It does not solve the problem. What was the discussion? What did Dr. Molitor say ultimately? Did he say that it was some misunderstanding? Or, did he say, he made a mistake? Why did he misinform our Attache, nothing is known? Number two, we have made an agreement with a company. It is called HDW. I would like to know from the Minister is it a Government company in West Germany, or is it a company controlled by the West German Government or is it a company where the West German Government has got any substantial shares? I would like to know all these things because we have investigated only through two sources, according to the statement issued by the Minister, two sources alone. We have asked the West German Government, do you know anything about this commission, do you know anything about this middleman? They said, no, we absolutely do not know anything about these things. The West German Defence Secretary has very well stated, I have nothing to do with these things, you please inquire with the company, you talk to them, you find out. This is the first thing you have done, and they say they do not know anything; And then you come to the conclusion that nothing has happened. How could you do that? Because if the West German Government had told you that they know something, that there was no middleman, nobody was paid any commission, it is all wrong, false- I can understand. According to that on

the basis of the West German Government's findings all the allegations would be wrong. But the West German Government was telling you that they do not know anything about these things. Now, the second source of information is the HDW. When the whole issue was raised by the press, by the Parliament by the people of this country, if you go and ask that particular company, have you got any middleman for this purchase, do you think that they will give you a prompt and truthful reply? Is it an investigation? Is it a CBI inquiry? If the Prime Minister himself goes and asks that particular company, please tell us have you employed any middleman, do you think that they will give you the correct information and concede your points?

SHRI V. NARAYANASAMY: Then what is your suggestion?

SHRI N. E. BALARAM; I am talking on the basis of the documents. Your inquiry was conducted only through two sources. One source told you promptly that they do not know anything about this inquiry, *i.e.*, the West German Government. The second source told you, no. They say, it is only a misunderstanding, according to them. You accept that version. No further inquiry. If you have made any further inquiry, you please tell us which are the places, which are the things and which are the sources you have inquired from.

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

You make inquiries only with two sources. Your inquiry was not complete at all. If you are sincere, if the Government was serious, the inquiry should have gone to some other area also. I will tell you one area where you should have gone for your inquiry. Mr, Narayanasamy was asking about it. I see in the documents, I do not want to quote the names any-where outside, the names who were connected with this matter. There was a discussion between the Defence

Secretary and the previous Defence Minister, in that discussion your Defence secretary was of the opinion that there was a commission agent, commission was paid and probably the commission agent was, according to him, the Hindoojas. He mentions that. It is from your report. If this is the information of our Defence Secretary did you make any inquiry about the Hindoojas, I ask? This was the opinion given not by somebody from this side or that side or an unknown person; this was the opinion given to you by the Defence Secretary ____ (*Time bell rings*). We can sit for some time; we have not fixed any time for this discussion. . . .

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Kindly listen to me. Time for your party was five minutes...

SHRI CHITTA BASU (West Bengal): Why do you raise the question of time at the fag end of the day?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Time allotted for him was five minutes he has already taken nine minutes. He can take another 2-3 minutes.

SHRI N- E . BALARAM: If you want I will stop it and sit down. I have a very strong opinion about it.

My point is, I do not know anything of what the Defence Secretary says. What is the opinion of the Defence Secretary now? Why do I ask this question? In your own report you say that the Secretary had already submitted a report to the Government; and he was the Chairman of that committee. A committee was constituted and Defence Secretary was Chairman of that committee, and he submitted a report. That you agree. And that report contains serious matters. I will read out...

SHRI K- C. PANT; The Defence Secretary's committee did not go into this specific matter; it went into the general question of the *modus operandi* of the agents, particularly in

defence deals, and not in this specific matter.

SHRI N. E. BALARAM: That is exactly my point, IT says 'Indian agents in defence purchases'. What does it mean?

SHRI K. C. PANT; It was only about the *modus operandi* and it was not about any particular matter.

SHRI N. E. BALARAM: And that includes submarines.,.

SHRI K. C. PANT; Who said it?

SHRI N E BALARAM: You place that report of the committee. !

SHRI SUBRAMANIAN SWAMY: Are you prepared to place that report before the House?

SHRI N. E. BALARAM: If you place that report and if that report says that there is no middleman, I am prepared to accept it. You place it on the Table of the House.

SHRI K. C. PANT; I think disinformation should no be allowed. I have said that this committee did not go into the specific matter. I can explain it ten times if you want. It only went into the general question of *modus operandi* in defence purchases, but not into the specific matter *per se* in order to pinpoint any particular person or whether there was an agent or not. It was more a general thing. That is what I have said earlier. Please understand this..

SHRI SUBRAMANIAN SWAMY: What is your objection in placing the report on the Table?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): It is very clear from the papers.

SHRI N. E. BALARAM: I agree to whatever he says. Let the facts come out. I am only saying that this committee was constituted in the context of a message sent by the Naval attache to our Minister here. It is not

[Shri N. E Balaram]

.an abstract committee. Because they wanted to make enquiry about ali defence purchases, this committee was constituted in that particular context and I have explained it. You got a message from West Germany; maybe right or wrong; my impression of that gentleman who left the Defence Department is, he scotched the attempt to appoint a middleman to purchase the submarine. I congratulate him. He scotched that. He scotched the idea of entering into a further deal through middlemen. I am glad about it.

Then Sir, it has been mentioned in the statement that Government have received the reports tendered by the Director General Economic Intelligence Bureau on the *modus operandi* of Indian and foreign agents and that-of the committee under the Chairman^ ship of the Defence Secretary on Indian agents in defence purchases and its various other terms of reference, it is said here that these reports are under the consideration of the Government. Why don't you place these reports on the Table of the House? Now, this was not an issue which was raises by us. None of us raised it This matter arose from a message received from our own man in West Germany our naval attache in the West German Embassy sent the message. This came from there. It is not a political issue. We are not trying to destabilise you. Don't be under that impression.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Mr. Balaram, you have to conclude now. You have already taken fifteen minutes

SHRI K. C. PANT: Mr. Balaram, you are one of the few people who are expected to be on the side of reason and with us.

SHRI N. E. BALARAM: Whatever your comments are, I accept. I am not disputing that. My point is the hesitation on your part in not placing these reports on the Table of the

House raises a doubt. I have my doubts. This strengthens the impression that there is something to cover up. I am sorry to say this. Who is that Some X is there behind all these things. I do not know who is that X. I cannot say. But some X is there. Only when these reports are placed before Parliament we can And out what the real position is and what is the truth.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Narayanasamy. You have only five minutes.

SHRI V. NARAYANASAMY; Mr. Vice-Chairman, Sir, I have gene through the statement made by the hon. Defence Minister and it is clear, explicit and self-explanatory I have been hearing the hon. Members from the other side with rapt attention. They have only been indulging in hypothesis, conjectures and assumptions. They have not advanced any . concretete proofs about any alleged agent involved in tha deal. They are trying to distort the facts

Sir, I would like to point out what the real position is. The then Defence Minister, Mr. V. P. Singh ordered an enquiry into the submarine deal on the basis of the coded telex message received by him. What did the telex message say? It is very simple. It said: 'Seven per cent commission payable to an Indian agent by HDW , under an open-ended agreement'. The words are 'commission payable to an Indian]agent'. Mr. V. P. Singh did not go through this telex message carefully. When the telex message came, what he shoud have done as a prudery person? The telex message did not say who that agent was. Mr. Jaswant Singh has also said that there is no mention of any name in the coded telex message. What Mr. V. P. Singh should have done is, he should have. on receipt of the message, contacted the comp\ny or the'.,. West German Government to find out" who that agent was. He received the message on the 27th and on 3rd, he

has gone on record and passed orders. He ordered an enquiry to find out whether any Indian or foreign agent was involved in this. Then, apart from, 'this, on the 9th April, he ordered a general enquiry into all defence purchases. Opposition Members said that we are accusing Mr. V. P. Singh. We are not accusing Mr. V. P. Singh. But what did he say in his order? Sir, he should have confined himself to the coded telex message, but he ordered for general inquiry right from 1947 onwards. Right from 1947 till this date he has ordered the ' inquiry. No prudent Defence Minister would have done it. I am questioning the propriety of Shri V. P. Singh in ordering an inquiry in an immature manner. As I said earlier, the amount that has been paid to the commission agent has not been mentioned here. In

the second line it has been mentioned that our Naval Attache and Ambassador have categorically informed Dr. Molitor that commission agent will not be allowed. It has been mentioned here it was our Government's policy. Now the leaders from the opposition are telling that there is a cover-up. I will say only one thing. When Mr. V. P. Singh resigned from the Ministry Mr. Arun Singh was making a statement in this House on 20th April, Mr. V. P. Singh spoke in this House with the permission of the Chair. What did he say? He said: "I am thankful that the Minister of

State for Defence has presented the facts in a very lucid manner and in a chronological order. He has given as much as he could and shared it with the House and within what he has stated I just want to take this occasion to explain some aspects of some of the issues that were raised and only that is the limited purpose for which I have come." He has appreciated the Government. He said, the Government has come out with true facts before the House as early as possible on the 20th of April, 1987. But now have you seen his statement on 25th April? His statement says: The Prime Minister called me (Shri V. P. Singh), he was very angry with me

and then he told me that no purpose would be served by ordering this inquiry. If that thing had transpired between the Prime Minister and Shri V. P. Singh, he should have said it on the 20th April itself. Therefore I say, it is utter falsehood on the part of Mr. V. P. Singh that the Prime Minister called him and enquired about this from him.

Sir, I have seen the Statement¹ of Mr. Buta Singh, the Home Minister. He has clearly said that the Cabinet must have been taken into confidence and the Prime Minister was not given the information. Kindly see the funniest part of this. By the time Mr. V. P. Singh ordered for the inquiry, the prime Minister is the Finance Minister also. Kindly see the lacuna in that, I would submit that the inquiry must not have been continued because Mr. V. P. Singh acted in a hasty and hurried manner. The motive behind ordering this inquiry is apparent it shows the actual design in his mind of exposing this Government. This is the attitude of Mr. V. P. Singh for whom hon. Members on the opposite side have sympathy and are supporting him. (*Time bell rings*). I will finish within two minutes. I would like to say further that our Prime Minister on the same day, on the 20th April, 1987, stated in categorical terms that whether it is a defence contract or otherwise, if any person is involved and it has been proved that he has received any amount this Government will not spare him. This is the statement given by the hon. Prime Minister in this august House. Sir, the sequence of events, the correspondence between Defence Secretary, Bhatnagar and HDW and also the Government of West Germany would clearly prove that no commission agent is involved, no amount was paid. The correspondence which has been given in the annexure will clearly show that there was a misunderstanding. HDW has clearly stated that there was no commission agent employed by them. What more does Opposition want? They have said that it is a cover-up, somebody

[Shri V. Narayana Samy]
has said that it is bogus. But I challenge the Opposition who are trying to regain power only on falsehood to prove clearly before this House or outside that any commission agent was employed. I would like to submit to Opposition that they should be very careful in using these words in this House and accusing any particular person. In this particular deal, nothing was involved, no commission money was paid, no agent was involved and the Opposition are trying to take advantage out of this confusion. This should be cleared from the minds of the people of this country. Thank you.

SHRI CHITTA" BASU Sir, the Statement of the hon. Minister of Defence on this issue gives a clean chit to the HWD and Anally he declares that the matter is closed I am in complete disagreement with the conclusion drawn by the Defence Minister. As a matter of fact the statement that he has made shows a lamentable Jack of willingness on the part of the Government to pursue the, matter and seek the truth. On the contrary, Mr. Vice-Chairman, there are instances . which I can point out which got to prove that the Government has made a brazen attempt in certain cases of covering up truths. Ultimately I do not think this process will help the Government. . The Government's credibility has sunk further low. Some accusation has been made from the other side as to why we are interested in raising this issue so stubbornly in the House. They feel that for political interests we arev going to raise this issue or we have raised this issue. This is entirely wrong.

SHRI K. C. PANT: You have become a Swami now. You have no political interests.

SHRI CHITTA BASU There are; I will come to that. If there is any political interest on our part, it is the interest of strengthening the defence system of our country. Mr Defence

Minister, it is also a political question. It is this policy which is weakening systematically the defence system of the country and that also damages the security interests of our country. We really say and accuse that it is you who are responsible for this week-ening of the defence system of our country and working for the disintegration of this country, if there is a question of destabilisation, about which you are talking so loudly, you are the greatest destabiliser. These are the political issues which we want to also stress.

Now coming to the issue itself, the whole genesis of the case is the conversation of a very important West German official of the Defence Ministry with our Ambassador. And the document also shows that the Defence Ministry of West Germany informed our Ambassador in Bonn that M/s HDW was willing to negotiate an acceptable price for the supply of two more SSK submarines to India but they had to meet the financial diffifl-ty because of their liability to pay 7 per cent commission to Indian agents. This is what the West German Defence Ministry's official says. The name is there; I do not want to mention that name. This very statement presupposes that there was or there is a question of payment of commission. There is no doubt about it. But the whole question is, the purpose of th£. statement is to say that there was no commission paid, that it was not contemplated at any point of time.

Now, who. was the agent or who was the receipt of the commission? Sir, In the statement itself mention has been made about Glogtech. Sir if yoo go through the entire statement, there is only a one-sen-tence reference to Globtech. I do not like to take much of your time, but I want to tell the Defence Minister that this matter was referred to^ the Government right in September 1982, that is, about Globtech. Now, during this entire inquiry, did the Government take care to know the

antecedents of Globtech, as to the person who manned the company and, also, is it a fact that a former navy officer was connected with this Globtech and, if so, what role did he play in the whole matter? There is no mention about it. Then how can I say that the Government had taken all care-to see that all possible sources had been tapped and proper information was secured?

SHRI KALPNATH BAI: Don't beat about the bush

SHRI CHITTA BASU: Now the question is of our Ambassador's involvement. In the note itself some commendable words have been mentioned about him, that the information received from him was very useful. You will find it on page 3 the statement. Now let us see

what is the attitude or what has been the ultimate decision, conclusion Or attitude of the West German Government. The West German Government did not say that there was no commission paid, that there was no agent, and they also did not disagree or rule out or negate the version of our Ambassador. Please mark page 15 where Prof. Timmermann says:

"I must refrain from any kind of speculations and presumptions about this affair as well as of any real or alleged misunderstandings that may have accrued from it."

Sir, the question of misunderstanding is very crucial. He does not want to make any comment on it whether there was really any misunderstanding or whether there was no misunderstanding. The West German Government does not want to involve itself in the whole matter. In this connection, may I know from the honourable Minister whether the Government did

make any attempt to seek an explanation from our Ambassador in Bonn? What transpired between the Defence Ministry official of the West German Government and also our Ambassador

in Bonn? This conversation, as you know, is the basis of the whole case.

May I specifically know 8.00 P.M. whether this question or this matter of misunderstanding was explained by our Ambassador in Bonn and if there was any explanation why the explanation has not found a place in these documents?

Lastly, Sir, the question of Hindujas. It is not I who is raising the question of Hindujas. It is the Defence Secretary who has raised the question of Hindujas. He has stated that there are reasonable doubts that Hindujas are involved in it. Now, let us also know what Hindujas are. As a matter of fact, I have collected some story about them also.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Keep it for the future.

SHRI CHITTA BASU: I leave it. But this much you can accept that Hindujas had a very humble beginning, and within 13 years they have today a worldwide turnover of Rs. 14,000 crores. In the West German press, in the Swedish press and in the Indian press, of course now, many stories are reported about their misdeeds, I would rather say. Hindujas, as you know, worked as middlemen for arms deals during the period of the Shah of Iran and struck a gold mine there.

SHRI SANTOSH MOHAN DEV: Janata was in power then.

SHRI SUBRAMANIAN SWAMY: No.

SHRI CHITTA BASU: That is immaterial. The Janata Party has nothing to do with the Shah of Iran.

SHRI SANTOSH MOHAN DEV: The Janata Government was in power.

SHRI SUBRAMANIAN SWAMY:
The Shah fell there during the emergency.

SHRI CHITTA BASU: It is the question of Hinduja's antecedents. All these things might be known to the Government. Also in this matter after all a person of the status of the Defence Secretary made it abundantly clear that there are reasonable doubts about the involvement of Hinduja in this matter by question to the hon. Defence Minister is whether any enquiry was held. I do not raise the question of raids. What particular steps have you taken to see that Hinduja are not involved in the matter? Since Hinduja's name is involved, the country has got a right to know from the hon Minister and he owes an explanation to this House what the real role of Hinduja has been in this matter. There is no mention about that in this statement.

SHRI K. C. PANT: It is there throughout the statement.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): It is already there. The finding is there.

SHRI CHITTA BASU: They have said that they are not involved. But how have they come to this conclusion that Hinduja are not involved? Have I not the right to know it? Is it not in the interest of the nation? There are reasons, I know. You cannot afford to say and you won't say, you cannot say.

Lastly, many Members opposite have brought in extraneous issues as if the House was discussing a confidence motion in the Prime Minister. It is not a question of confidence' in Mr. Rajiv Gandhi or anybody else. The countrymen will decide it.

SHRI DIPEN GHOSH: Confidence motion of Rajiv Gandhi in the speakers on the other side.

SHRI KALPNATH RAI; You cannot resort to character assassination.

SHRI CHITTA BASU: Therefore, Sir, the whole issue.

SHRI N. E. BALARAM; Where is character? That has gone.

SHRI CHITTA BASU:.... has been dealt with in a manner which is nothing but to sidetrack the whole matter and give a clean chit for the HDW, for the Hinduja and for others who are involved in it. It is in the interest of the country that the matter is not closed. It should be pursued further to fill up all gaps, as many Members on this side have demanded.

SHRI CHITTA BASU has been Sir. The House is sitting beyond 8 O'Clock. Earlier also we drew the attention about the pitiable conditions* of the Staff of the Parliament Secretariats and the Press, because no food, nothing of this kind, is available in the restaurants. They are facing difficulties. Earlier we drew the attention of the Parliamentary Affairs Ministry and the Ministry had assured us that in such cases they will arrange, but (today they have not arranged anything. That is why I am drawing your attention to it.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I think we should take care of it.

PROP. SOURENDRA BHATTACHARJEE (West Bengal).- Sir, I will be happy if my friend, Mr. Kalpnath Rai, desists from interrupting me.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Kindly complete within five to seven minutes.

PROF. SOURENDRA BHATTACHARJEE: Unless he interrupts, I will be able to complete within that time.

Sir, different countries in the world have witnessed heads of Prime Ministers rolling on charges of pay-offs

and kickbacks, but even before the immunisation programme that has been introduced in our country this country of ours had been immune from any such reaction. Anyway, the point under discussion perhaps is whether some commission was paid by HDW company in West Germany, for being able to sell two submarines to us. After selling the two submarines and two packages to build sub-marines in 1981, the question is whether they Paid any commission or not. How that issue and an inquiry into that issue, generated so much heat, the ruling party is not able to understand. I would like to be excused by the Defence Minister when I ask how the report supported by the documentary evidence presented before the house can be convincing? A list of documents has been given, but what we are concerned with is the investigation by different agencies of the Government. Here we get copies of the communications between the Government of India and the Government of FRG or the HDW company. There is nothing investigative in that. It is readily available in the Defence Ministry. There was no necessity to go down to this or that country to secure these papjers. My question is that the investigations that have been claimed to have been held by the CBI and other investigative agencies of the Finance Ministry were the things that have not been divulged anywhere. What they did has not been divulged anywhere and we have been asked to accept at face value to the statement made by the Defence Minister in para 17. Go-verment have made all efforts to enquire into the allegations. Besides these efforts what effort was made has not at all been stated anywhere in this entire document. It is stated that because of the premature publication of the news, valid leads were not available. I do not know what is meant by "valid leads". Then, on what basis actually the enquiry was conducted has to be explained by the Minister very clearly. Or is it that

such classified documents should be enough to convince the House and the people that there is nothing wrong in the domain of India. Is it a believable position? That should be explained by the Minister. He should have more respect for the House than placing a document before the House.

Then there is another thing. Two points remain unresolved. Number one is Dr. Molitor's observation with which this report is replete. But later on this matter rests with a statement by the HDW that it is only a misunderstanding. Why nothing could be done to settle the issue with Dr. Molitor himself has nowhere been explained. This remains an unresolved mystery. Suddenly Dr. Molitor evaporates. It is Molitor, Molitor everywhere in other parts but in conclusion Dr. Molitor evaporates. Who says there are two contradictory statements? Earlier in 1985 the Defence Secretary had a meeting with the West German Ambassador in India where it was clearly stated that no Indian agents, Indian repeatedly underlined, no Indian agent could be used by the HDW. But strangely in 1987, our Ambassador in West Germany is reported here to have suggested to Dr. Molitor that in reducing the price he could impress upon the HDW that the Indian Government won't accept any agency in respect of these submarine deals. May I know whether it has been followed or not? Had it been known, why it became necessary for the Indian Ambassador in West Germany to impress upon Dr. Molitor who was an important official in the Defence Ministry of Federal Republic of Germany?, Why it was necessary to impress upon him that he could impress upon the HDW with these arguments? If it was a known argument why it was additionally necessary? Lastly, Sir, one thing is not clear from the report anywhere whether we could secure any reduction in prices. In 1981 the HDW escalated the price once agreed upon. There is remonstrance against the HDW in

[Prof. Sourendra Bhattacharjee] these documents. But this time, there was a question of 7 per cent reduction in the prices originally quoted. From these documents it is not clear to us whether any reduction was effected at all. So, all in all, the Ministry of Defence has Put up a very weak defence and it leaves many questions unanswered and it would not be able to allay the suspicion which shroudg the Government of India. Thank you.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): The discussion is

over now and the Minister will reply tomorrow. *(Interruption)*.

SHRI SUBRAMANIAN SWAMY: Sir, a new Member should be given two minutes at least. *(Interruptions)*.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I know, new Members should be given more time and I will give hira more time. Now, the House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at seventeen minutes past eight of the clock till eleven of the clock on Friday, the 29th April, 1988.