

ler section 159 of the Customs Act, 1962, a copy (in English and Hindi) of the Ministry of Finance (Department of Revenue) Notification G.S.R. No. 563, dated the 25th July, 1987, amending Notification No. 122-Cus. dated the 11th May, 1983, so as to render liquid helium gas kept in containers eligible for remission of duty on such deficiency as may occur on account of natural causes and storage, together with an Explanatory Memorandum thereon. [Placed in Library. See No. LT-4588/87]

I. Spices Board (Amendment) Rules, 1987.

II. Notification of the Ministry of Commerce.

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI P. R. DAS MUNSHI): Madam, I beg to lay on the Table—

I. A copy (in English and Hindi) of the Ministry of Commerce, Notification G.S.R. No. 661(E), dated the 17th July, 1987, publishing the Spices Board (Amendment) Rules, 1987, under section 40 of the Spices Board Act, 1986. [Placed in Library. See No. LT-4611/81]

II. A copy (In English and Hindi) of the Ministry of Commerce Notification S.O. No. 725(E), dated the 17th July, 1987, making amendment in paragraph 5 of the Open General Licence No. 18/85—88, dated the 12th April, 1985, published under the Notification No. S.O. 319(E), dated the 12th April, 1985. [Placed in Library. See No. LT-4612/87]

MESSAGE FROM THE LOK SABHA

The Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Bill, 1987.

SECRETARY-GENERAL: Madam, I have to report to the House the

following message received from the Lok Sabha signed by the Secretary-General of the Lok Sabha:

“In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in the Lok Sabha, I am directed to enclose the Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Bill, 1987, as passed by the Lok Sabha at its sitting held on the 10th August, 1987.”

Madam, I lay the Bill on the Table.

MOTION FOR APPOINTMENT OF A JOINT COMMITTEE OF BOTH HOUSES TO ENQUIRE INTO THE ISSUES ARISING FROM THE REPORT OF THE SWEDISH NATIONAL AUDIT BUREAU RELATING TO THE BOFORS CONTRACT TO SUPPLY 155 MM HOWITZER GUNS TO INDIA

THE DEPUTY CHAIRMAN: Now, we take up the Motion for appointment of a Joint Committee. Shri Jaswant Singh.

SHRI JASWANT SINGH (Rajasthan): Madam, Deputy Chairman, to whom do I address my...

AN HON. MEMBER: To the Chair.

THE DEPUTY CHAIRMAN: Order please. You can address the Chair, now.

SHRI JASWANT SINGH: I would happily address the Chair, if anybody from the Ministry of Defence were present.

THE DEPUTY CHAIRMAN: Yes, you can address. There are other Ministers who are sitting there. He is coming from the Lok Sabha. So, you can start.

SHRI JASWANT SINGH: With your permission, madam, can I desist for a minute until the Leader of the House finishes his conference?

THE DEPUTY CHAIRMAN: No.

SHRI JASWANT SINGH: Until the Leader of the House finishes with his conference. You have to just instinctively say 'no' to whatever I say. There are conferences being held in the House. I am making a simple request.

THE DEPUTY CHAIRMAN: No discussion in the House. Order please.

SHRI JASWANT SINGH: It is a very simple request. I only requested for order in the House, when the Leader of the House is himself holding a conference and you said no.

THE DEPUTY CHAIRMAN: I did not say no. I said you start.

THE MINISTER OF FINANCE AND THE MINISTER OF COMMERCE (SHRI NARAYAN DATT TIWARI): Madam, I am very sorry. The officiating leader of the Opposition was here standing. Therefore, I had to listen to his important advice.

SHRI JASWANT SINGH: That is why I made the request that if the leaders of the Opposition and the Government are conferring, I appeal to the Chair that I desist from my presentation.

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): We are most attentively waiting for the words of the hon. Member.

SHRI NARAYAN DATT TIWARI: But I am very thankful to you for your advice. I hope everybody will heed his advice.

THE DEPUTY CHAIRMAN: Everybody is attentive now and will listen to you. So, please start.

SHRI JASWANT SINGH: Madam Deputy Chairman, I am grateful for the consideration shown by you, as by the Leader of the House as in-

deed by the treasury benches and the Ministerial ranks. I am also gratified that the Minister of State for Defence is now rushing into the House.

I made the appeal because I do believe sincerely that this is an exceptional debate that we are participating in here. It is exceptional in circumstance, it is exceptional in import and it is exceptional in consequence. Personally I would have been happier if the occasion for such a debate in the Parliament had not ever arisen.

Just last evening my distinguished colleague, the former Minister of State in the Ministry of Defence, Shri Arun Singh, made an impassioned and a deeply felt intervention. I do not fault his cause, indeed in part I share it. He was good enough during his intervention to refer to the honour that I had of serving the colours.

THE DEPUTY CHAIRMAN: Mr. Jacob, somebody is talking to you. Will you please ask them to go and take their seats? Please sit down.

SHRI JASWANT SINGH: Madam, I was saying that he was kind enough to refer to the honour that I had of serving the colours. I am afraid, however, that my good friend got a bit lost in his own impassioned plea. We admire his sense of loyalty, such a rare commodity in these bleak days. But it would be presumptuous of me to even venture to suggest to him that there does exist a hierarchy of loyalties. Indeed he himself was mindful of that hierarchy of loyalties, when he said that "our country is larger than any individual, it is larger than any party and it is larger than any system". Thereafter, for him to have suggested that the discomfiting of a single individual is tantamount or amounts to political destabilisation of the country was overstretching the argument. Of course, the assent of our present concern is not the technical merit or demerit of a medium artillery-

weapon system. That might not be the essence of our concerns but they are also not extraneous to our anxiety. Indeed they are an integral part of them. He advised us to desist. I differ, with respect, on principle. If a Parliament, any Parliament were ever to give up its role and function as an unflinching and "unrelenting iconoclast then it would be abdicating its primary responsibility.

This debate, Madam, therefore, following upon the Government's motion is not about heroes and heroics. It is essentially about the integrity, intelligence, alertness versus sanguinity of our Government. Whether our Government brought honesty, good sense and despatch to a subject of a particular public anxiety or was it laggard and evasive? Is our Government to be faulted on this account or is it to be applauded.

Madam Deputy Chairman, a number of statements have been made in both Houses inside the Parliament outside the Parliament. The Prime Minister has made statements, the present Defence Minister has made statements. Indeed the leader of the House in his new incarnation as the Finance Minister has also made a statement in the Lok Sabha. I do not want to refer to the statements made in both Houses of Parliament because that would be taking up my time as also repeating of what has already been said. I am nevertheless constrained to refer to two or three statements made by the Prime Minister on this controversy, outside the House, in the intervening period of the two parliamentary sessions. After the receipt of the report to RRV from Sweden, the hon. Prime Minister on 30th June has said—and this is what confuses us and makes it mandatory on the Government to explain its position—that to a great extent the Swedish Government report has vindicated what he has said of what the Government has said. This is a point made by others also and I fail to understand where the vindication of the Government's stand arose

from the RRV. This also further confuses us. The Prime Minister says in an interview to "Navbharat Times" and he repeats it in an interview to one of the pictorial journals: "Let me tell you" informs the Prime Minister to the country, what he feels has happened and if what he feels has happened is already a matter of record, then, why this charade of a Parliamentary enquiry. He says, what he feels has happened is that whoever signed the agents contract and it says it was signed in 1977, it must have been signed for an absurdly high figure. Madam, with great regret I have to point to the statement made by the Prime Minister voluntarily in the Lok Sabha the other day. The Prime Minister there has said, neither he—I do not have the exact words—nor members of his family were involved etc. I was in the gallery of the Lok Sabha when this statement was made. I must in all honesty and candidness admit. I as an Indian felt diminished as a consequence. Of course, I am a political adversary of the Prime Minister. I don't hide it. But that such a days has occurred in India when the Indian Prime Minister has had to stand up in Indian Parliament and has had to vouch for his credibility and honesty it diminishes not just the status of the Indian Prime Minister, of the office of the Indian Prime Minister, it makes me, as an Indian, feel smaller that my Prime Minister, even if by circumstances, is being forced to make such a humiliating statement. And you know, what is even more tragic—and a number of Members have referred to it, it is tragic to all of us here—that outside, people do not still believe this statement. It is tragic in the extreme. I will go along with just one more statement made by the Prime Minister recently in Rajkot. I don't vouch for the exactness of the statement because it is reported in the newspapers. The Prime Minister, on 9th August, 1987, at Rajkot said, "It is understandable and categorically clear that the Opposition is not interested in finding the facts." (Interruption)

THE MINISTER OF STATE IN THE DEPARTMENT OF DEFENCE PRODUCTION AND SUPPLIES IN THE MINISTRY OF DEFENCE (SHRI SHIVRAJ PATIL): Madam, in this House, we have found so many Members referring to the newspapers and reading out from the newspapers. One does not know whether the statement which appears in the newspapers is authentic or not. (Interruptions)

SHRI RAM AWADHESH SINGH (Bihar): If it is not contradicted...

SHRI SHIVRAJ PATIL: The rule and the convention in the House is if a statement has to be relied upon, if it is to be referred to, it should be authenticated. If a Minister makes a statement, that statement has to be authenticated by the Minister. Unless it is authenticated, it is not relied upon. The rule is that if a book is to be referred to, that book should have been written by a personality which is recognised. Now, here, every now and then, references are made to the newspaper reports. We have all respect for the newspapers but, Madam, I want to submit very humbly that we cannot refer to the newspapers reporting in this fashion. (Interruptions)

श्री राम अवधेश सिंह: यह जो दिखा रहे थे... (व्यवधान)... अखबार आपके पक्ष में हों तब तो सही बोलता है लेकिन जब अखबार का बयान आपके खिलाफ जाता है तो कहते हैं कि हमारा नहीं है यह अर्थोर्टिक नहीं है। ऐसी कोई प्रक्रिया है क्या ?

SHRI V. GOPALSAMY (Tamil Nadu): Madam, I am afraid, Mr. Deba Prosad Ray has come here to threaten my friend.

THE DEPUTY CHAIRMAN: Mr. Ray, you go back to your seat.

श्री राम अवधेश सिंह: मैडम... (व्यवधान)

उपसभापति: आपको मैंने एलाऊ नहीं किया। आप बैठ जाइये। आप क्यों बार-बार उठ रहे हैं।

श्री राम अवधेश सिंह: अर्थोर्टिक का सवाल जो इन्होंने उठाया है यह कैसा है ?

उपसभापति: आप बैठ जाइये। बिना वजह आप उठ जाते हैं।

श्री राम अवधेश सिंह: जो इनके पक्ष में जायेगा सही और जो खिलाफ में जायेगा गलत। ... (व्यवधान) ...

THE DEPUTY CHAIRMAN: Let me speak. Unless a report is authenticated, it cannot be quoted. However, if there is any report, it can be referred to and if it is not correct, the Government can contradict.

SHRI JASWANT SINGH: There is a simple point Madam, as reported in the newspaper and until today, not contradicted by the Government and indeed, the Government has an opportunity to contradict it. The Prime Minister on 9th August 1987 said. "it is understandable and categorically clear that the Opposition is not interested in finding the facts". This is a statement which is pregnant with controversy. It is, of course, of questionable syntax and innovative grammar. But, that is not the point. The point is that if the Prime Minister's approach to the issue is as loaded as it is, then, of course, our approach to the whole question of Committee of the Parliament becomes even more difficult. I listened to the hon. the Defence Minister piloting the discussion in the Lok Sabha with great attention. I sat through the debate for the days that debate took place there, with a view to educating myself, on what was taking place on an issue of great importance. The hon. the Minister of Defence, for whom I have high personal regard, by his long parliamentary career, brings grace to his office. He has also administrative acumen and long experience. I was

looking forward, Madam, that the Minister of Defence, in his intervention, would put forward to the public and to the Parliament arguments of such excellence and stimulating flavour that the debate would be lifted out from the morass in which it is sunk at present and we would be addressing ourselves to the real issues which are confronting us. I must, in all honesty, admit, with a sense of much disappointment, that the hon. Defence Minister chose, instead, to engage himself in petty debating points. He made three assertions in the other House that we must not start with questioning the bonafides; we must rely on facts and we must not politicise the question. It might be that my understanding of what you said is at fault. But this is my understanding. This is a political body; we are not a 'gosala'. To the extent we are engaged with the politics of the day and an issue which is deeply political, which has torn the nation as no other issue has done for the last four months as speaker after speaker has referred to it. It does not then lie in the Defence Minister's mouth to suggest not to politicise it. I am totally in agreement with him when it comes to reliance on facts and when it comes to questions of bonafides. I do not approach this discussion by questioning anybody's bonafides. I have the fullest faith on the bonafides of the hon. Defence Minister and his team and indeed, the entire Defence Ministry and the Armed Forces. The question is somewhat different. Let me briefly refer to what the Leader of the House, in his proxy role as the Finance Minister, informed us about this controversy. He said a team of Reserve Bank Officers had gone to find out facts which, in fact, a telephone call to our Ambassador in Switzerland could have established. The team of Reserve Bank Officers did not need to go. He did not shed light on a crucial aspect. Some suggest of the Government's connivance with Mr. Chadha in escaping from India. Now, Hon'ble Shri Narayan Datt Tiwari was only performing a proxy role in the sense that

he had only just taken over the Finance Ministry. The Finance Ministry had been in charge, until the other day, of the Prime Minister. When the Prime Minister was the Finance Minister, Mr. Chadha who is an acknowledged, established agent, consultant or whatever, managed to leave the country. We are not any the wiser how it happened. All that we know is, the Prime Minister, on 30th June again, in an interview, said, "What could we have done? He left earlier. We cannot take short cuts." etc. etc. Madam, the two statements that have been made by the hon. Defence Minister and the Minister of State in Rajya Sabha and Lok Sabha differ in emphasis and in detail. The essential words that are made consistently by the Government are that they had "assurances" and "commitments". These are the words used. Indeed, in an earlier debate in the Lok Sabha, the hon. Minister for Defence took pains to point out that when there was a "commitment" from so honourable a man as the late Swedish Premier, why should we start questioning. So the first point that sticks, on the emphasis, is this about "commitment". Secondly, about insufficient "evidence"; "evidence has been lacking". And thirdly, that this Government, our Government, has "consistently" and "vigorously" followed up matters and that it is on account of the "insistence" of our Government that whatever progress has been made has been made. I would like to rebut each of these three assertions on the basis not of my figments of imagination, but of facts. Firstly, about "assurances" and "commitments". I would like to quote from an interview given by Mr. Aberg. He is Principal Permanent Secretary of the Ministry of Foreign Trade in the Government of Sweden. Repeatedly we have been told that Olofe Palme gave us assurances, he gave us commitments. He is what Aberg says:

"It all happened at the private visit which Palme paid to the Gandhi family. Even the wife and kids

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were present on that occasion and there was only Palme present. I had this information by word of mouth from Palme personally."

He further goes on to say—

"On the occasion when Palme said this to Gandhi, it was only on the ground of a verbal undertaking from the Managing Director of Bofors, Mr. Martin Ardbo, that Bofors ... have given the Government of India a written undertaking but that the Government of India says that that written undertaking of Bofors is corroborated, supported, committed, by the Swedish Government is wrong..."

So the question which was asked of Aberg was: Was anything in writing never given? Aberg says that what Palme did on the occasion was that he passed on an understanding from Bofors to Gandhi...

SHRI SHIVRAJ PATIL: I am sorry to interrupt my friend. What is he doing now. He is quoting; he is quoting from a magazine. Is it allowed?

THE DEPUTY CHAIRMAN: No, it is now allowed.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): Why not? What is wrong? It is very strange.

SHRI SHIVRAJ PATIL: I will be bound by the ruling of the Presiding Officer.

THE DEPUTY CHAIRMAN: You cannot quote unless it is authenticated.

SHRI JASWANT SINGH: I authenticate it now.

THE DEPUTY CHAIRMAN: It is the convention of this House. Unless it is authenticated you cannot quote.

SHRI PARVATHANENI UPENDRA: No, no. He takes the responsibility. You can ask him for the source.

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): Madam, is there a parliamentary procedure to authenticate a statement?

THE DEPUTY CHAIRMAN: He can make a reference but not quote. He cannot quote all the time. A reference may be made. He cannot go on quoting again and again.

SHRI PARVATHANENI UPENDRA: You can ask for the source.

SHRI DIPEN GHOSH (West Bengal): The point is that the Prime Minister in this House said that Bofor Company's undertaking, written undertaking, was corroborated to him by Olofe Palme. But there is a statement in the press from the Swedish Government that it was not corroborated by Olofe Palme, it was a simple verbal statement, it was a private talk that he was referring to. Who is going to authenticate it.

SHRI PARVATHANENI UPENDRA: Let them deny it. They are denying so many things. Let them deny this also.

श्री राम अवधेश सिंह : महोदया, यदि आपकी रूनिंग मान ली जाए तो इस सदन का कोई भी सदस्य कुछ बोल ही नहीं सकेगा। अब अपनी रूनिंग दीजिए।

उपसभापति : आप बैठ जाइए। आप सुनते नहीं हैं, बोलते ही जाते हैं...

(व्यवधान)

SHRI JASWANT SINGH: I will repeat what I said. This is what Aberg says. Palme himself never promised anything. A question is asked: Is there documentation in writing? To which it is said, No. Later on there has been information in writing. At this point of time when visits occurred, all was verbal. Of course, Bofors had made, had given, a commitment because they are the vendors and they wanted to sell their wares. But the question here is different. Repeatedly it has been pointed out, and the honourable Defence Minister also

as said, that they have the commitment of the Swedish Government, which is wrong. On 28 April, the Prime Minister in this House says, "I would like to reconfirm what the Swedish Government has told us recently...."—this is on 28 April and you want the confirmation of this also, Madam?—"...about a week or ten days ago before the debate in this House, that there are no middle men is confirmed by Mr. Olofe Palme to me and that Bofors has reconfirmed his to me". This was put across to Ms. Anita Gradin, who is currently the Minister of Foreign Trade in the Government of Sweden. She listens to this statement very carefully and then without hesitation flatly denies that the Swedish Government had done any such thing. Madam, these are naturally therefore, remarks for us to be aggrieved about, for us to be concerned with, as to where actually our Government stands. I go further, on the question of evidence now.

Repeatedly we have been told that the Government has not been able to act because there has not been sufficient evidence. I do not rely on any other source but the Report of the Swedish Audit Bureau. I would like to ask of the Government: Where did the cause of action first arise? We have painted a picture that it was the deal, it was the enthusiasm, and it was the insistence of the Government of India which has resulted in all these facts being found out. On the contrary—I am disappointed—the crucial evidence is the letter of April 24, written by Bofors to the Government of India. But there is not a single mention of that letter of 24th April in the honourable Minister of State for Defence's statement in the other House or in this House. Why is there not a mention? Why is there not a mention of that letter of the 24th April either in the Lok Sabha or here when part of the text of the letter is contained in the Report itself? It is misleading of the Government, therefore, to suggest that it was their enthusiasm for finding out the facts which resul-

ted in the institution of inquiry by the Swedish Audit Bureau. Here is what the Swedish Government itself has said on the subject:

"The Report of the National Audit Bureau was referred to an examination of the records underlying the amount delivered to the Indian Ambassador in Stockholm by AB Bofors concerning certain payments in connection with the Howitzer contract signed with India in 1986."

This is a statement of the Ministry of Foreign Affairs of the Government of Sweden of 4th June, 1987. This is a statement of the Government of Sweden which says that it was on the specific aspect of the letter of 24th April that the whole inquiry needed to be set up. According to the National Audit Bureau—I am quoting only select parts of it—an agreement exists. This is the Swedish Government's covering note: "An agreement exists on settlement of commission subsequent to the Howitzer deal and information exists that considerable sums have been disbursed referring to this contract." "There had been..."—please mark these words—"...other payments made by Bofors during the period in question the purpose and recipient of which it has not been possible to clarify with the aid of the data available to the National Audit Bureau." I would like to venture and say here that the amount involved of pay-offs is not fifty million dollars, is not fifty crores of rupees, but there are reports—that the figure has crossed Rs. 120 crores and what we have today is only the admitted portion of the payments made.

Now, Madam, here is what is called the "Instructions to the National Audit Bureau". "After consultation as part of the instruction to the National Audit Bureau to carry out an audit of the records underlying..."—What therefore, is the text of the letter of the 24th April? Since you have rung the bell, I won't go through the full text.

THE DEPUTY CHAIRMAN: You can sum up now.

SHRI JASWANT SINGH: I won't go through the full text of the letter of April 24 because it is already with you. It has been published in past. My point is that there are portions of this letter which have not been published. References to these portions are contained in the Audit Bureau's report itself. One assertion that has been made in this letter of April 24, which has not been referred to at all by the Government in either of the statements, is about reimbursement of consultant services within the areas of marketing and counter-purchasing. What is the finding? The finding of the National Audit Bureau is that in the supply contract there is an agreement on counter-purchasing. But according to A.B. Bofors, no such counter-purchasing has taken place so far. Secondly, about the amounts involved, here is what the Audit Bureau report says. Bofors states that the costs of winding up amounted to 2 to 3 per cent of the orders of the sums, that is, S.E.K. or Swedish Kronor, 170 to 250 million. All this money was disbursed during 1986.

I should put it to you, Madam, that this information was already available with the Government, by inference and clearly enough, on 24th of April itself. Indeed, I, with due sense of responsibility, after publication and making public of the report of R.R.V. spoke to our Ambassador in Stockholm. He confirmed to me that the fact of 2 to 3 per cent of the total value of the contract had been made available by Bofors to him on 24th of April itself. What has the Government been doing since 24th of April? If the Government was in knowledge of this, why did the Government not immediately do two simple things? Why did it not impound the passport of Shri Chadha? Why did it not immediately ask Bofors to provide full details? Why did it choose then a circuitous route of

asking the Swedish Government to enquire into information that had already been made available to the Government of India? This is about evidence.

My next point is about vigorous efforts, etc. etc. I will be very brief now. Chronologically, the evidence of vigorous efforts, for which there is so much of doubt, has been put into question by the incidents of July 3 onwards. This has been referred to by various speakers in this House and in that House. We have every right to ask as to what actually transpired between July 3 when Mr. Bredin, an official of Bofors, meets with a high official of the Ministry of Defence. That high official, imbued with a sense of purpose, instructs Mr. Bredin in words to the effect that the kind of reply that he had personally brought, is an insult to India and we will not accept it. I admire that official for the stand he took. Mr. Bredin consults him and then it is decided that senior officials, including the Principal Legal Adviser of Bofors, would arrive in India over the weekend and be available for conference by Monday, the 6th. What is it that takes place on Saturday, the 4th? (*Time bell rings*). Such an important decision was taken by the Government and now it does not lie in the Government's mouth to say that they are, of course, entitled to change their mind. Of course, the Government is entitled to change its mind on anything. But on substantial issues like this, it is different. The Prime Minister says: "What is the point of talking to Bofors when they will not talk to us?" If Bofors will not talk to the Prime Minister of India, if the Prime Minister of India is unable to elicit facts from Bofors, the vendors how does the Government expect a committee which has been instituted to investigate facts and which have already been established, to go through the basic task which has been given to it? If I were to read, it will take time and you will start ringing the bell.

THE DEPUTY CHAIRMAN: You have already taken more than the time allotted to you.

SHRI JASWANT SINGH: The task given to the R.R.V. by the Government of Sweden and the tasks which the Government of India has now given to our Parliamentary Committee are similar. If the same tasks were given to the R.R.V. and the R.R.V. has already come forward with its findings, what do you wish to do with the Parliamentary Committee? Madam, I have difficulties on principle, on the very institution of this Committee of the Parliament. A decision is taken because some important issues are called to account. You wish to institute a Committee to enquire into a matter that has already been investigated, further details of which it has not been possible for our Prime Minister himself to obtain as he himself admitted, by a Committee which cannot summon foreign nationals, cannot liaise with foreign Governments, cannot summon even its own Ministers...

THE MINISTER OF DEFENCE (SHRI K. C. PANT): I want to just correct my friend. It can summon foreign nationals and he knows it.

SHRI JASWANT SINGH: It cannot summon even its own Ministers.

THE DEPUTY CHAIRMAN: Please conclude now.

SHRI JASWANT SINGH: And yet we wish to give it the appearance as if it is an answer to all of our problems. Madam, my principal objection to the institution of a Parliamentary Committee is no longer about timings or the details or the clauses what powers you give us or do not give us. My principal objection is the difference between the Executive and the Legislature. A decision is taken by the Executive. It is the responsibility of the Executive to resolve the problems following it. We can certainly examine, we can cer-

tainly be the watchdog of the Executive. But the Parliament cannot be passed on the responsibility of doing a job which is the job of the Executive to do. If there has been a muddle, if mistakes have been made, if payments have been made amounting to Rs. 50 crores which are admitted, it is the Executive's responsibility to find out those facts. It is no longer with the Parliament and you cannot transfer the responsibility in that.

THE DEPUTY CHAIRMAN: Now I will have to call another Member.

SHRI JASWANT SINGH: I am concluding, Madam. If you wish to arrive at the truth, I make two simple recommendations; they are contained in my Motion of Amendments. We do not need to go into instituting a Joint Parliamentary Committee. We need only unanimously resolve in this House and the other House that the two Houses of Parliament unanimously resolve and call upon the Swedish Government to furnish to us immediately the excised portions of the Audit Bureau's Report. It will immediately do away with any need for constituting a Committee because the facts are already known. Secondly, Madam, let the two Houses of Parliament unanimously resolve and ask upon Bofors to furnish full facts in the matter, failing which their contract be cancelled. We need to be very categorical here, Madam, that what might technically be a feasible proposition as far as the weapons contract is concerned is politically no longer tenable. If we do not recognise it, we are making a mistake. And I appeal to the hon. Minister of Defence not to take the line which he has been doing that because legal issues are involved, because moneys are involved, therefore, a country like India is stymied in dealing with an arms trader like Bofors. The issue is not money. The issue is the status of India and it does not lie with Bofors—what is Bofors, an armament manufacturer—and when it comes to asking for information which relates

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to our own purchases, the Government of India comes forward to us and says that they cannot obtain information about weapons that they have themselves purchased from the seller. It is an amazing statement for the Government of India to make, and it is an amazing, incredible admission of incompetence. (Time bell rings). Madam, we have had very high price to pay for all this. This controversy has extracted a very high price from this nation, and that high price can never be courted in purely or only or ever in money terms. The high price is evident in the edgy atmosphere inside this House. The high price is evident in the tense edginess throughout the country that obtains today. Let me conclude, Madam, without your ringing the bell. I suggest to this Government, to my good friend, the hon. Raksha Mantri, and the hon. Minister of State, and indeed to my esteemed friend, the former Minister of state, that truth is a cleansing process, face it, go through with this process, you do not need a Parliamentary Committee for that. Facts already stare you in the face. Act on them. Let it be said after here...

THE DEPUTY CHAIRMAN: I am very sorry, Mr. Jaswant Singh, you cannot go on like that.

SHRI LAL K. ADVANI (Madhya Pradesh) He is concluding, Madam.

THE DEPUTY CHAIRMAN: You cannot go on speaking and taking the time of others.

SHRI JASWANT SINGH: Let it be said that the only coin in the realm of India, that has currency, is minted from truth, trust and openness and not from the questionable alloy of temporary convenience.

SHRI P. N. SUKUL (Uttar Pradesh): Madam Deputy Chairman, I am really thankful to you for giving me this chance for speaking on

this important and highly controversial subject.

Madam, it is also a very peculiar case we are discussing in this House and its peculiarity is not only due to the fact that for the first time such a Parliamentary Joint Committee is going to be or is proposed to be appointed to make necessary probe into the affairs of the Bofors Company or the contract we have had with them for supply of guns. It is peculiar also because it was at the instance of our opposition friends that this Joint Committee was conceded by our Prime Minister.

It was in fact our own friends from the Opposition parties who had demanded originally that such a Joint Committee should be appointed and when this Joint Committee has been agreed upon in the Lak Sabha and it going to be agreed upon here too, our Opposition friends say it is of no consequence. They do not want to join it. It is a peculiar case because as our hon. friend, Shri Babul Reddy was saying yesterday from that side that the Joint Committee must not look like a Committee of the Congress Party only. But who is going to make it look like a Committee of the Congress Party only? It is the Opposition themselves. They are themselves saying one thing and undoing the same in the same breath and it is a peculiar case which has provided the maximum possible leverage to our Opposition parties to malign the Government, to abuse the Prime Minister, although they do not have even an iota of proof either against the Prime Minister or against the Government.

Madam, when negotiations for this contract stated in 1977, it has been mentioned in the Audit Bureau's Report that the initial negotiations for this deal started in 1977, the Congress Government was not in power. The weapons system was tested in 1981 and it was only after due consideration and protracted negotiations that in March 1986 the issue was clinched

and the deal was finally signed. And, Madam, what was the position in 1977 regarding payment of commissions in such deals? It is only from onwards that Congress Government decided to do away with the services of middlemen and not to have such provisions in the contracts themselves for payment of commission to middlemen. Otherwise, before 1980 in all such contracts, in all such deals, it was provided specifically in the contract itself that so much commission would be payable and so much commission would be paid. Mr Jaswant Singh was talking about the enthusiasm of this Government. It was because of the enthusiasm of this Government that in 1980 it was decided by the Government unilaterally that we will not have the services of any middleman in Defence deals. Even today, in contracts pertaining to other Ministries, such commissions are paid daily; provisions are there. But it was only with regard to the Defence deals that the Government of Shrimati Indira Gandhi decided in 1980 not to have the services of any middleman so that the money of the people of this country is not frittered away on middlemen or agents. That is why I said it is a very important question.

As I said, during the last 4 or 5 days, because of this case, because of the submarine case and because of the Fairfax issue, the opposition parties who had been cooling their heels almost since the last Parliamentary elections, got a chance to attack the Government, to malign the Government, although as I said they do not have any proof against any member of the Government or any members of the Defence Ministry. Yesterday they were saying about the reaction of the Prime Minister of the reaction of the Government that the report made by the Swedish Radio was false, baseless and mischievous, as was said by the Government at that time, and they were criticising it. What was

false, mischievous and baseless, and what was the report actually? The Swedish Radio announced that Bofors company had secured that deal by bribing senior Indian politicians and key Defence figures. Till date you cannot point out which Indian politician or which Defence figure; there is nothing to prove. And yet they are going on maligning the Government; they are going on abusing the Government in their own way. And when they do it, I am reminded of what the great philosopher Spinoza has written in his famous book "Ethics." He says: "Each person judges of things according to the disposition of his own brain, or rather accepts the affection of his imagination as real things." This seems to be very true today after hearing whatever the opposition friends have to say without any proof. What they are saying is the affection of their imagination which to them seem to be real things. But for behaving in such an irresponsible manner, and condemning or criticising the Government without having adequate proof for that, our friends in the Opposition are really doing a disservice to the country and to the people of this great land.

Mr. Jaswant Singh was just reading out from the report of the National Audit Bureau, and specially the letter of 24th April 1987. What do the Bofors say in that letter? I am quoting: "The statement made by A.B Bofors that no middleman, representative, agent was used by Bofors to represent the company with the Indian authorities to win the contract in 1986 was correct." This was the vindication of which he was talking about. Here we stand vindicated; Bofors themselves admitted in that very letter that he was quoting.

I quote: "Contract negotiations and other contacts took place directly between the Ministry of Defence and Bofors. Secondly, no middleman was used to win the contract of 1986." This is given in this very letter. This

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vindicates our stand that there was no middleman in the deal. There cannot be a middleman unless both the parties agree to have the services of a middleman. If a person is engaged by only one party, he cannot be called a middleman. Middleman means one to whose persuasions, to whose terms, to whose services, both the parties agree. Only then you can say that there is a middleman. Here, neither our Government agrees that there was a middleman nor the Bofors company says, as has been quoted in the report of the Swedish National Audit Bureau, that there was a middleman. It is here that the stand of our Government has been vindicated. I further quote:

श्री चतुरानन मिश्र (बिहार) : एक मिनट अगर आप इजाजत दें ।

श्री पशुपति नाथ सुकुल : इसके बाद तो आपको बोलना ही है ।

श्री चतुरानन मिश्र : अभी उन्होंने कहा है कि मिडलमैन नहीं था । तो तीन मैन होते हैं एक गवर्नमेंट, एक सप्लायर जिसे हम कान्ट्रैक्टर कहते हैं और तीसरा मिडलमैन । तो मिडलमैन नहीं था आपकी बात सच है तो जो रुपया बोफोर्स कम्पनी ने दिया है क्या वह रुपया गवर्नमेंट ने लिया है ?

श्री पशुपति नाथ सुकुल : मैं अभी बताता हूँ कि किसको दिया । उसी लैटर में बोफोर्स कम्पनी ने कहा है मिश्र जी—

I again quote from this very letter, as reproduced in the Swedish National Audit Bureau report—"Bofors has not made any payments of the kind alleged by the media. Those payments that were made during the time in question and possibly have given rise to erroneous conclusions were in accordance with the contract for the reimbursement of consultancy services within the areas of marke-

ting and countrepurchasing. payments referred to by the Swedish Radio were made to a Swiss company and are completely legal and in accordance with the Swedish currency regulations and other relevant Swedish regulations. The stated payments have not been paid to any Indian company or Indian citizen and have no connection with the winning of the contract of 1986." This is the position. Now, the question is, —in the face of what has been stated by the Bofors company and the Swedish National Audit Bureau and also the fact that certain payments were made, to whom the payments were made. Since we do not have the names of the beneficiaries, since we do not have the details of the payments, we are still not in a position to say who is responsible for this. Yet, without any sense of responsibility, our hon. friends from the Opposition start criticising, condemning and maligning Shri Rajiv Gandhi and his Government. Not only this. The leaders of almost all Opposition parties,—whether it is the Janata Party or the Telugu Desam Party or the BJP—have said that the Prime Minister is personally involved or those close to him are involved. On the 8th of this month, Mr. Advani said at Ahmedabad that the Prime Minister is involved. It is because of such wild allegations that the Prime Minister had to vouchsafe in the other House that neither he nor any member of his family accepted anything by way of bribe in the deal. Mr. Jaswant Singh was just now saying that the Prime Minister should not have done this. that he should not have explained his position. If he cannot explain his position in the Lok Sabha or in this House, where is he going to do that? Do you want that like you, he should address public meetings and he should contradict you there? It is a serious matter and that is why this is going to be entrusted to a Joint Parliamentary Committee. That is why, the Prime Minister did the correct thing in explaining his position

in the Lok Sabha. I am proud him that he did so. I am proud that he came out with this categorical statement. In the face of this categorical statement, if something otherwise is proved today, what will happen to Parliament, to the Prime Minister? Can you imagine?

That is why he has made this categorical statement. Yes, you prove, let it be proved and repeatedly he has made it clear that strongest possible action will be taken against all those who are found to be guilty in this matter of receiving payments, commissions from the Bofors Company. So, I will advise my opposition friends to wait patiently for the final outcome of this probe, join us in the probe, join the Committee you demanded, make the probe, come to certain conclusions and then suggest what action needs to be taken by the Government in the matter. And do you know when the Prime Minister agreed for the constitution of this Committee? This was on 4th of June, after the report of the Audit Bureau had come. Before that he had not agreed. Before that he said, perhaps the Committee would not be able to do its job so well, the Government would do it. But on the 4th June when this report of the Audit Bureau came and it was indicated therein that certain payments had been made, then he said, now a Joint Committee should be appointed so that the Parliament makes the probe, not the executive. On the one hand, Mr. Jaswant Singh criticises and condemns the executive and on the other hand, he suggests that the executive should go on with that so that they can go on criticising, condemning and maligning them in future. We want you to be associated, we want you to do the needful, to come to the proper and right conclusion, as to who got the money, why he got the money, how much he got and so on. We also want you

to suggest what further action can be taken in the matter, what needs to be done. But the opposition friends are not inclined to join the Committee which they have themselves demanded on one pretext or the other. As the hon. Minister explained yesterday, almost all the relevant points, all the genuine demands of the opposition have already been granted by amending the terms of reference. And what is there in the terms of reference? The proposed Committee can examine whether the procedures laid down for the acquisition of weapons and systems were adhered to in the purchase of the Bofors' guns. The Government has also agreed to let the Committee have the services of the Comptroller and Auditor General of India and the Attorney General of India. The investigating agencies have been placed at the disposal of the Committee. Now it is for the Committee to use them in the best possible manner. (Time bell rings). Also they have demanded that the Committee should be allowed to go to foreign countries and the Government have agreed that the sub-Committee can go. Now if our opposition friends say that the Ministers should also be made to appear before the Committee, you see, our Constitution is based on the British pattern and under the Westminster type of Government, Ministers do not appear before parliamentary committees. Only officers appear before the parliamentary committees. Why? That is because the Ministers are already exposed in the House to the questions of Members. On any subject you can ask the Minister, you can get the information you want. Officers cannot come here. They cannot give answers directly in the House. That is why those officers can go and appear before a parliamentary committee. That is the Westminster type of functioning of the committees and that is why it will not be proper or necessary to have Ministers appear before the proposed Committee.

[Shri P. N. Sukul]

So, Madam, before I wind up, I will request my friends of the opposition to join the Committee, to help the Government, to help the Parliament in pinning down the persons really responsible for this deal or for frittering away 1 P.M. our money. Unless you co-operate with us, unless

you are there in the Committee, what will happen is it will be a committee either of Congress Party or of allied parties. Then whatever it does, tomorrow you will be in a position to find fault with its findings saying that it is a Congress Party Committee. On the one hand, you do not want to join the Committee, and on the other hand you condemn the Committee because it is without you. This is not proper, Madam. So I will join my hon. Minister and my hon. friends from this side in requesting my learned friends from the Opposition to join the Committee and help in the probe and thereby serve the nation, and not to put any blame on any person in an irresponsible fashion unless it is finally proven who is guilty and who is not guilty. Thank you.

श्री वीरेन्द्र वर्मा (उत्तर प्रदेश) :

आदरणीय डिप्टी चैयरमैन महोदया मार्च सन् 1987 ईसवी में तत्कालीन रक्षा-मंत्री भारत सरकार को जर्मनी की राजकीय फर्म से पनडुब्बी खरीदे जाने पर 30 करोड़ रुपये कमीशन दिये जाने का टेलेक्स प्राप्त हुआ था। उन्होंने उसकी जांच बैठाई। मार्च सन् 1987 से लेकर और अब तक इन पांच महीनों में सारा हिंदुस्तान, हिन्दूस्तान की जनता, संसद, दोनों सदनों को इन खबरों ने झंझोर दिया है।

सबसे पहली बार 16 अप्रैल को स्वीडन के राजकीय रेडियो ने यह घोषणा की कि बोफोर्स कम्पनी ने तोपों की खरीद में अनुचित धन दिया है। कमीशन दिया है। भारत सरकार ने 17 अप्रैल को यह घोषणा की कि यह सर्वथा झूठ है गलत है निराधार है और सरकार को बदनाम करने वाला प्रचार है। माननीया, 20 अप्रैल को बोफोर्स

कम्पनी ने स्वयं स्वीकार किया कि उसने स्विस् कम्पनी को कमीशन दिया है। मेरी समझ में नहीं आता कि बोफोर्स कम्पनी से हम कृष्ण माल खरीद रहे हैं और वह हिन्दूस्तान की कम्पनी को नहीं बल्कि स्विस् कम्पनी को कमीशन दे रही है। इसका क्या मतलब है कि माल हम खरीद रहे हैं, कम्पनी माल बेच रही है और वह स्विस् कम्पनी को कमीशन देते हैं? तो क्या माननीय राज्य रक्षा मंत्री यह बताने की कृपा करेंगे कि कितन कारणों से स्विस् कम्पनी को किस आधार पर यह कमीशन दिया गया? उस कम्पनी के कौन-कौन डायरेक्टर और सदस्य हैं, उसका क्या वास्ता है?

माननीया, 24 अप्रैल को यह स्वीकार करने के पश्चात् बोफोर्स कम्पनी ने, स्वयं भारत के प्रधान मंत्री जी ने सेना के उच्चाधिकारियों के सामने यह कहा कि यह मिथ्या है, गलत है बेबुनियाद है और 28 तारीख को पार्लियामेंट के सामने भी इसी ही प्रकार का बयान दिया। अप्रैल की 20 तारीख को विन चड्ढा के बावत यह निकला कि वह कमीशन एजेंट हैं और विन चड्ढा ने दिल्ली के कोर्ट में एक बयान-हल्फी दी कि 3-1-1986 से मैं बोफोर्स कम्पनी का एजेंट हूँ। दो लाख रुपये प्रतिमास 31 दिसंबर, सन् 1990 तक मुझे बोफोर्स कम्पनी कमीशन देगी। किस काम के लिये कमीशन देगी? चड्ढा का क्या वास्ता था? जब विन चड्ढा ने बयान दिया तब क्या सरकार को इसकी जानकारी नहीं थी? माननीया वह विन चड्ढा अपना मकान, अपनी मसीडीज कार, अपना सब सामान बेचकर भाग गया और भारत सरकार यहीं रही। पासपोर्ट भी उसका वैलिड रहा। उसके चले जाने के बाद उसके पासपोर्ट को इम्पाउन्ड करते हैं। सारी दुनिया की एम्बेसीज में यह खबर भेज दी कि कहीं भी विन चड्ढा और उनका लड़का मिले तो उन्हें पकड़ा जाय और हिन्दूस्तान वापिस भेजा जाय। इसी विन चड्ढा ने अमेरिकन एम्बेसीज में जाकर अपने किन्हीं दस्तावेजों का प्रमाणित कराया और तब भी यह कह रहे हैं कि उसको पकड़ कर भेजा जाय। उसने दो लाख रुपये महीने का जो एग्रीमेंट किया था, जो बयान-हल्फी है उसकी, उस हिसाब से 31 दिसंबर, 1990 तक एक करोड़-बीस लाख उसके

बैठते हैं। 50 करोड़ किस कार्य के लियेन उसे दिये गए। यह इतनी बड़ी रकम वह कम्पनी किस काम के लिये उसे दे रही है यह रक्षा मंत्री जी बताने की पा करें।

माननीया, हिन्दूस्तान के वर्तमान प्रधान मंत्री और स्वीडन के स्वर्गीय ओल्फ पाल्मे की बातचीत हुई, दिसम्बर, 1985 में और जनवरी, 1986 में और यह तय हुआ कि बोफोर्स कम्पनी के साथ हम जो सौदा करेंगे उसमें किसी प्रकार का कोई कमीशन नहीं होगा। पूर्व प्रधान मंत्री श्रीमती इंदिरा गांधी जी ने भी यह घोषणा की थी कि सन् 1980 के बाद किस प्रकार का कोई कमीशन व एजेंट इन सौदों की खरीद में नहीं होगा। लेकिन 5 साल बाद फिर इसी ही प्रकार की बातचीत दो प्रधान मंत्रियों के बीच होती है तो क्या 5 साल तक ये लोग फिर कमीशन और सौदों में एजेंट बनते रहे। क्या आवश्यकता थी जब पूर्व प्रधान मंत्री निर्णय ले चुकीं थी? तो रक्षा मंत्री जी यह बताने की कृपा करेंगे कि जो अनुबंध बोफोर्स के साथ भारत सरकार ने किया था, उस अनुबंध में आपने यह शर्त दर्ज की थी कि नहीं, लिखी थी कि नहीं कि बीच में कोई कमीशन एजेंट नहीं होगा। अगर नहीं लिखी तो उसका कारण बताने की पा करेंगे और जो अनुबंध आपने किया है, उस अनुबंध को इस सदन के पटल पर भी रखने की पा करेंगे?

माननीया, संसद के दोनों सदनों में ही नहीं, बल्कि आल इंडिया रेडियो, और टेलिविजन पर भी लगातार ये घोषणायें होती रहीं कि जो कुछ निपक्ष के लोग कह रहे हैं, यह सब निराधार है, झूठा है और बदनाम करने के लिये है और इस आधार पर कांग्रेस वर्किंग कमेटी ने एक निर्णय लिया कि सरकार को अस्थिर करने का अपोज़िशन का इरादा है। माननीया, मैं आप के माध्यम से सभी माननीय सदस्य जो ट्रेजरी बेंच पर बैठे हैं, उन्हें बता देना चाहता हूँ कि हमारा इरादा सरकार को अस्थिर करने का नहीं है। हमारा इरादा है कि देश की रक्षा के कार्य में एक नए पैसे का भी कमीशन कोई न खाये। हमारा इरादा है कि देश की रक्षा के लिये जो भी खर्च का जाए उसकी क्वालिटी उत्तम होनी चाहिये। लेकिन

आपने फैसला भी किया और फैसले के बाद भी आपके एजेंट लगातार खड़े रहे और उल्टे हमें को आप वहाँ कि हम झूठ कह रहे हैं। आपने कंसाइस के सामने भी वह दिया कि शायद हम सब झूठे हैं। रक्षा सचिव अभी उपस्थित नहीं है, 20 अप्रैल को रक्षा सचिव ने यह बयान दिया था कि अगर यह साबित हो जाता है कि रक्षा सौदों में कमीशन एजेंट बनाये गये तो उस फर्म को डिस्कवालिफाय कर दिया जायेगा। मैं जानना चाहता हूँ कि जब यह साबित हो चुका है कि उस फर्म में एजेंट है, उन्होंने खुद माना है कि कमीशन दिया है, मैं तो कहता हूँ कि रिश्वत दे है, जब यह स्विकार कर लिया तो भारत सरकार और भारत के मंत्री यह बतायेंगे कि जिस फर्म को डिस्कवालिफाई या ब्लैकलिस्ट करने का सरकार का इरादा था उस सम्बन्ध में क्या वायवाहों को गई है?

हम यह भी जानना चाहेंगे कि आज जो भी इसका जांच करे, आप करे या संसदय समिति करे, वह जांच करे कि बोफोर्स कम्पनी का इन एजेंटों के साथ किस प्रकार का पक्का व्यवहार हुआ, क्या लेन देन की बात उसमें साबित हुई, किन कारणों के लिये इनसे अनुबंध किया गया, कितना धन उनको दिया गया और कितना धन दिया जाना बाकी है।

जब बहुत आवाज उठे तो हमारे सरकार ने स्वीडन की सरकार से प्रार्थना की कि आप इसका जांच करायें। स्वीडिश सरकार की ऐफिशियेंस, उसकी कुशलता की मैं तारफ करता हूँ कि एक महीने के अंदर उन्होंने अपनी रिपोर्ट दी और रिपोर्ट में बताया कि 50 करोड़ रुपया दिया गया कमीशन का। इस गरीब देश का 50 करोड़ रुपया कमीशन में एजेंट खा जायें जो कि अपने विवास के लिये विदेशों से वर्जा लेता है, यह हमारे लिये दुख और अफसोस की बात है। यह चैलेंज है हमारे सरकार के सामने। क्यों खाया जा रहा है और कैसे खाया जा रहा है?

रायटर नाम की प्रसिद्ध न्यूज एजेंसी ने स्टॉकहोम से यह सूचना दी थी कि लोटस नाम की कंपनी को स्विटजरलैंड में 30 या 40 करोड़ रुपये का कमीशन दिया गया।

[श्री बोरेंग वर्मा]

आपने जांच कराई है रायटर को इस खबर की ? हम क्या इन खबरों से आपको डिस्टे-विलाइज करने को कोशिश करते हैं ? क्या हमारा इरादा यही है ? इस देश की रक्षा करने में हम आपसे कम नहीं हैं। देश के एक एक पैस को बचाने में आपसे हम पोछे नहीं हैं। हमारा इरादा देश की रक्षा करना है। आपसे किसी भी हिसियत में हम पोछे नहीं हैं।

हमने मांग को भी कि एक संसदीय समिति गठित की जाए। लेकिन किन-किन कारणों से प्रधान मंत्री जी ने उसको रिजेक्ट किया था। रक्षा मंत्री जी ने अस्वीकार किया था, उन कारणों पर भी आप प्रकाश डालने की कृपा करें। हमारा इरादा उस समय भी यही था जो आज है। किन कारणों से आपने अस्वीकार किया था ? क्या हम झूठ बोल रहे थे ? हम आपको अस्थिर बना रहे थे ? हमारा इरादा वही था जो आज है और इसीलिये मान्यवर, जब आपने यह घोषणा की है तो उस घोषणा में हमारा हित कम सिद्ध होता है।

देश के हित में है, देश की रक्षा के हित में है और कांग्रेस पार्टी के हित में है, आपके नेताओं के हित में है कि हम इस देश की जनता के सामने आपको तस्वीर साफ हो। सारी जनता के हृदय में, सारे देश की जनता के दिमाग में जो आपको आज तस्वीर धूमिल है उस धूमिल तस्वीर को साफ करने की खातिर यह जांच आपके हित में अधिक है और हमारे हित में कम है। हम तो देश के हित में कह रहे हैं और आपके इंटरैस्ट में भी यही है कि इसकी सही तौर पर जांच हो। इसलिये कमेटी ऐसा बनना चाहिये जो जनता को दिखाई दे कि वह निष्पक्षता से कार्य करेगी।

आप लाये आनुपातिक प्रणाली, जाहिर है आपकी मेजोरिटी है, आपका अध्यक्ष बने, आपका बहुमत है प्रोपोजनल रिफ्रेंडेशन से आपकी कमेटी में संख्या अधिक होगी, अपोजिशन की कम होगी। मेरी यह गुजारिश है आपके जरिये रक्षा मंत्री जी से कि ऐसी कमेटी बैठानी चाहिए जो संतुलित हो। दोनों सदनों के चुने हुए

घोर वे अपना चेयरमैन स्वयं चुने जो कि निष्पक्षता के आधार पर काम कर सके और जनता को यह विश्वास हो कि यह कमेटी बिल्कुल सही है और सही कार्य करेगी। मैंने मांग की है कि आप अव्यक्त अपोजिशन का बनाइये न आप इसके लिए तैयार हैं और न आप संतुलित कमेटी बनाने के लिए तैयार हैं।

अब मेरा एक सजेशन है, व्यक्तिगत मजेशन है, मेरे दूसरे साथियों ने कहा है कि संतुलित कमेटी आप बनाइये बेहतर से बहार आरमियों की, वे खुद अपना चेयरमैन चुनें और अगर आप उसको इजाजत नहीं देते तो कमेटी किसी सुप्रीम कोर्ट के नज को चेयरमैन चुन ले। अगर यह मुमकिन हो सकता है तब पब्लिक में इस पर प्रति विश्वास जागृत होगा, तभी जाता में यकीन जायेगा। दो बातें कह कर मैं अपनी बात समाप्त करूंगा। रा नेवोर्ग जो चीफ आफ इन्फरमेशन, नोबेल इंडस्ट्री जिसकी बोफोर्स कम्पनी है, ने कहा है भारत सरकार यदि चाहेगी तो हम सभी प्रकार की सूचना देने के लिए तैयार हैं। स्वीडिश गवर्नमेंट के पास सारी सूचनाएं हैं। नेशनल आडिट ब्यूरो के पास सारी सूचनाएं हैं, बोफोर्स के पास सारी सूचनाएं हैं और सेंट्रल बैंक आफ स्वीडन के पास भी सारी सूचनाएं हैं, आप क्यों नहीं लेते हैं। आप कोई कम्पनी के कर्जदार हैं ? क्या आप बोफोर्स कम्पनी के नीचे दबे हुए हैं ? आप यह कह सकते हैं कि हम ब्लैकलिस्ट कर देंगे, डिसक्वालीफाई कर देंगे। आप ब्लैकलिस्ट होने लायक हैं। आप यह कह रहे हैं कि यह सौदा हम को कैसिल नहीं करना है। वह आप को हर प्रकार की सूचना देने को तैयार हैं इसलिए कि उनसे शायद और माल खरीद लिया जायेगा।

एक बात जरूर चाहता था कि पत-डुबियाँ में जो 30 करोड़ रुपये का कमीशन खाया गया, वह तो राजकीय फर्म है, यह तो बोफोर्स भी नहीं है। इसकी जांच भी आप समिति के सुपुर्द कर दें। आप बोफोर्स की जांच के लिए भी पहले तैयार नहीं थे, अब जांच के लिए तैयार हैं। इसलिए आप इसकी भी

मिति के सुपुर्द कर दे जिससे आगे चल कर गहराई से उसको देखा जा सके। बहुत आवश्यक बात है तोपों को, एम्पुनिशन को खरीदे जाने की मेरी समझ। यह नहीं आया कि अभी हमारे राज्य त्रि जो उठ रहे थे उनसे कहना चाहूंगा कि वह अपने जवाब में बनाने की पा रहे कि जो अनुबन्ध हुआ एम्पुनिशन खरीदने के लिए। इन तोपों को दिया गया सीमल कंपनी को जो इटली की तर्ज है? और दिया गया बेल्जियम के तर्ज। आपने डायरेक्ट क्यों नहीं दिया? राज के हफारे रक्षा विभाग के उच्च अधिकारी यह कहते हैं कि यह नान डेवेंडेबल हैं, टीचरस हैं। उस कंपनी को ब्लैक लिस्ट कर दिया जाये। महोदया, मैं आखिरी बात कहना चाहता हूं। देवलाली का हमारा जॉर्ज टाटिलरी स्कूल है उसने 5 जनवरी, 1987 को एक लेटर लिखा है। उस लेटर की संख्या भी आप जानते होंगे। यह लेटर जी०श्री० इन सी० साउदर्न कमांड को लिखा है जिसमें उन्होंने लिखा है कि जो ये आपकी तोपे हैं इनमें ये-ये दोष हैं इन तोपों की नवम्बर दिसम्बर, 1986 में ट्रायल को गई थी। ऐसी स्थिति में मैं माननीय मंत्री महोदय से कहना चाहूंगा कि वे यह बताने की कृपा करेंगे कि देवलाली के आटिलरी स्कूल ने ट्रायल के बाद इन तोपों के बारे में जो सूचना दी है, क्या आपने उसकी जांच की है और उस संबंध में क्या कार्यवाही की है? क्या आपको इस बात की भी जानकारी है कि जिन बोफर्स वालों से आपने ये तोपें खरीदी हैं, इन तोपों के बारे में पाकिस्तान के टेक्नीशियन्स और पाकिस्तान के डिफेंस पर्सोनल को ट्रेनिंग दी जा रही है ताकि वे जान सकें कि इन तोपों को किस प्रकार से चलाया जाता है? मुझे उम्मीद है, माननीय मंत्री जी जो बातें मैंने उठाई हैं उनका उत्तर देंगे। मैं यह भी कहना चाहता हूं कि जिस प्रकार की सदस्य समिति का आप गठन करना चाहते हैं उससे कोई लाभ नहीं होगा। आप इस पर पुनर्विचार करें और सभी का सहयोग लेने के लिए एक संतुलित कमेटी का गठन करें।

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Madam, should I start now or should I break up and speak after lunch also?

THE DEPUTY CHAIRMAN: The average time is about 10 to 15 minutes. You can continue for two-three minutes more.

SHRI JASWANT SINGH: Madam, since the discretion is entirely yours and since we are keen to listen to her intervention rather than fracturing her speech...

THE DEPUTY CHAIRMAN: She does not need your recommendation. You please sit down.

SHRIMATI JAYANTHI NATARAJAN: Madam, you want me to speak now.

THE DEPUTY CHAIRMAN: Yes. About ten to fifteen minutes is the average time and you can take fifteen minutes. It does not matter. I won't ask you to stop in between and then we will break...

SHRIMATI JAYANTHI NATARAJAN: Yes, Madam. Madam, I rise to support the Government Motion. The whole of yesterday and most of today, I have been listening to my colleagues from both sides of the House, discoursing learnedly, some times acrimoniously upon the merits of the motion. Sometimes, Madam, quite often in fact, I felt with great respect to all my colleagues that we strayed away from the main text of the motion, from a discussion of the motion which is, if I may remind the House, whether to appoint a Joint Parliamentary Committee to go into the question of the Bofors deal. While this is the text of the motion, what we have really done is to conduct an inquisition into the bona fides, of the Prime Minister and his Government. I said once before, Madam, during the previous debate on the Bofors as many of us have said that the allegations being made were baseless mischievous and ma-

[Shrimati Jayanthi Natarajan]

licious and I wish to repeat and reiterate that the allegations being made against the Prime Minister and his Government are still baseless, are still mischievous and are still malicious. (Interruptions)

Madam, I want to repeat in the consideration all the interruptions also. (Interruptions)

THE DEPUTY CHAIRMAN: Since you are refuting all their arguments straightway, so, naturally, they are agitated. You can continue.

SHRIMATI JAYANTHI NATARAJAN: While apparently we are discussing a motion on the appointment of a Parliamentary Committee, in reality, what we are really doing is casting largely unsubstantiated allegations against the person of the Prime Minister and his colleagues in the Government and this is why it is mischievous because instead of confining themselves to the facts, most of my colleagues have dealt only with the Prime Minister and the Government without going into the real question which is yes, it is a fact without going into the real question. Yes, it is a fact that certain things have occurred. It is a fact that we have admitted it and therefore, the question is that we should, the country should, both the Houses should get to the truth of the matter and that is the debate which we are now discussing, Madam, and we should not lose sight of this debate. I think it was Mr. Advani who pointed out, though in a different context, that the issue was basically a political one. Though the overall implications of the issue have wide-ranging political, economic and administrative implications, the issue is basically political. We all know this and therefore, it is that the *bonafides* are being questioned and when the *bonafides* are being questioned, before going into the text of Motion, I would like to answer the question

that was raised by Mr. Dipen Ghosh who said, "What moral authority does this Government have to continue?" I wish to answer him with one simple statistics. Madam, during the elections, the General Elections held in 1984, the total valid votes polled were 11,54,78,261. Out of this, the percentage of valid votes obtained by the Congress Party was 49.04. May I state some more statistics, Madam? 11.42 crore voters, some 32 lakhs more than the 1980 elections, cast their ballots in favour of Congress-I, to put 401 out of its 485 nominees in the eighth Lok Sabha in an unprecedented mandate for the Party in the next five years. There was a swing around of seven per cent of votes in favour of the Congress-I compared to the last elections and it had increased its representation by 62 seats. Out of 485 nominees, 401 were elected this time against 339 in 1980 though polling was held this time for only 508 seats. Madam, one more statistics, without taking much more time of this House. (Interruptions)

The IMRB poll conducted in 1980 has shown that 62.7 per cent of the people in this country wanted Mr. Rajiv Gandhi as their Prime Minister. 8.2 per cent of the people of this country wanted Mr. Vajpayee as their Prime Minister. 3.1 per cent wanted Mr. Chandrashekar, 2.2 per cent Mr. Charan Singh and 4.4 per cent about others. Then, this is my answer, Madam, to the question of moral responsibility. We have the mandate, the largest ever mandate, of the people to continue in this Government. (Interruptions) Madam, I seek your protection from Mr. Singh.

श्री राम अवधेश सिंह : ***

SHRIMATI JAYANTHI NATARAJAN: Madam, I would like to answer. He certainly does not think it is relevant. But the mandate of the people

***Expunged as ordered by the Chair.

as brought us here. If that is not relevant, I would like to know what is relevant. Then, Madam, the question of the constitution ... (Interruptions)

THE DEPUTY CHAIRMAN: You continue. (Interruptions)

श्री जगेश देसाई (महाराष्ट्र) : मैं आपको कहना चाहता हूँ कि आप बार-बार इन्टरप्ट न करें। आप बार-बार इन्टरप्ट करते रहते हैं आप यह समझ लें।

श्री राम अवधेश सिंह : इररेलेवेन्ट बात करते हैं।

श्री जगेश देसाई : आप कौन से रिलेवेन्ट प्रश्न पूछते हैं। आप को इस तरह से नहीं करना चाहिए।

SHRIMATI JAYANTHI NATARAJAN: Madam, may be lunch will make him feel better. (Interruptions)

SHRI JASWANT SINGH: Now, it is close to 1.30 and there is lack of patience in the House. We would like to hear... (Interruptions)

THE DEPUTY CHAIRMAN: You like to hear. But there are interruptions.

SHRI JASWANT SINGH: Possibly after lunch ... (Interruptions)

THE DEPUTY CHAIRMAN: All right. We will break for lunch and will meet again at 2.30. I hope there would not be any interruption thereafter.

The House then adjourned for lunch at thirty minutes past one of the clock.

The House reassembled after lunch at thirty-two minutes past two of the clock, the Vice-Chairman (Shri Jagesh Desai) in the Chair.

SHRIMATI JAYANTHI NATARAJAN: Mr. Vice-Chairman, just before lunch recess despite the best efforts of an honourable Member who is fortunately not here, I was trying to point out that the reason why this Government continues to govern is the massive mandate of the people that we received in 1984, and according to the Constitution of India, I need hardly remind this honourable House, we hold office for five years and there is no provision in the Constitution for a recall. It is for us to hold this mandate in a responsible way and discharge our obligations to the people. So much has been said about the amount that has gone by way of alleged bribe, by way of commission. The honourable Member who spoke just before me also said that so much of this Rs. 50 crores could have gone towards the millions of poor people in this country. Yes; I have one question to ask. I have some figures here. We spent on the General Elections in 1952 a sum of Rs. 10.45 crores approximately, in 1962 about Rs. 7.32 crores, in 1967 about Rs. 10.95 crores, in 1977 about Rs. 30 crores, in 1980 about Rs. 56 crores and in 1984 an estimated Rs. 100 crores. Of course, these figures are purely approximate. I have to say just one thing. If this is the amount that we spent on elections in 1984 when we received a massive mandate from the people and under the Constitution have come to power to govern over this country for a period of five years, by what moral authority can the Opposition now ask that an amount of Rs. 100 crores or more be spent once again on General Elections before the term has gone through? The speakers before me have already dealt with the alarming drought that has been faced by this country. We know that much of the Plan expenditure is going to be thrown away by the expenditure that is going to take place on drought. On drought relief so much of the Plan expenditure and the Plan estimates are being reappraised now.

[Shrimati Jayanthi Natarajan]

In this view of the matter would it be moral, would it be correct, would it be expedient, even sensible, for this country to demand a fresh poll especially when we received such a massive mandate from the people? I have read two lines in a book about what Panditji used to say about this Government. I just want to take a little liberty with that and quote before this House:

“क़ा इसलिए लोगों ने चुनवाया था
हमें,

बन जाए नज़मन, तो कोई आग लगा
दे ॥”

Is this the reason why we have been brought here? Is this the reason why the people gave this mandate? In the face of vague and unsubstantiated charges should we run away from power? No. As a proud Member of this Parliament, as a member of the Congress (I) Party, I say that we will stand here and we will fight and we will show that we are right and that we have done right and that our party and our leader and our Government have done no wrong and, what is more, those who are guilty will be punished. This you will know when the truth comes out.

SHRI NIRMAL CHATTERJEE
(West Bengal): The mandate was not for Bofors!

SHRI V. GOPALSAMY: The truth has already come out against you!

SHRIMATI JAYANTHI NATARAJAN: Some time ago, during the previous debate on the Bofors controversy, I had made a reference to the problem having taken the analogy of the story of a blind man searching in a dark room for a black cat which is not there! Now the outlines of the cat have emerged and there seems to be some irregularity having taken place. Sir,

a distinguished Tamil scholar and leader, Shri Annadurai, once said:

“Sattam oru iruttarai; adil
vakkilin vaadam oru vilakku.”

The translation is that law is a dark room and the arguments and the knowledge of the lawyer are like a lamp that lights up the dark room. In the same way, ... (Interruptions).

SHRI V. GOPALSAMY: Complete the whole thing.

SHRIMATI JAYANTHI NATARAJAN: You complete it.

SHRI V. GOPALSAMY: He said that the poor cannot get that light at all. The torch is not available to the poor at all. ... (Interruptions)... She was quoting Dr. Anna. Because she quoted Dr. Anna, I am only completing the sentence... (Interruptions).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You can do it in your speech. Please sit down. Now let her continue.

SHRIMATI JAYANTHI NATARAJAN: I would once again like to compare the present situation with that only. We were groping in a dark room. The outlines of an irregularity have appeared. The Government has acted in the most prompt manner possible to light the lamp of truth in the dark room. Sir, most of the speakers before me have gone over the facts in detail and I am not going to waste the time of this honourable House by going into those facts once again. The honourable Minister has assured the House and they have acted at the earliest point of time. We are prepared to find out the truth and we are trying to light lamp of truth in the dark room. But it seems as if the winds of political expediency, as if the enlightened self-interest of

the Opposition, are now trying to snuff out this lamp. Yes, you accuse... (Interruptions)... You accuse of trying to hide the truth. But I say, Sir, with conviction, with the courage of conviction of the Motion that is now being debated before this House, that we are trying to find out the truth while you are running away from the truth by refusing to associate yourselves with this inquiry and out of political motives and for political reasons you are trying to snuff out the lamp of truth. That we are trying to light and the people and history will be your judge.

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

SHRIMATI JAYANTHI NATARAJAN: Sir, I have not even begun... (Interruptions)... Sir, they did not allow me to speak... (Interruptions)... Anyway, Sir, I have two more points.

THE VICE-CHAIRMAN (SHRI AGESH DESAI): You have already taken thirteen minutes. I will give you two minutes more.

SHRIMATI JAYANTHI NATARAJAN: Sir, before lunch, they never allowed me to speak at all.

SHRI NIRMAL CHATTERJEE: Sir, normally she is capable of better judgement. But let us not enter into that now. Let us hope so and give her some more time for that.

SHRIMATI JAYANTHI NATARAJAN: I may just remind the House that we have founded our parliamentary democracy on the Westminster model, on the pillars of the Westminster system, and there is no doubt about it. But we have our own glorious traditions and the pillars of the parliamentary democracy of this country have been a responsive government, a construc-

tive and well-informed Opposition and a responsible Press. To take the last first, the Press has been less than responsible in this case. Sir, Mr. Gadgil made a very illuminating speech in the other House which I would not repeat here. But the point is that most of what the Press has said in other countries has, on a survey conducted, been found to be untrue on investigation and very often it suits the Press which is in the hands of certain vested interests to make unsubstantiated allegations. It was also observed in the other House and I won't repeat it here. A time was when the proceedings of the Houses of Parliament used to be the source of newspaper reports. A time now is when newspaper reports, particularly foreign radio reports, are the source of proceedings in this Parliament. This is a matter of shame. I feel that not only the press has been less than responsible, but the opposition has not been constructive. They have abdicated their constitutional duty in a parliamentary democracy to function as a proper, constructive and informed opposition. I will set out the reasons why I say this in just one minute. Sir, let us take a cold, hard and dispassionate look at what has happened with special reference to the behaviour of the opposition. Right in the beginning, when the Swedish Broadcasting Company made a particular report, chaos broke loose in Parliament and many accusations were hurled. A parliamentary probe was immediately demanded. I can read from the speeches of various learned leaders of the opposition such as Mr. Indrajit Gupta and Mr. Dinesh Goswami—I do not want to waste the time of the House by reading all that—who demanded a parliamentary probe. Not only that they demanded a parliamentary probe, they said that it was the only way of getting at the truth. Mr. Goswami very eloquently said that Parliament should not abdicate its responsibility. It should not hand over its respon-

[Smt. Jayanthi Natarajan]

sibility to two Judges of the High Court or of the Supreme Court. We should zealously guard our rights. It is for us to probe and, therefore, let us probe. When a *prima facie* case emerged and, acting with the greatest promptitude, the Prime Minister announced a parliamentary probe, even before the terms of reference were announced, certain opposition parties said that they would not participate. Without even looking at the terms of reference, they said that they will not participate in it. After the terms of reference were given and the debates were going on in Parliament, they started criticising the terms of reference. I need not go into that now. They said that...

SHRI JASWANT SINGH: This is an admirable point which has been made by my esteemed colleague. Simply put, it is like this that if the Government of India can change its mind to summon Bofors from 3rd July to 4th July, as explained and discussed by the Political Affairs Committee, then surely the opposition can also change its mind from one event to another. So much has taken place in the middle. That has been the substance of her argument. Perhaps my esteemed colleague...

SHRIMATI JAYANTHI NATARAJAN:

I just want to take up from there to add that if the opposition can accuse the Government of lack of bonafides because it has changed its mind, then I am certainly entitled to accuse the opposition also of lack of bona fides for changing their mind. Sir, as I was saying, the moment the terms of reference were brought, they started objecting to them. I will come to that in just one minute. We are all aware and we need not go into that in any great detail that in the Lok Sabha how far the Government went to accommodate every request of the

opposition. Even the press which is well known for being partial to the Government, said—practically every editorial said—that it is now for the opposition to join the Government if they want to find out the truth. After that, having found that it would look a little odd, a new tactic has now been adopted by which the credibility of the gun, the worthiness of the gun, has now been released to the press. There is mention of a private letter. We do not know. It is for the hon. Minister to refer to the letter. Was such a letter addressed or not? I am not going into it. I have to ask the hon. Minister only for one clarification. If there was a letter, was there a reply to such a letter? Were the defects rectified? If there was a letter to the Army Headquarters or the GOC, as Mr. Virendra Verma has mentioned, was there a reply? Did they deal with it? If so, why isn't anybody picking it up? They know that in that case the truth will come out. I would like to have the hon. Minister's clarification on that point.

Eleven hours after having decided to boycott the probe at that point of time, they have now started a campaign, carefully orchestrated, by which the capacity of the Government itself is being questioned.

We are now in a situation where they say in this House—if you look at some of the Amendments that are proposed to the Motion—that “we will still boycott this Committee unless you give in to certain of our requests.” And what, Sir, I ask, are these requests? Every single request, if I may say so, is against the rules. I would just like to say a few words about the Committee, Sir. In this, we all know, we are aware that the present motion, the Joint Parliamentary Committee that is proposed is unprecedented. It is the first of its kind. There has never been a Committee like this before. What are the Com-

tees Sir? They are the way by which the valuable time of these two Houses is saved. Much work is done in these Committees. And they also act as a watchdog over the Legislature. The Executive is also accountable to the Legislature. Sir, I need not mention before this House, before so many distinguished Members of the Committee on Public Undertakings, the Estimates Committee and the various other Committees that act as a watchdog and to see that the Executive is accountable to the Legislature and the admirable way they function. Sir, in all these years it has always been the rule and I can quote the authority, Mr. Shakhder, who says proportionate representation on the Committee depending upon the number of Members who are in a majority of the House will always be the composition of the Committee. Sir, despite the fact that Members of the ruling party have always been in a majority in all these Committees, the Estimates Committee, the Public Undertakings Committee, the Public Accounts Committee have come out with various reports that have been sharply critical of Government and the Members have always arisen above party considerations and have worked together for the common welfare of this country. So many times the Opposition has hurled charges against us. Do you have a monopoly of patriotism? I want to ask the Opposition, through you, Sir; Do you have a monopoly on sense of justice? Are you the only people who have a conscience? Look at the record of the Committees that have functioned till today in this House, Sir, there was the controversial Kuo oil deal. The Committee was headed by Mr. Bansilal, a Member of the Congress Party. There was that report. Then recently, Sir, a Cabinet Minister had to resign because of the report of a particular Committee in which the ruling party was in a majority. Sir, the point that I am trying to make is a simple one. The rules have already provided to see that there is Executive accountability to

the Legislature. What we are doing now is unprecedented. We are setting up a Committee for a specific purpose. We already have Committees for all the possible purposes that you can conceive of. What we are setting up a Committee now for is a specific purpose, to go into a specific deal. Let us not set a dangerous precedent of arming this Committee with powers to make a roving enquiry. Let us not set the dangerous precedent of giving this Committee unprecedented jurisdiction and powers because that will be harmful to the Legislature. Let us address ourselves to the specific issue in question. And as far as the specific issue in question is concerned, the rules are very clear. As far as these rules are followed, as long as these rules are followed, no accusation can be hurled on the ground of the majority of the ruling party. Sir, I need not once again go into the question of the Chairman being from the Opposition. Sir, I can take you to the rules. The rules are clear. The Chairman is always nominated by the Speaker according to Rule 200 or some thing of the Lok Sabha Rules. Then, Sir, much has been said about the power to summon the Ministers. We all know that it is against the convention, it is against the rules. It is not done. The hon. Raksha Mantri has given an undertaking that those Ministers who want to, who wish to, they can appear before the Committee. The same applies to the foreign nationals. Sir, there is, to my mind, an extremely disturbing amendment. And that is that both the Houses pass a Resolution calling upon the Government of Sweden and the Bofors to give us the details. Sir, I just have a very serious doubt. Suppose both these Houses pass a Resolution and the Government of Sweden still refuses to give us the details for whatever reason, then what will be the status of the Parliament of this country? What will be the status and what will be our respect, what will be the international respect that we command in these circumstances?

SHRIMATI RENUKA CHOWDHURY: I want one clarification. *(Interruptions).*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): The Minister will clarify.

SHRIMATI RENUKA CHOWDHURY: She has yielded the floor. I just want to ask one thing. Number one, at the outset my hon. colleague has said that she took up the question of having spent the amount on elections and that they came with a thumping mandate after having spent Rs. 100 crores and asked is it justified now for the opposition today to ask for a fresh mandate in view of spending so much in terms of monetary amount. She also quoted an authority, S. L. Shakhder, who said in the present case the issue is not one of administrative accountability but of political accountability and therein lies the difference between the opposition asking for a fresh mandate or not. We are saying that it is moral turpitude and you cannot equate that with hundred crores of Indian rupees. *(Interruptions).*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Those are your views.

SHRIMATI JAYANTHI NATARAJAN: Sir, there is one more point I have to make and then I will conclude. Sir, much has been said that the truth has already come out, that facts are already available, it is for the Government to go into it and arrive at a particular conclusion. The Government is already suspect. It is very clear from what has been said inside this House and outside. In fact, Mr. Upendra went on to accuse all of us on this side of having sold the country for a few crores of pecuniary gain, as if he is privy to all our bank accounts. The point is that you have also pre-judged us and, therefore, any report that is forthcoming from this Government will be

suspect. You have already gone on record saying that Parliament should not give up its responsibility to a judicial officer before the Fairfax Commission. But this is a very important matter and this Joint Parliamentary Committee is the only way in which the Opposition can associate itself with any kind of inquiry of this kind and I want to ask the Opposition, knowing this why are you running away from it, and if you think that we are going to whitewash the whole thing, we are not going to allow the Ministers or foreign nationals to give evidence, write a minute of dissent. But let the truth come out. If we are not afraid of truth, why are you afraid? Therefore, Sir, this is the only way by which the opposition can be included and I accuse the Opposition of abdicating their responsibility, of abdicating the trust that the people have put in them, just for the sake of political expediency. In conclusion, I wish to say that the question of electoral mandate is very important. It is for the opposition to have its say. No doubt the voice of the minority is important but the Government has to govern and it is for the Government to have its way. And this adversarial role has to stop at a point of time. We are a developing country. This adversarial role has to stop beyond a particular point of time because the development of the people is most important and it is also important that we establish not only the bona fides but also the fact that this country is moving ahead and in this developmental stage this adversarial stance has to be abandoned at some point of time and the Government should be allowed to function.

Sir, I will just finish after quoting two lines: Prof. Jennings notes that Governments tend to regard the Opposition as a break on a car going uphill whereas the Opposition thinks that the car is going down-hill. Still in the net result all that the Opposition can be until a mandate from the people of five years is complete, is a

break. They may think that the country is going down-hill. But we think we are taking the country uphill. But the break can never become the steering wheel of the man sitting behind the steering wheel.

श्री चतुरानन मिश्र : उपसभाध्यक्ष महोदय, चूँकि सरकार की ओर से इस बोफोर्स केस के बारे में प्राइमरी फेसि केस मान लिया गया है, इसलिए उसकी मेरिट्स पर मैं नहीं जानना चाहता। यह तो जब कमेटी स्थापित हो जायगी, तब उसकी मेरिट्स के बारे में जाएंगे। अभी जो कमेटी कायम हो रही है, उसके टर्म्स और रेफरेन्स का बातों की तरफ जाना मैं उचित समझता हूँ क्योंकि बाद में जब मौका मिलेगा, उसकी तफसील में उस समय जाऊँगा।

वैसे कल यहाँ हमें अरुण सिंह जी का भाषण सुनने का मौका मिला, जो हमारे भूतपूर्व रक्षा मंत्री भी रह चुके हैं। उन्होंने बोफोर्स तोप के बारे में, गन्स की तकनीक के बारे में, उनकी रेंज के बारे में बहुत सी बातें कहीं। लेकिन मेरा ऐसा ख्याल है कि अरुण सिंह जी और शासकीय पार्टी से एक गलती हो रही है, वह बोफोर्स के पूरे रेंज को नहीं समझ रहे हैं। बोफोर्स की असली रेंज है रेसकोर्स बंगला और टारगेट है प्राइम मिनिस्टर्स फेमिली और उसकी एक मेडिसिनल क्वालिटी है कि विपक्ष में हम लोग पिछले चुनाव के बाद बहुत एनिमिक थे, उसको भी काफी ट्रान्सपयूजन आफ ब्लड किया है। यह बोफोर्स का गुण है।

श्री विठ्ठलभाई मोतीराम पटेल (गुजरात) : बोफोर्स की सहानुभूति आपके साथ लगती है।

श्री चतुरानन मिश्र : हमारी सहानुभूति नहीं रहती तो आप ये काम करते। हम मजबूत रहते तो आपको पकड़ लेते। यह आप क्यों नहीं समझ रहे हैं। मैं चर्चा करना चाहूँगा कि बोफोर्स का किकबैक्स 80 करोड़ या 100 करोड़

नहीं है। अगर 800 करोड़ भी रहता तो मैं उसकी बाद में चर्चा करता। मैं चर्चा करना चाहता हूँ प्राइम मिनिस्टर की, जिनके बारे में शर्क भी शब्द है और सारे देश ने पिछले चुनाव में उन्हें इतने वोट दिये, उनके बारे में गहरी शर्का प्रकट नहीं करनी चाहिए कि वह इनवाल्ड है।

एक माननीय सदस्य : वह शर्क का वजह से।

श्री चतुरानन मिश्र : धन्यवाद। अगर हमारी ही वजह से सोचते हैं तो आपको पता चल जाएगा। हम जानते हैं कि कुछ मेबर चर्कि मंत्री मंडल में परिवर्तन होने वाला है, उसके ख्याल से भाषण दे रहे हैं। लेकिन मैं आपसे कहना चाहूँगा कि हमारी सरकार की और प्राइम मिनिस्टर की विश्वसनीयता इनवाल्ड है और इनवाल्ड है डिफेंस सीक्रेट्स, क्योंकि बोफोर्स कंपनी के बारे में रिपोर्ट आई है कि वह पाकिस्तान के लोगों को भी ट्रेनिंग दे रही है। हम यह जानना चाहते हैं और आप कहते हैं कि हम लोग ऊल-जलूल बात बताना चाहते हैं। दूसरी बात अभी मुझसे पूर्व बतला माननीय सदस्य नटराजन जी ने कही कि आप क्यों कहते हैं कि सरकार इस्तीफा दे। हमारी पार्टी ने सरकार के इस्तीफे की मांग नहीं की है। हमने कहा है कि आप फिर से चुनाव करवाएँ। उन्होंने उसका भी विरोध किया है। उन्होंने संविधान का उल्लेख किया है कि आप बहुमत रहते हुए किसी सरकार को इस्तीफा देने की बात नहीं कह सकते। लेकिन संविधान का एक अनुच्छेद गनी खान चौधरी अनुच्छेद है, जिसे कानूनविद माननीय सदस्यों ने सम्भवतः नहीं पढ़ा है। जिसने बंगाल की हुकूमत को कहा था कि हम बंगाल की हुकूमत को बंगाल की खाड़ में फेंक देंगे। उस वक़्त आपकी अवल कहां गयी थी, कानून कहां गया था, संविधान कहां गया था, जिस दिन आपने चर्चा की थी कि प्रोपर्टी इलेक्ट्रेड गवर्नमेंट को बंगाल की खाड़ी में फेंक देंगे। हम आपको कहना चाहते हैं कि हमने संविधान की रक्षा

[श्री चतुरानन मिश्र]

की है आपने नहीं। हमने बचाया है संविधान को। जब आपकी मेजोरिटी गवर्नमेंट को डिसमिस करने की बात चली थी तो हम दोनों क्यूनिस्ट पार्टियों ने कहा कि राष्ट्रपति को यह अधिकार नहीं है। नहीं तो हमें बंगाल की खाड़ी जाने की जरूरत नहीं थी हमने तो आपको जमुना में डुबोकर मार दिया होता। इसलिए हम आपसे कहना चाहते हैं कि आप हमारी बातों को गम्भीरता से सुनिए। जो विषय इन्टरलूड है, उस पर आइए। कहते हैं कि डिस्टेबिलाइजेशन हो रहा है।

Change of the Prime Minister is not destabilization? Who told you? Prime Minister can come and go.

अगर आपकी पार्टी में डेमोक्रेसी रहती, प्रोग्रेसी इलेक्टेड पार्टी रहती तो हम कहते कि दूसरा आप लोगों में से कोई प्रधान मंत्री हो जाय।

श्री के. सा. पंत : दक्षिण अमेरिका में एलेंडे साहब को हटाया गया, तो उसके पीछे एक साजिश थी, यह तो आप मानते हैं। तो कभी-कभी तो व्यक्ति की बात आ जाती है। यह बात नहीं कि कभी नहीं आती।

3.00 P.M.

श्री चतुरानन मिश्र : यह बात ठीक है। उसी परिस्थिति को ध्यान में रखते हुए हमारी पार्टी और हम कम्युनिस्ट लोग समझते हैं कि डिस्टेबिलाइजेशन हो रहा है। लेकिन सबसे बड़ा डिस्टेबिलाइजर कौन है? सबसे बड़ा डिस्टेबिलाइजर तो आप खुद हैं। किसने यह मौका दिया? किसने कहा कि बोफोर्स काण्ड में घुस नहीं दिया गया? किसने कहा कि कोई मिडिलमैन नहीं है? आपको तो लज्जा भी नहीं आती है? किसने कहा था कि अमिताभ बच्चन को टिकट दो। हमने कहा था क्या? फिर जब जीत गए तो सभी नाचने लगे। हमने कहा था कि आप नाचो? अब दुनिया में सबसे खराब आदमी वही है, इसलिए हटा दिया। हमने कहा था उसको हटाओ? अभी एक लेडी मੈम्बर ने कहा कि अपोजिशन के लोग अवॉइकेट करते हैं? अपनी रिस्पॉन्सिबिलिटी को। जनता ने आपको

शासन करने का अधिकार दिया है और सरकारी खजाने से रुपया चोरी हुआ आपको पता नहीं। लेकिन चौकीदार तो आप थे खजाने के। आपको डूब मरना चाहिए कि आप ने कहा कि चोरी नहीं हुई। आपको इस बात की लज्जा नहीं है कि वित्त चट्टा यहां से, चोरी करने वाले भाग गए और आप मुंह ताकते ही रह गए और हमको कहते हैं कि हमने मदद नहीं की। क्या हम लाठी लेकर मारने जाते उसको? चोर बोले जोरो से। आप गाल बजा रहे हैं। थोड़ी सी तो लज्जा आपमें होनी चाहिए।

आपने टोटल डिस्ट्रेस्ट पैदा किया है। हमको विश्वास नहीं है कि आप के साथ जाएं। इसका कारण समझ लीजिए। कल कुछ माननीय सदस्य आपके दल के जिस डंग से बोल रहे थे, जिस डंग से पंत जी ने भाषण किया, पाटिल साहब ने भाषण किया तो हमने सोचा कि शायद कुछ गिर्यधिकंग आपके काम में है, इसलिए हम लोग कुछ रेस्पॉंड भी करने लगे। फिर लोग तालियां देकर कहते हैं कि कुछ हुआ ही नहीं। पहले आप साबित तो होने दो। वे आपके ही प्रधान मंत्री नहीं हैं, सारे देश ने उनको चुना था। अच्छे साबित हो जाएं तो अच्छी बात है, आप पहले से ही क्यों ढोल पेंट रहे हो? अब विश्वनाथ प्रताप सिंह आपके साथ नहीं हैं, इसलिए वे सी०आई०ए० के हो गए। लेकिन जब तक वे थे आपके साथ वे क्या कर रहे थे? वे पकड़ते थे बड़े बड़े एकाधिकारी घरानों के लोगों को, फिर कहते थे कि माफी मांग ली, इनको छोड़ दीजिए। तो मैं पूछना चाहूंगा कि किस कानून के मातहत आप उनको छोड़ देते हैं? आज भी दिल्ली हाई कोर्ट ने नोटिस दी है, आपने पढ़ा है? ... (व्यवधान) मैं आज के टाइम्स आप इण्डिया से उद्धरण दे रहा हूँ—
“The Delhi High Court today directed the Government to inform whether the investigation launched against the industrialist, Mr. L. M. Thapar for his alleged violation of FERA was still pending or not?” हाई कोर्ट ने सरकार को नोटिस दिया है थापर के केस पर। आपने क्या उसको छोड़ दिया है? कैसे हम आप पर विश्वास करें? बोफोर्स के घूसखोरों को हम पकड़कर ला भी दें और आप आमने-समिती दें तो क्या लाभ?

हम कम्युनिस्ट पत्राव में खून से इतिहास लिख रहे हैं। आप टैरोरिस्टों से हमको नहीं बचा सकते हैं। आप कहेंगे पता तो लगाकर दीजिए कि किसने मारा? हिन्दू-मुस्लिम दंगों पर आपका कोई कंट्रोल नहीं है, कड़वे तेल का भाव 36 रुपए किलो हो गया है, उस पर आपका कंट्रोल नहीं है, शायद बोफोर्स बम की पालिश करने के लिए कड़वा तेल जा रहा है। आप किस मज की दवा है? आप अगर चाहते हैं कि आप पर विश्वास हो तो एक उदाहरण कायम कीजिए, एक आधार कायम कीजिए। आपके हित में है। अभी भी हालत बिल्कुल नियंत्रण के बाहर नहीं हुई है, अभी भी समय है कि हम कुछ कर सकें। आप लोग कहते हैं कि मिड टर्म इलेक्शन क्यों करें? इसलिए कि कोई दूसरा उपाय नहीं है। फिर से प्राप्त जनोद्देश ही वर्तमान अविश्वसनीयता को समाप्त कर सकती है। यही फिर से प्रतिष्ठा स्थापित कर सकती है। आपकी प्रतिष्ठा से मतलब आपकी पार्टी से नहीं इस देश से है। अभी आपको जो बहुमत प्राप्त था राजकाज चलाने के लिए वह चला नहीं पा रहे हैं, जनता में गहरा अविश्वास पैदा हो गया है। अब मैं टाइम्स आफ इण्डिया के रिसच ब्यूरो ने जो कहा है वह मैं आपको पढ़ कर सुनाता हूँ। वह आपके पक्ष की बात भी है और हमारे भी। यह 24 जुलाई का पत्र है।

उपसभाध्यक्ष (श्री जगेश देसाई) :
आप जरा सजेर में बोलिये। आपका टाइम खत्म हो चुका है।

श्री जसवंत सिंह : यह इतना खूबसूरत बोल रहे हैं, इतना अच्छा बोल रहे हैं कि इतनी थोड़ा टाइम ओ. दे दीजिए।

श्री चतुरानन मिश्र : मैं पांच-सात मिनट में खत्म कर रहा हूँ। यह रिसच ब्यूरो ने लिखा है, कम्युनिस्ट पार्टी का अबकार नहीं है, टाइम्स आफ इण्डिया के एडीटोरियल में लिखा है कि विपक्ष के लोग जरा अकलमंद से काम लें। आपके लिए भी लिखा है अकलमंद से काम लें। जिससे उन्होंने क्वेश्चन पूछा :

"Every third person was inclined to believe that the Prime Minister was shielding some of the people in Bofors deal these days."

1/3 आदमी अगर इस देश के ऐसा कहे तो हम आप को फिर से चुनाव कराने को कहने के लिए आये और आप कहोगे चुन-चुप, थम-थम। क्या हम यहां डांस करने के लिए आये हैं। आप से कह रहे हैं सच बात सुनिये। आप पर अविश्वास प्रकट हो गया है। आप चले आइये टर्म्स आफ रिफरेंस पर। मैं आप को कहना चाहता हूँ कि हमारे क्या दिक्कतें हैं और आप क्या कह रहे हैं। पहले शिकायत है कि आप हक-रक कर क्यों कह रहे हैं। एक बार सोच कर सारे बात को कहिये जिस पर हम को भी भरोसा हो। नहीं तो हम को शक हो रहा है। हम सच बात कह रहे हैं हम को शक हो रहा है क्योंकि आपने कह दिया बोफोर्स से कि तुम्हारा कांटेक्ट हम रद्द नहीं कर सकते। आप गवर्नमेंट में हैं, आप बहुमत में हैं, प्राइम मिनिस्टर का अयोरिटे है आप घूम लेने वालों का नाम पता नहीं लगा सकते तो इस कमेटी को क्या अयोरिटे है? हम किसे पकड़ने के लिए जायेंगे। आप कहते हैं हम नहीं पकड़ सकते हैं आप जरा पकड़ ला दीजिए। सरकार से कौन कमेटी बड़ा है। इसलिए हम आप से कहते हैं कि टर्म्स आफ रिफरेंस में आप यह रख दीजिए कि बोफोर्स का गन जो है उसका कांटेक्ट रद्द करना वाजिब है या नहीं। हम समझेंगे आप आनेस्ट हैं। आप कहते हैं स्वीडन में बोफोर्स ने जो गन बनाये, वे अद्वितीय गन हैं। तो स्वीडन क्या कोई लड़ाकू देश है? गन बनाता था हिटलर का जर्मन और मार गिराता था सोवियत यूनियन। विएतनाम ने बिना बोफोर्स के अमेरिका को हरा दिया। आप कहते हैं कि बिना बोफोर्स के काम नहीं चल सकता। लार्ड बैटलर ने बहुत पहले सतों प्रथा खत्म कर दी थी। कांग्रेस पार्टी बोफोर्स पर क्यों सत होना चाहती है मेरा समझ में नहीं आता। प्राइम मिनिस्टर से बड़ा है क्या बोफोर्स? देश से बड़ा है क्या? अगर आपका आदमी इस काण्ड में है तब हम को कुछ नहीं कहना है। हम को गहरा शक है। आप अपने टर्म्स आफ रिफरेंस में यह रखिये कि मंत्रियों एवं प्रधान मंत्रों से भी कमेटी पूछ ताछ कर सकते हैं। आपने रेजोलूशन में नहीं रखा, मोशन में नहीं रखा। अगर मिनिस्टर को इच्छा

[श्री चतुरानन मिश्र]

हैं तो मिनिस्टर है । यह बात है जैसा टेरेरिस्ट को इच्छा हो तो कोर्ट में हाजिर हो सकता है । अगर मानना है तो साफ-साफ मानिये दिल साफ है तो मानिये कि हम इसको मानने के लिए तयार हैं । आपने क्या दिया कि अगर विदेश में यह कमेटी जाना चाहे तो अध्यक्ष से पूछ लेंजिये । जो काम करना है अध्यक्ष से पूछ लेंजिए । 3 बार अध्यक्ष से पूछने का बात है । आप अध्यक्ष से बेंच साइट ड्राइविंग क्यों कराते हैं । अगर वह बड़े काबिल हैं तो वह क्यों नहीं खोज करके ले आते ? अगर आप नहीं पता लगा सकते तो हम को चेयरमैन-शिप दे दीजिए । अगर आप से पता लगे तो हम पता लगाने के लिए आप के साथ हैं । आप कह रहे हैं कि हम से होगा नहीं और तुम्हें करने दोगे नहीं । यह अर्जब हाल है । आप प्रधान मंत्री हैं, आपको किसी ने नहीं रोका है । दो तीन महीने कमेटी को रोक दीजिए और अगर आप से हो सके तो नाम पता ले आइए । बाद में कमेटी बनेगी । कमेटी बनेगी या नहीं बनेगी, यह कोई बड़ा बात नहीं है । लेकिन अगर आप ईमानदार हैं तो हट जाइये, दूसरों को आने दीजिये । इसलिए यह जरूरी है कि कोई रास्ता तो निकले । इस कमेटी के टर्म ऑफ रेफरेन्स को आप देखिये... (व्यवधान) ।

श्री को. सी. पंत : एक ही दिक्कत है, इस देश के लोग यह नहीं मानते और हमको ही भेजते हैं । जिस दिन आपको भेजेंगे उस दिन आप कमेटी चलाइये और देश को भी चलाइये ।

श्री चतुरानन मिश्र : मंत्री महोदय, जिस दिन हमको बोफर्स से दोस्ती करने के लिए भेजेंगे उस दिन हम मरना अच्छा समझेंगे बनस्पत जिन्दा रहने के । यह हमारी बात है, हमारी यही हालत है ।

अब आप कमेटी के दूसरे टर्म ऑफ रेफरेन्स पर आ जाइये । यह मेटी विदेश जाएगी तो यह केन नाट होल्ड सिटिज्ज, केन नाट रिकार्ड एविडेन्स । तो क्या यह कमेटी वहां प्लेट धोने के लिए जाएगी । हम यह तो कह सकते हैं कि हम विदेश में कोई

डिसीजन नहीं लेंगे । लेकिन अगर हम वहां मीटिंग नहीं कर सकते हैं, एविडेन्स रिकार्ड नहीं कर सकते हैं तो क्या हम वहां डांस करने के लिए जाएंगे ? कौन बात करने के लिए हम वहां जाएंगे ? एसी रिडिकुलस चीज आपने इसमें रख दी है । बोफर्स वाले हमें बोतल दें और हम टनाटन उनको जरूर तोड़ डालें । आपने यह क्या गोरख धन्धा बना कर रखा है ? आप किस की रक्षा करते हैं, भगवान ही जाने ।

इसी तरह का एक विषय आर है । हम नहीं चाहते कि अभी सबमेरिन के बारे में कुछ कहें । हम तो अपोजीशन में हैं । आप छः महीने बाद बता दीजिए । तब तक इलेक्शन भी नजदीक आ जाएंगे, फिर हम आपको लोत मारेंगे । इसमें एक खतरनाक बात हुई है । इस सबमेरिन का बल्यू प्रिन्ट जो जर्मनी ने तैयार किया वह उसने साउथ अफ्रीका को सप्लाई कर दिया है । यह एक डेन्जरस बात हुई है । हमारी डिफेन्स का बल्यू प्रिन्ट साउथ अफ्रीका को चला जाय, इससे बड़ी खतरनाक बात और क्या हो सकती है । पिछले दिनों आपने नीति निर्धारित की कि हम सिर्फ सोवियत संघ और कम्युनिस्ट देशों से हथियार खरीदते हैं, लेकिन अब यह बात नहीं है, पश्चिमी देशों से भी हम हथियार खरीदेंगे । आपने कहा कि हम हर तरह का माल रखना चाहते हैं । अब आपको यह बोफर्स का सांप, बिच्छू मिला तो आप बाप-बाप कहने लगे । कम्युनिस्ट देशों से जब आप माल खरीदते थे तो ऐसा हंगामा नहीं होता था... (व्यवधान) । हम आपको बताएंगे, हमारी बन्दूक काफी मजबूत है ।

महोदय, मैं आपका ज्यादा समय नहीं लूंगा । आप लोग इस सदन के माननीय सदस्य हैं, बहुत प्रतिष्ठित व्यक्ति हैं, देश भक्त हैं, आप हमें बताइये कि सबमेरिन का सीक्रेट बल्यू प्रिन्ट साउथ अफ्रीका के पास चला जाय और मिनिस्टर साहब यहां पर इसका जवाब न दें तो यह क्या बात हुई ? आप किस की रक्षा के लिए हैं । इस तरह से इस पर 17 सौ और 18 सौ करोड़ रुपये खर्च हुए । हम आपसे बार-बार पूछते हैं कि उन्होंने आपको इसका टेक्नीकल नौ हाऊ दिया है या नहीं,

लेकिन आप मौन व्रत धारण कर लेते हैं।

श्री शिवराज पाटिल : हम जवाब देंगे। आप बार-बार सवाल करते हैं, हम जवाब ज़रूर देंगे।

श्री चतुरानन बिभ्र : आपकी तरफ के लोग तो उचक-उचक उठते हैं। हम तो वर्ष से सुनना चाहते हैं और इस डिबेट को अच्छे ढंग से चलाना चाहते हैं। यह जो लोटस कम्पनी है, यह किस की है? आप उसका नाम क्यों नहीं लेते हैं? क्या यह कोई जेठा है या जिस तरह से औरों ने अपने जेठा का नाम नहीं लेते हैं उसी तरह से आप भी अपने जेठा लोटस कम्पनी का नाम नहीं लें? यह लोटस कम्पनी किस की है? मैं चाहता हूँ कि आप इसके बारे में बोलिये। पिछले दिनों में विपक्ष से कुछ बातें हुई हैं। कुछ एमेन्डमेन्ट रक्षा मंत्री ने सदन के सामने रखे हैं जिसको हम लोग भी काफी गम्भीरता से लेते हैं। हम चाहेंगे कि हम अलग से बैठकर या जैसे भी हो कोई रास्ता निकालें। हम लोगों को शक है आप उसे साफ कर दीजिये। आपने इतने रूल्स रेगुलेशन रख दिये हैं? हमारे हाथ-पांव बांध बोरे में बंद कर दिये हैं ताकि अन्त में कुछ न निकले तो आप लोग कहेंगे कि वाह, वाह कुछ नहीं निकला। अब अगर आप राजनीति करते हैं तो हम भी राजनीति करते हैं। हम भी कोई भूना खाकर नहीं पड़े हुए हैं। हम भी यह रोकथाम करते हैं। इसलिये अगर आप ईमानदारी से करना चाहते हैं तो थोड़ा इसके टर्म्स आफ रेफरेंस को अमेंड कीजिये और जनता का विश्वास प्राप्त कीजिये। अभी भी परिस्थितियाँ काबू में बाहर नहीं चली गई हैं। आप कहते हैं कि आपकी सरकार इतना पता नहीं लगा सकती है। यह आपने बार-बार घोषित किया है। लेकिन अगर पार्लियामेंट भी पता नहीं लगा सकती या सारे भारत के लोग पता नहीं लगा सकते हैं तो यह अत्यन्त ही लज्जाजनक बात होगी। इसलिये यह आपके हाथ में भी है कि आप इसके टर्म्स आफ रेफरेंस में ऐसा

अमेंडमेंट कीजिये ताकि हम लोगों का आप पर विश्वास बने और हम लोग भी उसमें जा सकें नहीं तो हम अपने घर में और आप अपने घर में। दोनों भाषणबाजो करेंगे, पार्लियामेंट है आपको भी और हमारा भी। एह तिहाई तो यों हो गया जो दो तिहाई है वह हम सबमैरन का रिपोर्ट के आते आते ले लेंगे। धन्यवाद।

श्री सत्यपाल मलिक (उत्तर प्रदेश):
श्रमन्, मैं आपसे अपने अधिकारों का रक्षा चाहता हूँ। मैंने कल से बोलने के लिये कहा है कि मैं भी बहुस में हिस्सा लेना चाहता हूँ। नियमों के मुताबिक मैं बोल सकता हूँ.
(व्यवधान)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): There are so many yet to speak.

श्री सत्यपाल मलिक : होगा, लेकिन यह महत्वपूर्ण मामला है। मुझे इस पर बोलने का मौका मिलना चाहिए।

SHRI DIPEN GHOSH: Mr. Vice-Chairman, he may be allowed to speak on this issue.

श्री सत्यपाल मलिक : ब्रिटेन पार्लियामेंट में चर्चिल से लेकर (व्यवधान)

THE VICE-CHAIRMAN: (SHRI JAGESH DESAI): He belongs to Congress (I).

SHRI DIPEN GHOSH: So what? He is a Member of this House.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please listen to me. There are so many speakers in Congress (I). After the list is over and if the time is there... (Interruptions) It is for the Congress (I) Party to decide on who will speak on its behalf.

Yes, Mr. Madan Bhatia.

SHRI V. GOPALSAMY: His name is not appearing in that list.

श्री लाल कृष्ण आडवाणी

समाध्यक्ष जी, आपको बात सहज ही साधारणतया इस मामले को पार्टी और पार्टी के विपक्ष तय करते हैं। लेकिन आप इस बात से परिचित हैं कि यह जो बोफोर्स का मामला है इसके बारे में सारे देश में चर्चा है, सारे देश में बहस है और पार्टियों में भी नुआसेज है। इन नुआसेज को ध्यान में रखकर मैं समझता हूँ कि सदन के सम्मानित सदस्य जिन्होंने आपसे अलग, भी निवेदन किया है बोलने देने के लिये आप अपने अधिकारों का प्रयोग कर सकते हैं। अगर आप उनको बोलने को अनुमति देते हैं तो उससे मर्यादा का हनन नहीं होगा और यह देश के लिये अच्छा होगा।

SHRI DIPEN GHOSH: Mr. Vice-Chairman, one second...

SHRI PARVATHANENI UPENDRA: Don't gag Mr. Malik. Let him speak.

श्री सत्यपाल मलिक : पार्टीयों के न चाहने के बावजूद मेम्बरों को चेयर ने बोलने का अधिकार दिया है। ब्रिटिश पार्लियामेंट में चर्चिल से लेकर मार्टिन व्हेचर तक, अनेक प्रश्नों पर क्लिब पार्टी के सदस्य अनेक पार्टी द्वारा नाम न देने के बावजूद बोलें।

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M. M. JACOB): Mr. Vice-Chairman, Sir this is not the British Parliament; this is Parliament of India. I have got a very long list of Members, and we have given some names to you. Other names are here. It depends upon the time available.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Exactly. That is what I asserted.

श्री सत्यपाल मलिक : मेरा उसमें नाम है या नहीं?

SHRI V. GOPALSAMY: His name is not in the list. Why are they afraid?

SHRI PARVATHANENI UPENDRA: Why are they afraid?

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

It depends upon the political party. The Congress (I) has given a list to me, and accordingly I am giving the time. If the list is exhausted and if time is available, then, I will take, not before that.

SHRI DIPEN GHOSH: One second.

PROF. C. LAKSHMANNA (Andhra Pradesh): Just one second. He says that there is a further list. Then there is no question of exhausting the list.

SHRI DIPEN GHOSH: The fact is that the names of speakers which have been supplied by the Congress (I) Party, its leader or the deputy leader or the whip, that list of names does not include the name of Mr. Satya Pal Malik, an hon. Member of this House.

SHRI THANGABAALU (Tamil Nadu): Who are you to ask? (Interruptions)

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

SHRI DIPEN GHOSH: Just listen. (Interruptions) He has asked for permission from the Chair to speak on this issue.

AN HON. MEMBER: Who are you?

SHRIMATI RENUKA CHOWDHURY: Who are you? (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please sit down. I am here.

SHRI DIPEN GHOSH: It is true normally the names of the speakers are supplied by the whips of the party and the groups and accordingly those members participate in the debate. But since already it has been recognised or it has been accepted that it is a special situation and special issue, everything is special. So, one hon. Member of the House has asked for permission from the Chair to speak. I hope the Chair would permit him to speak on this issue. (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): The names have been given to me. After the list is over, then I can consider. Before that I cannot consider it at all, Mr. Madan Bhatia.

श्री सत्यपाल मलिक : नाम दिये गये होंगे लेकिन (व्यवधान)

SHRI V. GOPALSAMY: Why can't you assure? The ruling party wants to gag the voice of this Member. (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You see, I cannot assure. I have told you and again I repeat that if the list which is with me is over and if time is available, then I will consider his name along with other names. At the moment I cannot say whether I will give time to him or not.

SHRI DIPEN GHOSH: By that the ruling party will lose. If you want to shut the mouth, then the ruling party will lose.

SHRI SATYA PAL MALIK: I seek your protection. मैं इससे सहमत हूँ कि... (व्यवधान)

श्री अटल बिहारी वाजपेयी (उत्तर प्रदेश) : उपसभाध्यक्ष जी, इस तरह की घटना दूसरे सदन में भी हुई थी एक मੈम्बर को बोलने नहीं दिया गया क्योंकि उन्हें पार्टी से निकाल दिया गया।

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): He was not even a member at that time.

श्री अटल बिहारी वाजपेयी: दूसरे मੈम्बर को बोलने नहीं दिया जा रहा है इस आधार पर कि वह पार्टी से निकाल दिया है।

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): वाजपेयी जी आप तो बहुत समझदार हैं।

You are a Parliamentarian. He is a Member of the Congress(I). (Interruptions)

Please sit down. Please take your seat. I have heard it and I have given my ruling. (Interruptions) Please sit down. Please cooperate with me. Our debate was going on very smoothly. Please allow me to conduct the House smoothly. (Interruptions)

श्री सत्यपाल मलिक : मैं बात आज़ूट कर रहा हूँ क्योंकि मेरे अधिकारों का हनन (व्यवधान)

(इस समय माननीय सदस्य सदन से बाहर चले गये)

श्री राम अवधेश सिंह : हमारे आपस रिक्वेस्ट है कृपा कर के उनको पांच मिनट बोलने का समय दे दीजिये।

SHRI NIRMAL CHATTERJEE: I would just make an appeal to you. I would not take much of your time. (Interruptions)

SHRI THANGABAALU: Sir, he is a Member of the Congress party.

SHRI V. GOPALSAMY: So, what? His right should be defended. Why are you afraid?

SHRI THANGABAALU: We are not afraid.

SHRI V. GOPALSAMY: You are afraid. (Interruptions)

SHRI NIRMAL CHATTERJEE:

Please listen to me. I am not trying to obstruct. You know our party is interested, as Chaturananji has indicated it is interested in the search for truth. As you know initially the Government's position was We cannot go beyond the rules. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please. I have given him time. Let him speak for just one minute.

SHRI NIRMAL CHATTERJEE: Then the Government in its wisdom appeared to be conceding that yes, notwithstanding the rules, because the situation is exceptional, certain concessions should be made. I have heard and I have discussed with the hon. Minister, Shri K. C. Pant and he also agrees to the position. In view of this extraordinary situation you want to be clear of what? The Government, not you, wants to be clear that it is not suppressing any fact. Does it not behove the Government and the ruling party... (*Interruptions*) I am concluding. I am just asking. (*Interruptions*)

SHRI M. M. JACOB: You are obstructing the proceedings of the House.

SHRI NIRMAL CHATTERJEE: No. Will the Government and the ruling party, please ensure that they do not suppress any voice of dissent in the House? Otherwise the people will be allowed to conclude that despite what the Government says. In fact, they are afraid of truth. Therefore, they are trying to... (*Interruptions*)... and my appeal to you is permit him. (*Interruptions*). The only conclusion I have to draw is that this Government is afraid of him. (*Interruptions*). We cannot help it.

SHRI MADAN BHATIA (Nominated): Respected Vice-Chairman, Sir, I have listened to the speeches of the hon. Members on both sides with

rapt attention. I rise to support this motion. But my respectful submission before you, Sir, is that the question before this honourable House is with regard to the establishment of a Joint-Parliamentary Committee to hold an investigation into various aspects of the Bofors deal. Barring one hon. Member on this side representing the B.J.P. whose arguments I shall deal with at the end, there is not a single Member on this side who has suggested that there can be a better or a more effective instrument of investigation than the Joint Parliamentary Committee to be established by Parliament. This basic fact has been conceded by all the hon. Members on this side except one hon. Member. The point of contention between the two sides is, so far as the hon. Members on this side are concerned, they say, and this is our case and my case, that this Committee has been established to find out the truth, the truth arising from the various facts which have emerged from the Audit Report. The Audit Report says the payments were made and beyond that the Audit Report is silent. This Committee is being established to find out who were the persons to whom the payments were made, to what extent payments were made and how these payments were made and when, were those payments made and what was the consideration for those payments. Apart from that one of the terms of reference is whether any procedures of the Government of India or any guidelines laid down by the Government of India were violated and infringed when these payments were made. And the Government says by means of this motion, we do not know these facts. We want to arrive at these truths and we shall hang those who are guilty of infringing the laws of the country. But let us find the truth and for that purpose it was your demand and we are not only conceding this demand but we accept the fact that under the Parliamentary democracy when these allegations have far-reaching political ramifications there can be no better

and stronger political instrument for arriving at the truth than a Joint Parliamentary Committee to investigate these matters. The hon. Members on this side have taken the stand; despite this particular motion you want to hide the truth—you are not interested to find out the truth—you are trying to conceal the truth by establishment of this particular Committee. What are the grounds? I respectfully submit and ask myself what are the grounds which are being urged upon by the hon. Members on this side in support of their contention that this Committee which is sought to be established is not going to find out the truth; on the other hand, it is only an instrument to conceal the truth. The arguments in support of this contention which have been urged upon before this hon. House are the terms of reference of this particular Committee. They say, look at the terms of this motion. This Committee cannot find out the truth. This Committee is incapable of finding out the truth. So, the question before this hon. House is, is the stand of the Government right that this Committee is, in fact, sufficiently effective to find out the truth and in fact, it is the intention of the hon. Opposition to scuttle the establishment of this Committee by-raising all kinds of pretexts and excuses in order to derive the political mileage and benefit out of rumours, whispers, insinuation and the campaign of political vilification which has been unleashed in this country, in the last three months? I am respectfully submitting, the Committee will find out the truth but it is for us to find out the truth whether this allegation is correct or whether the hon. Members on this side are right, that is the question. Let us find out the truth. Whether this Committee will be able to find out the truth or whether they are right that this Committee will conceal the truth? For that purpose, we have to go to the terms of the motion. So far as this motion is concerned, its terms can be divided into three aspects. One is the com-

position of this Committee, the second is the scope of enquiry and the third is the procedure to be followed by this Committee. The allegation made by the hon. Member on this side is, I think, it was Mr. P. Babul Reddy, who said, who reminded this hon. House of a Committee which was established by the Chief Minister of Karnataka and said that the Chief Minister of Karnataka said that this Committee would not include any Member of the Janata Party because this Committee is going to look into the allegations made against the Janata Party Members. I would like to submit, Sir, the memory of the hon. Member, on this side, who made this allegation and who put forth this precedent is rather short lived. In 1978, a Privilege Committee was established by the Lok Sabha to hold an enquiry against Mrs. Gandhi into allegations which not only constituted a breach of privilege of the Lok Sabha but which constituted serious offences under the Indian Penal Code. That Committee consisted of fifteen Members. Out of fifteen Members, only two Members from the party of Mrs. Gandhi were included. The remaining thirteen Members belonged to the Janata Party and their allies, presided over by their own Member. When the first letter was received by Mrs. Gandhi from this Committee to appear before it, Mrs. Gandhi sent a reply and I would like to read this. (Interruptions).

श्री राम अवधेश सिंह : आपकी प्रिविलेज कमेटी में विरोध पक्ष से कितने हैं ?

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

श्री राम अवधेश सिंह : आपकी प्रिविलेज कमेटी में विरोध पक्ष से हमेशा कम रहते हैं।

SHRI MADAN BHATIA: I am not yielding, Sir.

(Interruptions)

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

SHRI ANAND SHARMA (Himachal Pradesh): I am on a point of order. Sir, yesterday, before we started this debate, there was an agreement that no Member will be interrupted. But the interruptions are there. How to ensure that those who are seeking some clarifications are at least seated on their seats? Here, a particular Member goes on changing from one seat to another. (Interruptions)... and the rules must be observed. (Interruptions).

SHRI MADAN BHATIA: Sir, Mrs. Gandhi wrote to this Committee a letter in reply and she said, "I have great respect and high regard for the Members of this Honourable Committee. But the hostility of the Janata Party towards me personally has become almost its *raison d'être*. Its proclaimed design to harass me, to denigrate me, to send me to prison on some ground or the other has become a part of its national policy and its principal occupation. This Honourable Committee consists mainly of members who owe allegiance to the Janata Party and I have reasonable apprehension of the influence of the Janata Party's openly declared antagonism on those members." But this objection of Mrs. Gandhi was totally ignored and rejected. One of the hon. Members of this Committee happened to be one whose name is being floated around by a section of the media and he was Mr. Jethmalani. Mr. Jethmalani was the leading light. (Interruptions).

SHRIMATI RENUKA CHOWDHURY: How can you allow it?

SHRI MADAN BHATIA: He is a Member here. (Interruptions).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): There are no allegations. If he says something like

SHRIMATI JAYANTHI NATARAJAN: Is he only referring to the Committee?

SHRI MADAN BHATIA: I am only referring to the proceedings of the Committee.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You can go on.

SHRI MADAN BHATIA: Mrs. Gandhi ultimately was indicted by this Committee and Mr. Ram Jethmalani, in his report which he placed before the House, wrote: (Interruptions) He has said, "She has cast unwarranted aspersions on the integrity of the Committee." She raised this objection. He not only finds her guilty but with regard to her objections, he says she has cast unwarranted aspersions on the integrity of the Committee. Mrs. Gandhi is summoned to the Lok Sabha to put forth her defence. She repeats her objections. She repeats in particular the bias of one particular Member who had been making speeches and giving interviews to the various newspapers that Mrs. Gandhi is guilty even before the proceedings started of this Committee and she must be tried and convicted and this should be the policy of the Janata Party. Mrs. Gandhi made a specific mention of the statements made by one honourable Member of this Committee outside this Committee even before the proceedings had started and said: "Am I to be hanged on the report of this Committee?" Her objection was ignored and disregarded. She was not only expelled from the House on the basis of the report of this Committee of which 13 out of 15 Members belonged to Janata Party and their allies, she was even sent to prison. Not only she but there were two other persons also along with her—Mr R. K. Dhawan and Mr. B. Sen.

SHRI V. GOPALSAMY: Thousands were imprisoned during Emergency by Madam Gandhi. What happened to Jayaprakash Narayan?

श्री राम अवधेश सिंह : मेरा पॉइंट आफ ऑर्डर सुनिए। पॉइंट आफ ऑर्डर यह है कि किसी कमेटी के नियम के बारे में क्या कोई हाऊस में "शेम-शेम" की आवाज लगा सकता है? (व्यवधान)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): There were no allegations. I have heard you. Please sit down.

SHRI MADAN BHATIA: Therefore, I am respectfully submitting, here is a precedent that merely because a committee is going to have a proportional representation under the precedents of this Parliament it cannot be said that such a committee is not competent on account of any possible prejudice on either side to hold an investigation into this particular aspect. Here is a precedent. I am quoting this as a precedent. Despite the speeches, venomous speeches, which have been made on his side of the House elevating the whispers and the insinuations into hard facts on the basis of this precedent I can give this assurance and I hope the honourable Minister will agree with me that we shall raise no objection if this committee includes even those who have made those venomous speeches against the Prime Minister and against our party. (Interruption).

I respectfully submit the second point of contention between the two sides of the House is the scope of inquiry. It is said on this side of the House that the inquiry must also cover, if nothing else, at least an investigation into the submarine deal. There is the basic difference so far as the scope of inquiry is concerned. My respectful submission before you is that there is a fundamental difference between the Bofors deal and the submarine deal. So far as Bofors deal is concerned, there is today a *prima facie* evidence that payments were made. The question is: who received these payments? Why were

these payments made? So far as the submarine deal is concerned, there is no evidence excepting baseless allegations...

SHRI RAM AWADHESH SINGH: What about the telex?

SHRI MADAN BHATIA: The telex contained only an allegation; it contained no facts. This basic difference between the two transactions must be borne in mind before we can decide whether that particular transaction can be clubbed together with the Bofors deal for the purpose of investigation by one committee or not. In this regard I have a precedent to quote and I go to the United States where these committees are so powerful and where committees are established without any reference to the Executive. A Senate Committee was established and President Jackson was called upon by the House Committee to submit a list of civil servants who had been appointed without the consent of the Senate. There were wild allegations of sweeping extension of the Spoils System against the President. And, Sir, what was the reply which was given by President Jackson? He gave this fiery reply which I would like to quote:

"You request myself and the heads of departments to become our own accusers and to furnish the evidence to convict ourselves. If you will either not make specific accusations or if, when made, you attempt to establish that by making free men their own accusers, you will not expect me to countenance your proceeding."

This is the fundamental difference between the two transactions. One is based on wild allegations and the other is based on *prima facie* evidence. The two transactions cannot possibly be mixed up together for the purpose of investigation by a Joint Parliamentary Committee. Let me give an example, Sir, from the Criminal Law. It is provided in the

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the Criminal Procedure Code that if an accused is tried for certain offences arising out of a particular transaction and if in the same trial he is tried for offences arising out of a distinct transaction this trial is bound to lead to prejudice and is liable to be quashed by the courts. If you mix up these two particular transactions for the purpose of inquiry by this Joint Parliamentary Committee, this will not only be against all parliamentary procedures, parliamentary precedents and investigative precedents and the Committees of Legislatures, but it is also bound to lead to political prejudice coming from one transaction into another transaction and it is bound to affect ultimately the judgment of the members of the Committee and, so, it is not possible.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Bhatia, you please conclude now.

SHRI MADAN BHATIA: Please give me five minutes or six minutes more. Now, Sir, let us take another example. Suppose the Watergate Committee had said that they would not hold the inquiry into the Watergate scandal unless they were given the power to hold an investigation into the conduct of the Vietnam war by President Nixon. Would that have made any sense? It would have been the most preposterous and illogical response by that Committee and this exactly is what the demand is now.

SHRI V. GOPALSAMY: What a comparison!

SHRI MADAN BHATIA: The third thing is with regard to the procedure. It is said that the power is being given to the Speaker to decide as to whether a particular official will be allowed to appear before the Committee or not. This particular provision in the Motion or otherwise is not based on the whim of the Government. It is contained in Rule 269 and Rule 269

says that if a question arises whether a particular piece of evidence is relevant or not and should be admitted or not, it will be for the Speaker to decide that. What is the rationale for giving this power to the Speaker to decide upon the question of admissibility and relevance of a piece of evidence? This question arose almost three hundred years ago before one of the greatest judicial minds that the world has ever produced. He was Chief Justice Marshall. Incidentally, it was Justice Marshall who laid down the dictum that if a piece of legislation is against the provisions of the Constitution, it is open to judicial review and is liable to be struck down by the Supreme Court and that is the dictum which we have followed in this country. That great judicial mind gave the rationale as to why the power should be vested in an outside party to decide whether a particular piece of evidence is relevant and admissible or not.

"No person will contend that in a civil or criminal case, either party is at liberty to introduce testimony he pleases, legal or illegal, and consume the whole term in details of facts unconnected with this particular case. Some tribunal must decide on the admissibility of testimony. The parties cannot constitute this tribunal because they cannot agree. The Jury cannot constitute it for the question is whether they shall hear this evidence or not. It is necessarily the province of the court to judge the admissibility of evidence."

There is no question of any court being involved here. The power has to be vested in the Speaker. If your argument is that you do not trust the Speaker, this argument will amount to saying that you do not trust the parliamentary institutions of this country. If you do not trust the parliamentary institutions of this country, you do not trust the democratic framework of this country. If you do not trust the democratic framework of this

country, you have no right to demand the resignation of a democratically elected government.

Sir, I am on some very important issue and I beg to you to give me a few more minutes. Sir, the speech of the hon. Member of Telugu Desam, Mr. Upendra, with regard to the procedure has thrown up very vital issues. His speech has reminded me of the McCarthy Committee, which was established in 1950s in the United States. The Senate to find out the communists and the communist sympathisers; lifted the whispers and rumours to actual facts. He used that language which no seasoned parliamentarian will use.

SHRI PARVATHANENI UPENDRA: I object, he cannot use my speech for an accusation.

SHRI MADAN BHATIA: He went to the extent of using the words imputing thereby that he had already arrived at pre-determined political conclusions. I say that his speech has reminded me of the proceedings of the McCarthy Committee. What happened before this Committee? I will just give one or two examples. There was the Hemmet who was called to appear before this McCarthy Committee. He was asked a question: "Are you a communist?" He said: "Please let me know what is the evidence against me on the basis of which you are making an allegation that I am a communist." And what was the reply given by McCarthy? He said: "Well, even you have told us that you will not tell us whether you are a member of the communist party or not on the ground that if you told us, the answer may incriminate you. This is formally taken by this Committee of the country as a whole to mean that you are a member of the Party. Therefore, you should know considerably about the Communist movement, I assume." It was this approach which was adopted by the McCarthy Subcommittee which led President Eisenhower to intervene in order to protect

the officials of his Administration. President Eisenhower issued general instruction and I quote those instructions. This is important in the context of the stand taken by the Government that we shall fully cooperate and give assistance so far as our officials are concerned to this particular committee. But certain safeguards have to be there. President Eisenhower gave these instructions, "it is essential to efficient and effective administration that employees of the Executive branch be in a position to be completely candid in advising each other on official matters, you will instruct all such employees of your Department that in all of the appearances before the Sub-Committee of the Senate Committee on Government operations regarding the enquiry before it, you are not to testify to any such conversations or communications." The judicial bias and the political motivation of McCarthy led one Senator Ralf Flanders to introduce a resolution in order to strip him of the Committee's chairmanship and censure him for his misconduct. And the famous jurist, Taylor, in his 'Grand Inquest' writes: "The Administration did nothing to aid him to bring to heel this man who was using his investigative power against the Army, the Presidency, the Constitution and the law itself. The legislative power of investigation was designed to scrutinize, not to destroy the executive departments."

Then, Sir, I submit in this connection that the hon. Member, Mr. Jaswant Singh says, "Why are the Members on this side saying that this is not political? The whole issue is political." Yes, the issue is political. But the investigation cannot be debased as political investigation. This is the fundamental difference between the investigation and the ramifications of the conclusions of the investigation. In this context, in view of the speeches which have been made by the hon. Members on this side and the workings of bias which have been displayed by those particular speeches. I

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would like to quote Taylor again. He says: "Whatever may be the ultimate judgment or its usefulness in court, this privilege of giving the testimony has special value in non-judicial proceedings such as investigations where there are no specific charges or where the bounds of inquiry and accusation are nebulous. As we have seen, it was abusive inquisitions of precisely this type that originally gave rise to this privilege for it is in such proceedings that....—"this is very important, Sir"—...the witness is most completely at the mercy of political ambition, malice and blackmail, that despotically inclined politicians find opportunity to advance their ends by tearing down the basic fundamentals of democracy and freedom."

I respectfully submit, Sir, that these are the basic factors on account of which these checks have been provided. These checks have to be provided in view of the atmosphere which has been built up in this country.

Sir, I had submitted in the beginning that I shall deal with the argument raised by the hon. Member of the BJP at the end. Sir, this is my last point.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): But be brief.

SHRI MADAN BHATIA: Sir, I take very serious exception to the statement which he has made. He says: "There are facts which stare us in the face. Where is the need of constituting this particular Parliamentary Committee? It is the function of the Executive to find out the truth. The facts are staring us in the face and the Committee is totally unnecessary." Sir, it is this hon. Member who has moved an amendment to this particular Motion to which I would like to draw the attention of this hon. House. The amendment proceeds on the hypothesis that the Committee is necessary, the facts are not known but its powers should be increased.

Supposing, Sir, I have placed an amendment before you that this Committee I accept, but its terms of reference should be increased in this particular manner. But when I stand up from my seat and make a speech before you and before the Hon. Members and say this Committee is totally unnecessary because the facts stare us in the face and I suppress all reference to the amendment which I am seeking to make, won't you say, Sir, that I am guilty of political hypocrisy, won't you say that I am guilty of political dissimulation, won't you say that I am guilty of political chicanery? This is what the terms of reference indicate and to this I draw the attention. The terms of reference are: The Committee shall inquire into the following matters. This is the Motion before the House. Whether the proce-

...s laid down for the acquisition weapons was adhered to, (2) to ascertain the identity of persons who received and the purpose for which they received the payments of following amounts, (3) if there is a *prima facie* evidence whether in addition to the payment mentioned above, the identity of the persons who received such payments. And what is the amendment which is sought to be moved by this Hon. Member? He says at the end of the Motion, namely, this Motion I accept, but at the end of the Motion the following be added: For Paragraph (2) substitute the following: The Committee shall investigate and inquire into the following matters. The contract for the purchase of 155 howtizers from Bofors A B of Sweden. (2) Apart from others, the report of the national audit bureau of Sweden on the Bofors contract. Then all correspondence, communications, messages in respect of the above two defence contracts including the Sub-Marine. This is his motion of amendment. He wants this Committee to be established by means of moving this amendment. By this amendment he clearly makes it clear to this Hon. House that the facts are not known.

and the Committee is required to be established. But when he stands up from the seat and makes a speech before the Hon. Members of this House, he takes them for a ride and he says, the Committee is not necessary because the facts stare us in the face. What are those facts which stare him in the face? Who are those people? Has he named them? Has he given any particular facts in regard to the terms of reference which he himself proposes to amend? This, Sir, I respectfully submit, is a case of political chicanery, this is a case of political hypocrisy, of political dissimulation.

Sir, it is open to him to make a speech like this from the platform of the party to which he belongs, which is known for hypocrisy and dissimulation on the people of this country. But he cannot take the Hon. Members of this House for a ride. I respectfully submit, Sir, I join the appeal made by the Hon. Members from this side, in view of what I have submitted that for the sake of Parliamentary institutions, for the sake of democracy for the sake of the country, let us participate, join hands together, find out the truth and bring the guilty to book. This is the demand of the Hon. Prime Minister, this is the demand of the Party. But I would make only one distinction. I would make one difference. If you decide to boycott in spite of everything, I will not go to the extent of agreeing with some of the Hon. Members on this side that Parliamentary institutions in this country will go to the dogs. The parliamentary institutions of this country have deep foundations. They have stood many knocks. They will stand up and face many knocks. The real strength of Parliamentary institutions is the people of this country. It will be the people of this country who will decide whether this Government by the establishment of this particular Committee sought to hide the truth or you tried to scuttle the establishment

political advantage from the campaign of political vilification, character assassination and political degradation which has been unleashed by a blitzkrieg by a section of the media, helped by the Opposition parties. Thank you.

श्री जसवंत सिंह : माननीय सदस्य ने मेरा नाम लेकर, मेरी पार्टी का नाम सुकर बहुत सारी बातें कही कुछ कड़वी कुछ मीठी, उनका मुह भर गया होगा।

I only request you as Chairman to please ask him to repeat all that he said from the beginning, but this time slowly.

SARDAR JAGJIT SINGH AURO (Punjab): Mr. Vice-Chairman, I rise to speak against the motion. I have heard with great attention the debate on Bofors contract and the alleged kickbacks. There is no doubt that from both sides, large numbers of facts and arguments have been produced in order to justify the stands of the espousing parties.

[The Vice-Chairman (Shri H. Hanu-Manthappa, in the Chair.)]

I think the opposition has never said that there should be no Parliamentary Committee to go into the facts; but they have expressed their doubts whether this Committee formed, as it is intended to be in the motion, is really motivated to find the truth and find the real facts. That is the main thing. Let us be honest and accept that the real problem today is that the Government is facing the loss of its credibility with the public in general and opposition parties in particular. Bofors episode is the latest symptom of this malaise. It started with Fairfax. I might also mention that a party which came into power on populous slogans and sympathy vote, has been treading on thin ice, or has been building castles on quicksand, without solid performance. Its inability to keep its promises and do justice was bound to land it into quagmire sooner or later which

[Sardar Jagjit Singh Aurora]

which, I am afraid, it has. Therefore, the question for the Government to-day is how to regain the lost public confidence, reputation and respect. This cannot be done by cosmetic steps or by repeating that we are clean and not guilty. If the Government is clean, as it claims to be, it must go to the limit to prove its innocence. At the beginning of the Bofors episode, the Government has taken a highly aggressive and defensive attitude, blaming the opposition for being malicious, mischievous and trying to destabilise the Government, and things of that nature. Any mention of illegal payment was totally ruled out in the early stages in Parliament. But when the National Audit Bureau report came from Sweden and proved it otherwise, no real effort has been made to find the names of the recipients. I wonder if all the possible diplomatic efforts with the Swedish Government have been tried out and failed. Have we really done our best with the Bofors Company and twisted their tail to find out the information which they obviously know but are supposed to be unwilling to give to us? It is very difficult to believe that. This is the reason why the good intentions of the Government are suspect. When the institution of a Parliamentary Committee was suggested by the Opposition, the information about the kickbacks was not known. Now that it is established beyond doubt, who is more competent to find the vital information? The Government machinery or the Parliamentary Committee. This is the first question. I put it to you—I have not moved any amendment to the Motion—that it is the job of the administrative machinery as opposed to the Parliamentary Committee. On the other hand, an argument has been put forward from this side that if the Government tried and failed, the Opposition may turn round and say that an honest effort was not made and, therefore, you want this

job to be done by the Parliamentary Committee. To that extent, I am ready to accept this argument. But having decided that you want to find the truth and the whole truth, why are you hedging that the Parliamentary Committee should be formed in such manner; why are you laying down such restrictions which make the Committee incapable of finding the truth for itself and everything, they may have to refer the matter to the Speaker before they take any action? Why are you concerned that if the Chairman of the Committee is from the Opposition, it may try and queer the pitch? I can assure you that the Opposition is just as keen as you are to get at the truth. The Opposition is just as keen and determined as you are to re-establish the credibility of the Government and the country.

SHRI K. C. PANT: General, one point. The test of that is whether the Opposition join the Committee or not.

SARDAR JAGJIT SINGH AURO RA: The test of that is, are you ready to give this Committee the sovereign authority—I am using the word 'sovereign' in the generic sense and not in its legal sense—that it can make its own rules, that it will have total, unfettered right to get information, to call upon anybody to give evidence? If this is ensured, I am sure, the Opposition would be delighted to join the Committee and find the truth. But if you are going to lay down restrictions, I am afraid, it will be difficult for the Opposition parties and this is based on facts, on the record that this Government has chalked out for itself during the last two years. You may not agree. But at least, it is my conviction that if you were to give this Committee the unfettered power to look into this question and you still have more Members than the Opposition would have, there is no reason that there is going to be any McCarthyism in this.

Having said all this, I would like to make a few points about the military aspect of this problem. After listening to the speech yesterday of Mr. Arun Singh about the quality and efficiency of the equipment and the way the contract was made, — there are always teething troubles in the equipment that you buy,—I am convinced that the gun that we have decided to buy is a good one. However, there is one point about the supply of the ammunition. I believe, the Bofors are not known as producers of ammunition. There are two countries in the West, which are capable of producing this ammunition or have already produced this ammunition. One is Belgium and the other is Italy. We have had very unfortunate experience with this Company, SEMMEL. I think, it is called in Italy, when they provided us with 81 mm ammunition. There is some sort of information, I am not saying a rumour, that the Bofors are possibly going to tie up with this company for the supply of ammunition and as you could realise eventually the supply of ammunition would cost much more than the actual equipment itself. Therefore, I am only giving it as a word of warning, whether we should trust the kind of company which has ready let us down.

I would like to make one more point on which the hon. Member, Shri Arun Singh, spent a lot of time. He was telling us how ignorant most of us were in matters of defence. I think he is right and I feel that we are guilty to an extent, not taking sufficient interest in the defence services, not only the weapons and equipment but in their conditions of service, the pays and pensions, what sort of life their families have, whether they are able to teach their children with the mementoes that are given to them. We are always ready to give them a lot of bouquets after their performance, but I suppose, like other things, that is, at the time of need

you remember God and soldier and when the need is over both of them are soon forgotten certainly the servicemen are forgotten after they are retired. The last Pay Commission has been very unkind to them and the Government does not seem to realise how much unhappiness and bitterness it has caused among the ex-servicemen all over the country, which, at this stage, should be avoided dangerous to happen. The point I want to make is that if we want our Parliamentarians to take more interest in defence matter which they must, there is a need to look into the so-called Defence Consultative Committee which we have at the moment. It does not have any great function, but it may be worthwhile for the Defence Ministry to consider that this Committee might be improved upon and given a worthwhile charter so that the members realise that they are doing something useful. (*Time bellings*) I am just going to finish, I am not one of those who go on asking for five minutes more.

The last point I want to make is that on no account should we permit Bofors to get away with the excuse that they cannot disclose the recipient's name or names. If necessary, we should not flinch from abrogating the contract. The national morale encompasses the morale of the fighting services. If the Government fails to clear its name because of the unreasonable and un-cooperative attitude of the multinational firm, whose reputation even at this stage is somewhat unsavory and doubtful, the people will lose faith in it. Are you ready to accept it?

SHRI DARBARA SINGH (Punjab): Sir, I have to place the facts before this House and with that I support this Resolution. A lot of controversy has been going on both inside the two Houses and outside on kickbacks in Bofors deal. On such

[Shri Barbara Singh]

sinister issues which involve the security of the country, defence of our country and our political system as such, we should rise above narrow party interest. I am sure all of us will do that. The Government has taken a number of steps to accommodate the Opposition's viewpoint and above all to go into the deal. I wish to make it clear that every Congressman, each one of us on this side of the House, is committed to a clean public life and will always remain in the forefront in the fight against corruption. I do not want to go into the sources and causes of corruption, but I have no hesitation in saying that the main source of corruption is those vested interests who only want to make money by hook or by crook. Unfortunately, in this controversy this class has escaped our attention. You cannot have a clean public life as long as vested interests dominate our economy. That is the basic point.

However, I will confine myself to the Bofors' deal with a view to convincing my friends of the Opposition that they should take a more realistic position. Let us try to know what the Government has done so far. The Lok Sabha has adopted a Resolution to set up a 30-member Committee of both Houses to go into all aspects of the Bofors' deal. The Chairman of the Committee will be appointed by the Speaker. This Committee will be given all facilities to go into this deal. This Committee can set up a small Sub-committee with the permission of the Speaker which will go abroad for its investigation. Here I will say that the Andhra Pradesh Members have already announced that a sub-committee will go to Switzerland, or wherever they want to go, and the Prime Minister has said that they can go on their own and there is nothing about that. The Finance Minister has announced that the Government will sign a memorandum of understanding with the

Swiss Government leading to a treaty to obtain information about illegal Indian accounts in the Swiss banks. A case has been registered against Mr. Chandra's firm.

All these factors clearly bring out that the Government is keen to get at the deal truth. However, there are two points on which the Opposition is insisting, if their amendment are any indication. One, they want to enlarge the scope of the Committee to bring some other deals under investigation, including those which are already being investigated by the official agencies. Two, they want to waive the Official Secrets Act and they want that the Chairman of the Committee should be from the Opposition. The way some Members have argued about the enlargement of the scope of the Committee gives one the feeling that they want to examine all the deals since 1980. It is possible to set up such a committee, but by widening the scope of such enquiry, we will be exposing our defence affairs. At this moment this aspect should be carefully examined by the Opposition.

Sir, the demand for the scrapping of Official Secrets Act, and that too for defence matters, will be a bad precedent. The Committee has powers to examine any witnesses. Therefore why should you have this demand? Please think over it again and not be carried away by any emotions. The Government agreeing to set up such a Committee, the terms of reference of the Committee and the stand which the Prime Minister has taken make it clear that we have nothing to hide, we want truth and only truth. Our nation is passing through a crisis, and certain forces want to break our country. It is high time that all of us united to face these challenges. These challenges are obviously known to the Opposition as well, and they are creating a sense of insecurity in the minds of people

at this juncture when the whole nation would like to stand as one man behind the Prime Minister against the onslaught of those neo-imperialists who are having an eye on this great country for dismemberment altogether. Therefore, it is the duty of the Opposition that they join the Committee when the enlargement of the powers has been made.

And there has been always the fact that all the committees which have been constituted previously, whether it is the Public Accounts Committee or the Estimates Committee or any other committee, it is on record, all those people who were there, whether they belonged to the Opposition or to Government side, have given reports unanimously, and there has been no dissent at any time. What is their fear when they will be there? They can point out, they can put the points which they want to put before the committee and say what information they have. They are at liberty to say anything. And the report of that Committee will be unanimous, I hope so. As Chairman of the Public Accounts Committee, I know many things got bogged down and many people were involved in this. We gave a unanimous report. These were Opposition Members as well. We unanimously gave the report against certain officers also at their deal was bad and that they should be taken to task. If this can happen in all the committees which are being constituted by the Government, why can this committee also not work on that line and bring out the truth?

It is odd. I am sorry to say that the Opposition wants to hang on this for times to come so that they can beat the Government with this trick. That is not proper for the politicians that they should do this exercise necessarily with an idea to demolish the prestige of the Government. I again beseech all of you

appeal to the Opposition that they should join this committee and do this exercise. Whatever you have in mind, give it to the committee. Let the committee decide, whatever be the result of that. So, don't try to hang on and carry on this propaganda for times to come.

It will not be in the interest of the country. It may be in the interest of yours as you are explaining here, but it is not in the interest of the country. The country wants something else.

Have any persons here gone to their respective areas? Now drought is there. Have they spoken about it? Have they gone to help the people? This is the foremost task that should be taken up today are again today putting this case of Bofors which can be done later on. You have not gone to the areas where there is drought at its highest. I say, it is shameful on the part of those who are explaining only Bofors, this deal, that deal. But what was the deal with the people, about whom you say, people will decide. They will definitely want that you should go to them to help in this drought. It may be in Maharashtra, it may be in Rajasthan, it may be in Gujarat. It is a highly explosive situation in which we should go and help the people.

Therefore, I would request the Opposition that they should join this committee and help it in finding out the truth.

Thank you very much.

SHRI V. GOPALSAMY: Mr. Vice-Chairman, Sir, I rise to oppose the Motion. It is the most unfortunate tragedy that statement after statement, all the statements made by the Prime Minister of India on Bofors have been drowned in the deluge of "truth, nothing but truth." When the statement of the Prime Minister of a country is re-

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false, where lies the credibility of the Government? I say the credibility of the Government headed by Mr. Rajiv Gandhi is in shambles.

Statement No. 1.

Our hon. Prime Minister made a statement on 20th April:

"I got confirmation back from Prime Minister Olof Palme that there will be no middlemen or agents involved. It is on that basis that this exercise was done. We have to take somebody's word as truth. And when a Prime Minister of a country assures us after having gone into in great depth with a company, that there will be no middle agents involved, then we have to accept somebody's words."

This was the statement of Mr. Rajiv Gandhi. But the Minister of Foreign Trade in Sweden, Mrs. Anita Gradin refuted the statement on April 29 at a Press Conference. She made it very clear the official position that Palme had merely conveyed assurance from the Bofors to the Indian Prime Minister and that there were no assurances on behalf of the Swedish Government. So, what happened to the statement of the Prime Minister? That has been proved to be false. And our Prime Minister, when he entered the Parliament that day, he emphatically stated that we have to rely on the assurance given by Mr. Olof Palme. Then is it possible to bring that famous Olof Palme to put him on the witness box? Is it possible?

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): At that time he was the Prime Minister.

SHRI V. GOPALSAMY: He could not be brought from the grave. That is why when you bury the truth thousand fathoms under, you try to tell the country that here is a man from the grave who could give testimony for the Statement made by the

Then again statement no. 2.

Our hon. Prime Minister on April 20 told Parliament that the Swedish Radio story of April 16 emanated from Delhi. But this assertion was strongly refuted. Almost as soon as it came out, the head of the Swedish National Company, Mr. Ove Joanson, stressed that the radio report was based on information obtained in Stockholm. Mr. Jan Mossander, Staff Reporter of the News Department of the Swedish National Radio Company said that the statement in the Indian Parliament made by the Prime Minister to the effect that the story emanated in Delhi was completely false and complete nonsense. So, this statement also has been proved to be false.

Here comes the next statement of our hon. Prime Minister, when he made a reference.

"Speaking to the Army Commanders in New Delhi on April 27, the Prime Minister said that Sweden had confirmed that there was no middleman and nobody was paid in Swiss bank."

Mr. Vice-Chairman, Sir, my question to him and to hon. friends from the treasury benches who have been shouting and preaching sermons and going all the way up to the United States quoting many Committee reports, is whether it is a fact or not that when the Prime Minister made a statement before the Army Commanders and also on the floor of the House that there was no payment there was no middleman, the company of Bofors had already handed over a report to the Indian Ambassador in Stockholm on 24th April itself that payments were made not only to the agents, but also to others. It has been verified by the Audit Bureau Report. What is your answer to this question when you have already received the report? Have you not said that we did not know? You Ambassador was there and whether that Ambassador in Stockholm was

Indian Ambassador or somebody else's Ambassador, what you were doing? You simply concealed the truth. You were simply sitting on the report and you have guts and audacity to come to the Parliament and say no payment was made. What is the answer to this question? The report was already in your hands. You know the truth because you are the culprit and that is why you wanted to conceal the truth and you came here and told Parliament, no payment or no middleman was there. This statement of the Prime Minister has also been proved to be false.

Mr. Vice-Chairman, Sir, here comes the famous or notorious Mr. Win Chadha, the agent of Bofors and boss of Anatronics General Corporation. When this scandal was exercising the minds of the people right from Cape Comorin to Himalayas throughout the country, when the Parliament was debating over the issue, Mr. Win Chadha disposes of his Mercedes Benz and two bungalows and leaves the country on the 8th May. What is your answer to this question? Are you running a Government? You have got the report that payment has been made not just to agents but to others on 24th April itself. Here is the agent, Mr. Win Chadha, he enters the Delhi airport and simply leaves India on 8th May and his family after some days also leave India. On 4th June, the Swedish Audit Bureau submits its report. The very next day on 5th June, the son of Mr. Win Chadha, Mr. Harsh Chadha, also leaves India and here comes our Prime Minister, Mr. Rajiv Gandhi and he meets the Leaders of the Opposition on June 17th and tells them, "you see, a case has been registered against Mr. Win Chadha." This is on 17th June. On the 17th June, Mr. Prime Minister tells all the Opposition leaders that a case has been registered against Mr. Win Chadha. But, Sir, it is very unfortunate that the same Mr. Win Chadha enters our Consulate in New York on the 29th June when the

been registered against him. The Government knows that Mr. Win Chadha has already gone to the USA. He enters our Consulate in New York and gets the power of attorney and you say the Opposition wants to malign this Government. May I know from the Minister whether the Indian Consulate in New York is run by the Government of India or some other Government? Why you did not inform them? I say you allowed him to go from this country, to leave this country. After the horse has galloped out, you pretend to lock the stable. You have allowed him to escape. You have allowed him to get the clearance, the power of attorney from the Indian Consulate in New York. Mr. Win Chadha knows the truth. I am not sure whether Mr. Win Chadha is dead or alive. Nobody knows. Because he has disappeared as per your instructions, as per the instructions of the Government. He got the clearance from the Indian Consulate. I am afraid because this country has witnessed the episode of Nagarwala.

SHRI SHIVRAJ PATIL: Mr. Gopalsamy, this is really too much. This allegation is not correct' (Interruptions).

SHRI PARVATHANENI UPENDRA: He is expressing his doubt. If you are sure he is alive, tell where he is now.

SHRI SHIVRAJ PATIL: Please listen to me. He says Mr. Win Chadha has left this country at our instance. But this is not correct.

SHRI V. GOPALSAMY: I stand by it. Sir, this country witnessed the episode of Nagarwala and I am afraid, Mr. Win Chadha should not meet the same fate. Some of the statements made by our hon. Prime Minister about the payments, about the middlemen have proved... (Interruptions)

SHRI K. C. PANT: Sir, if Mr. Gopalsamy permits me, Nagarwala case is worth remembering. In the morning he got money from the Bank

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and in the evening, he was arrested with all the money. (*Interruptions*)

SHRI NIRMAL CHATTERJEE: And the other day, he disappeared...

SHRI V. GOPALSAMY: Under mysterious and suspicious circumstances, he disappeared the next day. So, the *modus operandi* is to run a truck and finish anybody.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Mr. Gopalsamy, if you enter into interruptions, you will lose your time.

SHRI V. GOPALSAMY: Sir, I am not interrupting. So, the statement made by our hon. Prime Minister about the involvement of middlemen and about the payment of commission money has been proved to be false. Then why did he come to the Parliament saying that there was no middlemen and no payment has been made? It is because you believe in a particular dictum, the dictum of the Information and Broadcasting Minister of the Third Reich of Germany. Tell a lie, repeat it, not once, not twice but ten times and it becomes a truth. So, Mr. Rajiv Gandhi is following that dictum. Even Dr. Goebbels would become a pigmy before the statement of our hon. Prime Minister Mr. Rajiv Gandhi as far as this Bofors deal is concerned. Sir, Mr. Brettil Bredin, he came here. He had consultation with the Defence Ministry officials. He gave the offer that a full-fledged delegation including the President of Bofors would visit India. Whatever clarifications you want, they said, we are prepared to give. Who gave the assurance, who gave the offer? The Vice-President, the Project Coordinator of the Infantry Artillery and this offer was accepted by the Indian Government. That was conveyed to Bofors Company and it was conveyed to the Swedish Government. But on July 4, when Mr. Rajiv Gandhi landed India from Moscow, you took a right about-

said, there is no need to bring any delegation from the Bofors. What is the answer to this question which was posed by my friend from this side? Giving sermons and philosophical lectures will not solve the problem, will not answer the question. From your side, I ask a question, what for you accepted the offer, what for you rejected the offer? You tell me. This Bofors Company withheld the names to the Audit Bureau on the ground of consumer confidentiality. This stand was taken on June 11. Then, they changed the stand on 27th that the recipients of the money have not permitted, the thieves, the swindlers, they have not permitted us to reveal the names. So, the Bofors Company is under cloud in many countries and here is a Government which from the very beginning, trying to justify and defend the Bofors company. Sir, because the audit report was released in Stockholm, you had no other go. That is why, you also released that report but names covering half a page are deleted at one place. Names covering three-quarter of a page are deleted. The report of the National Audit Bureau states emphatically that the payments by Bofors are directly related to the deal and an agreement exists between Bofors and concerning the settlement of commission subsequently to the F-77 deal and that a considerable amount has been paid subsequently...among others to A.B. Bofors' previous agent in India. Our hon. Prime Minister emphatically stated that there was no middleman at the point of agreement. Could we say that there might be one or many middlemen before the agreement, milliseconds before the agreement? Sir, the Bofors Company is guilty of misrepresentation. The Bofors Company has violated the agreement because you have stated there should not be any middleman, there should not be any payment. In that case, Bofors have violated the agreement, committed fraud

I would like to put four questions. I want to know, when it has been clearly established that payments have been made through an agent, (1) Has the agent reported the amount to the income-tax authorities? No. It has not been done. It will not be done. (2) As it was received in Switzerland, was it repatriated to India? The question does not arise because they are concealing it. (3) If not, had the agent the permission of the Reserve Bank to set up a company there, if it is his company at all? (4) Had he its permission to retain the amount there? Thus, one or many have committed violation of our Income-tax Law and foreign exchange law. It is a crime Bofors committed a crime and these people have also committed a crime. Is the Government prepared to launch criminal prosecution? Have you requested the Government of Switzerland to order a full audit? No. Now you want to cover up. This is your strategy. This is the strategy through the Committee. The money is in Swiss Bank and the swindlers, the economic offenders, the enemies of the people of India who have looted this money, should not escape with the money. When our hon. Prime Minister replied to the debates on the Finance Bill, I sought a clarification from the Prime Minister whether this Government will take steps to freeze the accounts in Swiss Banks as Madam Aquino of Philippines has done. For that question, the Prime Minister replied, "We will study what Madam Aquino has done and we will take our own action." Now, the Government could say, "Yes, we are going to enter into a treaty with Switzerland." But Sir, the United States also entered into a treaty with Switzerland in 1973. It took four long years. Then, after four years, Switzerland itself has passed a domestic legislation in 1981 which came into force from 1983. It is very clear. We need not go for a treaty. It is delay tactics.

to escape with the money as you have allowed Win Chadha to escape from this country. Here, the former Public Prosecutor of Switzerland, Mr. Paolo Bernasconi, says—I quote his statement—"The only pre-condition is that there be, in the country that demands assistance, criminal proceeding already under way against the person suspected of having received the money. Even if the person is unknown and criminal procedures are started against the 'unknown' person in the country that makes the demand, this assistance is available. It can ask if the money was transferred to an account in his name in a Swiss bank." The crimes have been committed on the soil of Switzerland and the bank is in Switzerland and also Article 11 of the domestic legislation of Switzerland says clearly, "any persons 'suspected' of complicity in a crime or 'under investigation' for it in his home country can be proceeded against in Switzerland." So, tax fraud is a crime but this type of fraud, corruption, is a crime; embezzlement is a crime. Is the Government honest to book the criminals? Is the Government prepared to straightway launch criminal prosecution, to register a case? Is the Law Minister prepared for that? That is why you say we are going in for a treaty so that by that time these economic criminals who have looted people's money can escape drawing the money from their accounts; you are paving the way for that. Ruling Party Speakers have stated, "The Opposition has taken a stand; that is why they are not going to participate in the committee." I say your Prime Minister, this ruling party, the Congress Party has taken a stand from the very beginning itself that the charges are false, there was no payment. You have come to the conclusion for your own benefit. That is why you deliberately mislead the country through Parliament. There is a proverb in Tamil. (Time bell rings) The proverb in Tamil means

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that you cannot trace it. You form a committee and nothing will come out of it. Therefore, we cannot be a party to join the culprits in the committee. With these words I conclude.

SHRI PAWAN KUMAR BANSAL (Punjab): Mr. Vice-Chairman, the present opposition to the move of the Government to come before Parliament for the setting up of a Joint Parliamentary Committee to go into the question of alleged kick-backs or payments being made on any illegal account in the transaction relating to the acquisition of 155 mm Swedish Howitzer guns has startled everybody. Right from 17th April when the Swedish Radio first carried a news item to this effect, to the last day of the preceding Session, the Opposition had demanded vociferously the formation of such a committee. Rushing to hasty conclusions they had imputed all sorts of motives against the Government for not forming a committee on this. They had wondered why the Government was not conceding their demand when the Congress would be in a preponderant majority and could have the chairmanship of the committee. The Government's stand in principle was that in the absence of any supportive material, it would not be worthwhile or prudent to form such a committee on the basis of a radio report alone. It, however, did not brush it aside. Committed to a clean public life, committed to the elimination of corruption in all the forms and spheres and eager to get at the truth in this particular matter, the Government requested the Swedish Broadcasting Company for more information. But it dilly-dallied and provided no information whatever. The Government also took up the matter with the Swedish Government and sought help to find whether or not any middleman had been involved in the transaction. It was on our Govern-

Government deployed their National Audit Bureau to examine the accounts of A.B. Bofors concerning the Howitzer contract signed with India. If Mr. Jaswant Singh finds occasion to say that the reference was not on the basis of the request of the Government of India, I would only urge him to read two lines from the letter of the Swedish Embassy which says—

"The National Audit Bureau examination was caused by a request from the Indian Government to the Swedish Government that an attempt be made to shed light on whether or not middlemen had been involved."

Sir, the Government persisted with its inquiry despite the assertion of AB Bofors that no payment of the kind alleged by the media had ever been made and that it was only legal payment which was made for consultancy and administrative services. This abundantly proved the bonafides of the Government and once it transpired that though no middle men as such were involved during the negotiations, payments were, however, made in connection with the winding up of the dealings with some earlier agents, the Government had decided forthrightly and without any inhibition whatever to form this Committee and to come to Parliament for this purpose.

Immediately on receipt of the Report, the Government discussed it with the leaders of the Opposition and also released it to the media. True to its policy of open Government and participatory democracy, the Government had nothing to hide and wanted to share the information available with the countrymen. It is a different matter that a section of the Press carried out motivated stories that the Government had released the Report after making some deletions therefrom. It is such distortions, falsehoods and persistent demonstration of irresponsibility that has made a

mockery of our parliamentary democracy and our democratic institutions. Unfortunately, Sir, we tend to accept as gospel truth all that appears in black and white. Taking advantage of such tendencies and having a propensity for sensationalisation, a particular newspaper, whose proprietor continues to nurse a personal vendetta against the Government for not succumbing to his machinations, discards the sacred robes of responsible journalism and goes all out to give the impression of a serious crisis in country. In fact, efforts were even made and are continued to be made to create such a situation serving faithfully masters across the oceans whose interest it is to destabilize the country.

Sir, a story is floated that the Government had declined the offer of Bofors that a team come to India to disclose the full details of the deal. This is done to suggest as if the Government is guilty and is hiding something while the fact is that the Government has persistently asked for all the details in writing and the Government asked for details in writing because in case of an oral talk insinuations could be made again that the Government is silencing those officials or that the Government is filtering their version to suppress the truth. I say this because our experience tells us that nothing could prevent the self-assuming puritans, the self-proclaimed repositories of virtue, from disinforming the gullible people of India who obviously value morality most precious. Will it not, therefore, be prudent to invite such a team, if necessary to depose before the Joint Parliamentary Committee itself? This is what we have to ponder over. Instead of appreciating the move, the Opposition continues to distort facts and revel in mud-slinging. The intention becomes clear when they level charges and allegations that by the formation of this Committee the Government wants to avoid a discussion in Parliament. These thoughtless charges, in fact, among the Opposition which is really

not bothered about finding out the truth, but is more interested in keeping the issue alive to drive maximum political mileage out of it. This is what the Opposition, bereft of any ideological approach, has reduced itself to—obsessed with the burning desire to embarrass the Government on any conceivable account, unmindful of the injurious and baneful effects of their diatribe on the national prestige.

5. P.M.

Sir, otherwise there is no reason to keep away from the proposed Joint Committee which the Government wants to set up to uncover the truth and to recommend action against the guilty. The proposed Committee would be the first investigative committee of its kind in the annals of our parliamentary history and by boycotting its deliberations on untenable grounds, the opposition would only demonstrate its calousness towards the nation's interests for serving their own petty ends. They would be guilty of stalling and strangling this new experiment of parliamentary check on matters of immense national importance.

Sir, the Government have already conceded the Opposition's demand of enlarging the membership of the Committee to 30. But their claim to its chairmanship is unreasonable and usurpatory, to say the least, because extending the concept further it could seek to justify even a preposterous demand of having the Prime Minister from amongst the Opposition. It is mystifying that a Committee reflecting the respective strength of the ruling party and the Opposition according to the verdict of the people is not acceptable to the opposition and instead, they want the Committee to be dominated by them. If they have no faith in the people's verdict, how do they have the audacity to claim for themselves the role of Vikramaditya and the virtue to hold blindfold the scales of justice? In their zeal, they forget that the Parliamentary

[Shri Pawan Kumar Bansal]

Committees base their working and decisions not on the numbers or political affiliations of their members, but on well-established principles and accepted norms. What contradicts, stands the Opposition takes is clear from their demand that the Speaker and the Chairman should nominate the members of the Committee, but they should be deprived of their usual rights like the one referred to in Clause 7 of the Motion.

Sir, the demand to enlarge the scope of enquiry by the Joint Committee to cover all the defence deals of the past seven years including the German submarine contract is equally intriguing. It only betrays the opposition's penchant for a roving and fishing expedition for political purposes caring the least about the outcome or the futility of the exercise. If they mean business, they should demonstrate that their actions are not repugnant to what they loudly profess and should straightway join the Committee which will have the necessary powers to find out and decide whether the Bofors contract was in accordance with the well-established parameters, principles and procedures laid down for the acquisition of weapons and weapon systems and also unravel the truth about alleged illegal payments.

The demand to invest the Committee with the powers to summon Ministers is nothing but motivated, by extraneous considerations and runs counter to the well-established conventions that Ministers are responsible to the Parliament as a whole and are not required to appear before the Committees of the Parliament which are otherwise entitled to summon any officer or inspect any document to ensure that the work goes on unhindered. The duty of the Government to render every possible assistance including making available the services of the Comptroller and Auditor General and the Attorney General of India have been specifically provided for in this Motion.

Sir, the question before the country

today is as to what were the acts of malfeasance, if any, committed in the 155 mm. Swedish howitzer guns contract and who were the persons guilty of receiving unauthorised payments in the form of kickbacks, commissions or bribes. It is the concern of each one of us to know the truth. The Government wants to uncover the truth more than anybody else because it was this Government that insisted upon the Swedish Government and the Bofors that contrary to the general practice the world over—Sir, I repeat, contrary to the general practice the world over — no middlemen should be involved in this deal and in the process brought down the price substantially. That proved its bonafides and its determination to buy the best at the most reasonable prices, and if some unauthorised payments were still made the Government is obviously keen to trace it to the end.

Sir, the report of the Swedish National Audit Bureau does raise some doubts, and these doubts are further compounded by the claims of confidentiality with regard to the Company's business operations.

Any reasonable person who has not pre-judged the issue and has followed the developments dispassionately would appreciate that the Government has not sought to be content or justify itself by merely seeking the formation of a Joint Parliamentary Committee. It has once again requested the AB Bofors and the Swedish Government for full particulars about all the relevant issues.

Sir, on the question of seeking information from Bofors, some of the friends on the other side have quoted Bofors saying that the matter is one of commercial confidentiality between them, that is the Bofors and their clients, that is India. On this wrong information or presumption, they have put forward an argument that if the Government is sincere in getting to the truth it should

very easily by threatening to cancel the contract. Sir, this approach betrays a total lack of understanding of facts and these thoughtless responses and conclusions have, in fact, confused the issues and misled the public. Even at the cost of repetition I would say that it is the Bofors which has so far refused to provide further information to the Government and we do hope that the Joint Parliamentary Committee would be able to cull it out. Sir, we all appreciate the nation's concern to have full information about this matter and also the right of every citizen to demand that every paisa of public money is spent judiciously and those guilty of corruption, misappropriation, or of receiving unauthorised payments in defence deals are given the severest punishment. However, I see no justification in the demand for the cancellation of the present contract because such a course would be counter-productive. The guns in question are undoubtedly the best in the world, and not having them on schedule would inevitably impede the modernisation process of our Forces and hamper our defence preparedness, particularly when such negotiations take an extraordinarily long time to fructify and already Pakistan is being armed with sophisticated weapons at an unprecedented speed. Any new contract would also cost much more because of the continued price escalation besides inviting a not very favourable response from other manufacturers.

Sir, yesterday an hon. Member on the other side went to the extent of alleging that the decision not to terminate the contract was announced to convey to the Bofors a message of implicit understanding that if they do not declare the identity of recipients, the Government on its part would not rescind the contract. This is nothing but sheer irrespon-

SHRI MADAN BHATIA: Probably there was a slip of tongue. It was not a Congress Member.

SHRI PAWAN KUMAR BANSAL: I said an hon. Member on the other side. Sir, such allegations are levelled *ad nauseam* under the malefic belief that truth is perhaps the product of their virulent pronouncements. It is this belief which makes them twist and do violence to every single development and they do not want to join the Committee at the risk of losing such an opportunity to keep misleading the public. Before Shri Rajiv Gandhi, who has raised the national prestige and who has launched a determined crusade against corruption, made a personal statement in the other House there was a chorus of malicious judgments and venomous outbursts that silence was ominous and amounted to confession. Once he makes a solemn declaration there, there is this barrage of innuendoes and hypocritical exclamations. This is what the Opposition is up to in desperation. Sir, the Government cannot act on impulses and has to view every issue seriously before taking any decision. This is the Government's responsibility as distinguished from that of the Opposition. It is in this conspectus that the Government has come to the Parliament for the constitution of a joint Parliamentary committee. It has nothing to hide and is committed to cleanse public life. The proposed Committee, I am sure, will be able to examine the entire gamut of the matter. The terms of reference and jurisdiction are comprehensive, just and fair. Its work would be onerous but important. It will endeavour to elicit the requisite information, cull out the truth and recommend action against the guilty. The Opposition also has a duty to perform. I do not claim competence to remind them of that. But let them arise and discharge it honestly instead of bogging down the demo-

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lar institutions and rendering irrelevant all that our founding fathers fought and sacrificed for. Thank you.

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Mr. Vice-Chairman, Sir, on behalf of Jammu and Kashmir National Conference I rise to support the Motion. I do so not because I am an ally of the Congress (I) at the moment, but I have certain fundamental reasons for supporting this Motion on the merits of the case.

Sir, it reminds me of the discussion we have had on the Fairfax problem in this House. I had told the Opposition at that time that they were going after the shadow and not the substance. I had told them at that time that instead of beating about the bush and asking for Parliamentary probe, they should confine their observations and suggestions to the Fairfax Tribunal that was being set up. They could have asked the Government to modify certain terms of reference and exactly that was happening now. Now, cries are being raised that the Thakkar Commission trial is being done in camera. Nobody knows what is happening. These things should have been taken up at that time. I feel, Sir, on the same analogy if the Opposition does not cooperate in joining this Commission, the same thing they will say after some time.

Sir, I have only three or four observations to make. I say, Sir, that on Tuesday, the 28th July, 1987, when the Opposition did not join the dinner hosted by the Hon. Deputy Chairman, I went there to join that dinner. The Prime Minister also came there. He asked me — and I am saying this at the risk of being accused that I am divulging a private conversation but to tell the truth and to counter the untruth if I say this, I would be excused — the Prime Minister during our discussion asked me casually as to what had happened in Rajya Sabha on that

certain developments had taken place. There was, what I call, a communication gap. Our learned friend, Shri L. K. Advani, had proposed certain things to the Vice-Chairman and this was not properly communicated. I am narrating this incident to tell the House about the honesty of the Prime Minister about the issue. The Prime Minister at that very time told the Minister in charge, Mr. Bhagat and Shri N. D. Tiwari that they must start the dialogue the next morning with Shri Advani and other members of the Opposition so that the misunderstanding created on that day is cleared. In the same discussion, which lasted about 40 minutes, the Prime Minister mentioned about this Joint Parliamentary Committee on the Bofors issue. I say it with all humility, with all sincerity, that the Prime Minister went out of the way and said that he would definitely like to have a discussion with the Opposition and if they want certain terms of UuETAO to be changed, that can be discussed and they will be changed and he said that he would definitely like to have a discussion with them and he asked the Ministers to have a discussion. Discussions were later held and the amendments that the Government has brought about are the result of those discussions.

By relating this incident, I am trying to say that the Prime Minister is being blamed now as to why he said in the other House that he is not involved or his family is not involved. If he did not say it, then Members and other people have been saying—and they have said so openly—that he has something to hide, and that is why he is not denying the charges against him personally. But when he has said, that he or his family is not involved.., it is being sarcastically mentioned.

SHRI V. GOPALSAMY: Why did he not say about the in-laws?

SHRI GHULAMRASOOL MATTO:

command that the Prime Minister honestly wants to know as to who actually is the culprit in this case. I would like to tell those critics who say that Prime Minister has not said it about the in-laws or others, that he has already said it that he or his family is not involved. It obviously means that all others if they are found to be involved by the Parliamentary Committee will be punished, for which he has very categorically said that he would not leave anybody whoever is found to be involved in these kickbacks. What else can he do?

With regard to this Committee itself as if we are starting with the premise that battlelines have been drawn; that the Opposition will take one stand; the Government will take another stand. But the main objective is to know the truth and it is for the Committee to form its ideas and know the truth. In this connection, mention has been made about the P.A.C., the P.U.C. and other committees which work smoothly. Not only that; I would say based on my personal knowledge that in the Public Undertakings Committee last year, one important Member of this House whom I will name, Prof. Lakshmanan, was able to dominate the entire proceedings by his interest and insight in the matter and he carried all the Members, including the Chairman, along with him to know the truth about certain undertakings. It is only a question of interest that Opposition will take. If they want to derive a political advantage of it, then it is a different story altogether. If they want to know the truth, they should sit together, pool their thoughts, pool their ideas. I say even one Opposition member will be able to carry the Committee with him, take the matter to its logical conclusion, that is to know the truth as to whom the payment has been made. But this is possible only when they co-operate, only when they join this Committee.

Having said this, I have one or two more observations. My first observa-

tion is, while I support the Motion, as an ally of the Congress, I would have liked that in this Committee, instead of the Speaker being given the authority, the Committee itself had been given the authority to do whatever was required in his matter. I say this because the Speaker should not be embarrassed. But in any case, it is there. But I would make a request here when the curtain is being rung down, when the guillotine is being applied. I am happy that the Minister of Defence is here. I am a small fry in this august House. I would request him and beseech him that he should convey to the Prime Minister, he should request the Prime Minister on my behalf, that when the curtain is being rung down, he should invite the leaders of Opposition parties tomorrow morning, have a dialogue with them in regard to the points of difference. Mr. Babul Reddy was here yesterday. He made some positive suggestions in regard to this Committee. The points of difference can be narrowed down only if the Prime Minister calls a meeting of leaders of Opposition tomorrow at 10 a.m. and discuss the matter with them. I would request the hon. Minister of Defence to convey my personal regards to the Prime Minister, who is not here, and convey my request to him that he should invite the Opposition for talks so that the points of difference can be narrowed down.

I have also one more request to the hon. Minister. After the discussions tomorrow, if the Opposition and the ruling party do not come to an understanding, when the Motion is carried—it is likely to be carried—he should keep ten seats vacant up to the last moment. The Opposition is entitled to a little over 8 seats. He should keep ten seats vacant up to the last moment. If, later on, at any time, the Opposition wants to join the Committee, they should be welcome. You should announce that they are welcome to join the deliberations of the Committee and only then the deliberations of the Committee can be

[Shri Ghulam Rasool Matto]

meaningful. I would also request that if he has to take into account the allies like us, the AIADMK or other parties, they should be from out of the ruling party's quota and not from the ten seats which should be earmarked for the Opposition. Time is not lost. The hon. Minister should convey my request to the Prime Minister so that this matter is amicably settled and, tomorrow, the Motion is passed unanimously. This will help us in knowing the truth and bringing to book the persons who have taken the kickback and it will be known to the entire world. With these observations, I support the Motion.

श्री सीमा शर्मा देव (गुजरात) :

मान्यवर उपसभाध्यक्ष महोदय, सरकार द्वारा रखे गये इस संकल्प के सम्बन्ध में चन्द शब्द कहना चाहूंगा। मान्यवर, तथाकथित बोफोर्स घोटाले के सम्बन्ध में सरकार की सच्चाई, सत्य को प्रजा के सम्मुख लाने की निरन्तर चेष्टा तथा मनोबल यह दूध का दूध और पानी का पानी अलग करके प्रजातांत्रिक मूल्य को अधिक मजबूत बनायेगा, यह एक निष्पक्ष बात है। प्रश्न यह उद्भवित है कि क्या 155 एम० एम० तौनों की खरोदी में तथाकथित दलाली लिए जाने के संबंध में सरकार की मश्रा जांच करवाने के संबंध में है? क्या सरकार ने समयोचित कार्यवाही करने में विलम्ब किया है और क्या सरकार दोषियों को दंड देने के पक्ष में है? विपक्षी मित्र सच्चाई के उजाले में सत्य टटोलने की कोशिश करें। मान्यवर, क्या 16 अगस्त को स्वीडन रेडियो ने यह समाचार प्रसारित किया कि इस सौदे में किसी विचौलिये ने दलाली खाई है तो तत्काल 17 अप्रैल को प्रधान मंत्री ने वात्ता नहीं की? क्या 20 अप्रैल को बोफोर्स कंपनी से इस संबंध में स्पष्टीकरण नहीं चाहा? उसी दिन क्या देश के सर्वोच्च सदनों को इस संबंध में विश्वास में नहीं लिया गया? क्या भारतीय दूतावास में स्वीडिश सरकार और बोफोर्स के

अधिकारियों को तत्काल हकीकतें प्रस्तुत करने को नहीं कहा? क्या भारत सरकार ने स्वीडिश रेडियो जिसने यह समाचार प्रसारित किया उसे संबंधित तथ्य तथा उस एजेंट के नाम तथा पर्याप्त एविडेन्स की मांग नहीं की? किन्तु स्वीडिश रेडियो तथा बोफोर्स कंपनी के कोई अधिक जानकारी न देने पर क्या सरकार के मजबूत दबाव पर स्वीडिश सरकार ने उनके आडिट ब्यूरो को जांच नहीं दी तथा इसके कारण क्या सरकार ने 4 जून, 1987 को वह आडिट रिपोर्ट प्राप्त नहीं किया और क्या रिपोर्ट जिस दिन प्राप्त हुई उस दिन प्रकाशित करके विपक्षी नेताओं को विश्वास में नहीं लिया गया और उसके बाद में 11 जून को क्या यह जांच समिति का गठन करने के संबंध में लोक सभा के स्पीकर तथा राज्य सभा के चेयरमैन को विनती नहीं की? यह कौन क्या छिपाना चाहता है और क्या यह कार्यवाही तथ्यों को छिपाने के लिए की गई या तथ्यों को बाहर लाने के लिए की गई? तब भी इनको मिला है कि तुम वफादार नहीं हो। कल विपक्ष जो कह रहे थे कि आप अगर सच्चे हैं तो समिति की मांग क्यों मंजूर की इसका मतलब तो यह है कि समिति अगर न बनाओ तो शोर और समिति बनाओ तो मातम। यह दुधारी नीति समझ में नहीं आती। मान्यवर, प्रधान मंत्री श्री राजीव गांधी ने स्पष्ट शब्दों में कहा है कि बोफोर्स सौदे में अगर कोई विचौलिया या भ्रष्टाचार का सबूत मिले तो दोषी व्यक्ति के खिलाफ भारतीय कानूनों के अन्तर्गत सख्त कार्यवाही की जाएगी, किसी को बक्शा नहीं जाएगा। इस संबंध में अगर जांच समिति का गठन हो रहा है तो बहिष्कार की बात करना क्या प्रतिपादित करता है? अब देश के समक्ष सच्चाई को लाने के लिए कौन रोक रहा है, सरकार या विपक्ष? मान्यवर, यह तो ऐसी बात हुई कि हमारे गांवों में एक कहावत है कि नाच न जाने आंगन टेढ़ा। कमेटी सच्चाई को सामने लाने के लिए बनाई

जा रही है। वह कमेटी सच्चाई को देश के समक्ष रखेगी। लेकिन ये लोग उसका भी विरोध कर रहे हैं। इन लोगों की, विपक्ष में, यह बात मेरी समझ में नहीं आती है। यह अत्यन्त दुर्भाग्यपूर्ण है कि इस गंभीर प्रकरण का राजनैतिक लाभ उठाने की चेष्टा विपक्ष कर रहा है। उन्होंने वगैरह समझे-बूझे सरकार तथा सक्षम नेतृत्व पर लांछन लगाने की विफल कोशिश की और इसमें कुछ समाचार घराने ने शह दी जो समझते और अन्वय कर रहे थे कि श्री राजीव गांधी की प्रगतिशील नीतियों से उनके नेहित स्वार्थों को खतरा पैदा हो गया है जिनके हितों की वे रक्षा करना चाहते हैं। मान्यवर, द्वितीय विश्व युद्ध के बाद का सम्पूर्ण इतिहास अस्थिरता के इन षड्यन्त्रपूर्ण तरीकों का साक्षी है। राष्ट्र विरोधी शक्तियाँ हमारी पद्धतियों को अस्थिर करना चाहती हैं। हमारे बीच में फूट तथा विभाजन करना हमारी एकता को छिन्न-भिन्न कर के लिए सभी प्रकार के साधन अपनाना चाहते हैं और इस दिशा में वे लोगों के विचार, भड़काने, गलत सूचनाएँ देकर चरित्र-हानन करने तक के प्रयासों में लगे हैं। मान्यवर, संकीर्ण राजनीतिक स्वार्थों पर इस देश के व्यापक हितों का बलिदान करने का एक सुनियोजित प्रयास है, जिसको हम हरगिज बर्दाश्त नहीं कर सकते हैं। मान्यवर, विपक्ष ने आज प्रश्न उठाया है तो क्या हम यह सौदा विफल कर दें। मान्यवर, मैं स्पष्ट रूप से यह कहना चाहता हूँ कि भारत के चारों ओर सुरक्षा का वातावरण बिगड़ रहा है और महाशक्तियों की आज होड़ शुरू हो चुकी है। इसलिये आज भारत को शस्त्रों की अनिवार्य आवश्यकता है। लेकिन कुछ ताकतें यह चाहती हैं कि हम दुश्मनों का मुकाबला न कर सकें और आधुनिक हथियारों से नैसर्गिक न हो सकें और जाने-अनजाने विपक्ष के नेता इस साजिश में शामिल होकर अफवाहों के बाजार को गर्म

करके न सिर्फ हमारी सुरक्षा बल्कि हमारे नेतृत्व की विश्वसनीयता को चुनौती दे रहे हैं। सौदा कैसिल करने पर हम आधुनिक शस्त्रों से कम से कम दो वर्षों के लिये वंचित रह सकते हैं। यहाँ कहा गया है हमको बताया गया है। यह एक टेक्नीकल इन्फर्मेशन की बात है। यहाँ पर कल जो भाषण हुए हैं सरकार ने उसमें अपना मंतव्य स्पष्ट किया है। मैं पूछना चाहता हूँ कि क्या दो वर्षों तक हम किसी की राह देख सकते हैं। या हमारे पड़ोसी जो राष्ट्र हैं वे दो वर्षों तक यह देख सकेंगे कि भारत के पास शस्त्र नहीं हैं इसलिये हम उस पर आक्रमण न करें। इस संबंध में हमें यह सोचना चाहिए कि किस तरह से हम अपनी सीमाओं की सुरक्षा करेंगे। इससे अधिक अच्छे कोई शस्त्र अगर हमको मिल सकते तो उनको पर्याप्त रूप से लेने की कोशिश होती। लेकिन आज हमारे जो जवान हैं, हमारे जो अफसर हैं, टेक्नीकल बात जानने वाले जो लोग हैं उन्होंने यह कहा है। अभी विपक्ष के ही हमारे एक आनरेबल मेम्बर ने भी कहा है कि जो तोपें खरीदी गई हैं तोपें सर्वोच्च है, सर्वश्रेष्ठ हैं। हम देखते हैं कि आज पाकिस्तान के पास ऐसी तोपें हैं कि लाहौर से बम छोड़ें तो अमृतसर उसकी लपेट में आ सकता है। हमारे पास उसके आक्रमण का मुकाबला करने के लिये शस्त्र नहीं है। क्या हम दो साल तक ऐसी शक्तियों के हाथ में खेलने के लिए तैयार हो सकते हैं। इस सौदे को कैसिल करने का मतलब क्या यह नहीं है कि हमारी सीमाओं का असुरक्षाकरण। मान्यवर, यह बड़ी ही दुर्भाग्यपूर्ण बात है कि ऐसी बातें भी कही जाती हैं जिससे हमारे जवानों का मनोबल गिर सकता है। उनके मनोबल को गिराने की चेष्टा की जा रही है। ये जवान, भारत का जो मानचित्र है वे उसकी रक्षा करने में सक्षम रहे हैं। हमने देखा कि बंगलादेश के युद्ध में जब अमेरिकी बड़ा आने लगा तो वह हमारे जवानों का मनोबल ही था

[श्री मीर्जा इशार्दबेग]

जिसके कारण वे लौट गये। हमारे पड़ोसी देश, श्रीलंका में हमारे प्रधानमंत्री के सक्षम नेतृत्व दुनियां ने देखा कि न सिर्फ हमने अपनी सीमाओं की रक्षा की बल्कि इस समय जो हमारे सैनिक वहां पर हैं उनका मनोबल कितना ऊंचा है। वे आज दूसरे देशों में जाकर वहां की सुरक्षा की बात करते हैं। क्या उनके इस दृढ़ मनोबल को हम गिराना चाहते हैं उनकी ताकत को हम खत्म करना चाहते हैं मान्यवर मैं बड़ी गंभीरता से इस सदन के सामने कहना चाहता हूँ कि राष्ट्रीय स्वार्थ के सामने सारे निहित स्वार्थ गौण हैं जब हम बात करते हैं राष्ट्रीय हित की तो राष्ट्रीय हित को अगर वहीं भी कोई खतरा हो तो हम उसी डटकर मुताबला करेंगे। ये बातें स्पष्टरूप से सब के सामने प्रधानमंत्री जी ने कही हैं सरकार ने कही हैं मंत्रियों ने कही हैं। उन्होंने बार बार इस बात को दोहराया कि अगर यह सही नहीं तो सत्य है उसको सदन के सामने पेश करें लोगों के सामने पेश करें। अगर सरकार उस पर कदम न चले तो फिर आप...

SHRI V. COPALSAMY: Are these speeches prepared by AICC? Everybody is reading a prepared speech, a written speech, including Mr. Darbara Singh, He was also reading a written speech. That is why I ask whether these speeches were prepared by the AICC.

श्री मीर्जा इशार्दबेग : ये लोग अमेरिका को अपना आजा समझकर...
(व्यवधान) ...

ये लोग अमेरिका को अपना आजा समझकर सोवियत को अपना दादा समझकर इस तरह की बात करते हैं। ये लोग यह बात नहीं समझते हैं कि जो सच्चाई है वह हरदम है। उसको हम लोग यह नहीं कह सकते हैं कि यह सच्चाई नहीं। आपका पोचने का तरीका इस तरह का है। आपका माप-दंड जो सच्चाई का है वह क्या है और उसमें किस तरह से व्यक्तियों को नापा जाता है

यह मेरी समझ से परे है।
(व्यवधान) वह तो तब मालूम पड़ेगा जब आप जवाइंट कमेटी में शामिल हों और उस कमेटी के जरिये इसको साबित करें। अगर यह सत्य साबित होता है कि कांग्रेस पार्टी का कोई इन्सान कांग्रेस नेतृत्व का कोई इन्सान प्रधानमंत्री के परिवार में कोई इन्सान खुद अगर कहीं भी इसमें शामिल हो तो हम यह कहना चाहते हैं कि घड़ी भर के लिए भी हम उनका साथ नहीं देंगे (व्यवधान) बैठ जा ये उच्चाई हमेशा आपको वडकी लगती है। अभी भाटिया जी कह रहे थे समय-समय पर आपने मापदण्ड बदले हैं। भाटिया जी अभी कह रहे थे इन्दिरा गांधी के खिलाफ प्रचलित रच कर उनको फँसाने की बात की जाए उस वक्त कोई समिति बनाई जाए तो वह समिति सच्ची थी और आज अगर सरकार कोई बात करती है तो यह समिति गलत हो गई इसका बहिष्कार करो। उनको 1990 तक इन बातों को फँसाना है और इन बातों को ले जा कर लोगों को कहना है कि देखिए सरकार ने यह घोटाला कर दिया है। लेकिन याद रखिये देश के लोगों का मनोबल बहुत ऊंचा है जब जब समय आया है तब तब देश के लोगों ने इस बात की सक्षमतापूर्वक साबित कर दिया है। देखिए इस देश की जनता क्या चाहती है। मान्यवर इसी बात पर मुझे कुछ पंक्तियाँ याद आ रही हैं जिन में कहा गया है--

काक कुष्णः पिकः कृष्णः को भेदो एककाकयोः।
सन्त-प्रजातकाले तु काको काकः पिकोपिकः।

मान्यवर कोया भी काला है और कोयल भी काली है। इसी में तो तभी मालूम पड़ता है जब वसंत ऋतु आती है और दोनों के मुँह से गुलाब निकलती है तब मालूम पड़ता है कि कोया कौन है और कोयल कौन है। तो यह 1990 में ही भारत की जनता दूध का दूध और पानी का पानी अलग कर देगी। उसकी वाह यह है कि आज आप लोग यहां बेंडे हैं और हम लोग यहां बेंडे हैं आज जो देश के प्रधानमंत्री श्री राजीव गांधी हैं उनको प्रजा ने प्रधानमंत्री बनाया है। न आपने बनाया है न हमने बनाया है। उनको देश की जनता ने प्रधानमंत्री

बनाया है। मान्यवर सरकार को इस मामले में सच्चाई को सामने लाना है और सच्चाई हवा में बात करने से कभी सामने नहीं आती है। मैं यह कहना चाहता हूँ कि अगर किसी का पास तथ्य हैं तो सामने रखे। सरकार ने समय पर कहा है कि तथ्य सामने आएंगे इसकी जांच करावाएंगे और इस में अगर कोई भी शामिल होगा उसके खिलाफ सख्त कार्यवाही की जाएगी किसी को भी बख्शा नहीं जाएगा। अब यह दूसरी बात लाते हैं। जब-जब समय आया है बेल्ट का जब जब बोट डानने की प्रक्रिया शुरू हुई क्योंकि यहां पर प्रजातंत्र है परन्तु यह तो चाहते हैं कि प्रजातंत्र भी खत्म हो जाए देश के लोगों ने या भी देखा पांच वर्ष के लिए उनको चुन कर के यहां भेजा। उन्होंने आपस में लड़ाई कर के ढाई साल में वापस जनता के सामने आ गए और अब आप यह कह रहे हैं क्योंकि उनको अभी से यह मान्य है कि सच्चाई अगर देश के समक्ष आ गई तो 1990 में जब वे जनता से वोट लेने जायेंगे तो देश की जनता उन पर भरोसा नहीं करेगी। इसलिए यह मांग करते हैं कि लोक सभा भंग कर दो और देश में मध्यावधि चुनाव करने की मांग करते हैं। मैं समझता हूँ कि ऐसी मांग करना एक मिथ्या परिकल्पना हो अभिव्यंजना मात्र है। इससे अधिक कुछ नहीं है। आप पहले कहते हैं, शुरू में आप बोले तो कहा कि राजीव गांधी इस में शामिल हैं, राजीव गांधी ने इस में पैसा खाया है, राजीव गांधी के परिवार वालों ने पैसा खाया है लेकिन जब राजीव गांधी ने इस बात का खुलासा लोगों के सामने कर दिया और यह कहा कि मैं उसमें शामिल नहीं हूँ और न मेरे परिवार का कोई सदस्य शामिल है तो विरोध पक्ष के लोग यह कहते हैं कि यह बड़ी अनुचित बात है, गम्भीर बात है कि राजीव गांधी को यह खुलासा देना पड़ा। इस पर मुझे एक शेर याद आता है —

वो कत्ल भी करते हैं तो चर्चा नहीं होता, हम ग्राह भी भरते हैं तो हो जाते हैं बदनाम। अगर इनका बस चले तो हमें आह भी न भरने दें। चाहे देश विरोधी ताकतों के

खत्म करने वाली ताकतों के साथ काम करें यहां बैठे हैं मुखौटा पहन कर बैठे हैं। कह रहे थे बार-बार अगर कुछ बात आती है तो आप कहते हैं कि देश को डिस्टेबलाइज करने वाली ताकतों से आप बात कर रहे हैं। मैं यह कहना चाहता हूँ आप देख लो आपक नेताओं के भाषण यह बता रहे हैं हैं कि देश को किस तरह से आप तोड़ना चाहते हैं, देश को किस तरह से आप खत्म करना चाहते हैं। मुझे नाम नहीं लेना चाहिए एक राइटिस्ट पार्टी यहां पर बैठी है। उनका भाषण जा कर के देख लीजिए। चाहे वह अहमदाबाद के साम्प्रदायिक दंगों की बात हो, चाहे भेरठ की बात हो, चाहे देश के किसी कोने की बात हो, आग भड़काने की बात इन्होंने की है, देश को तोड़ने की बात इन्होंने की है, देश के विरोधी लोगों के साथ बैठकर हाथ मिलाने की बात की है। कहां हैं आपकी देश भक्ति, आपका देशाभिमान और आप यहां बैठकर इस व्यक्ति के ऊपर नुकता चीनी करते हैं जिसके खानदान ने देश के लिए बलिदान किया, जिसके दादा ने देश के लिए बलिदान किया, जिसकी मां ने देश के लिए गोली खाई? और इसे ये कहते हैं। अगर खाना होता तो 400 करोड़ खाए जा सकते हैं और यहां 60 करोड़ की बात हो रही है। मेरी यह बिनती है कि पक्ष के मित्रों से कि आज भी समय और अवकाश है कि आइये प्रधान मंत्री जी ने जिस बात को कहा है, सरकार जो आपके सामने संकल्प लेकर आई है उसमें अर्थात् इस समिति के गठन में अपना सहयोग दीजिए और खुद उसमें से सत्य बात निकालिये। हमने देखा है और इविडेंस हमारे पास मौजूद हैं कि जहां समितियों में विपक्ष के मित्र चैयरमैन पद पर बैठे थे वहां कांग्रेस के लोग अगर दोषी पाये गये तो उन पर कदम लिया गया। इंदिरा गांधी ने भी लिया। जिस समिति का गठन हुआ था आपके सम्मुख आयी थी। कम से कम इतना तो बरतिए कि जो हमारी परम्परा है उसको निभाइये। इंदिरा गांधी जी को जेल में ले जाने के लिए, हर किस्म का दण्ड देने के लिए, जो कुछ आपने किया, जांच समिति बनाई, लेकिन जांच

[श्री मीर्जा इशार्द बेग]

समिति के समक्ष वे खुद आईं। इसलिए मान-वर, मैं चाहता हूँ और आज भी विपक्ष के नेता लोगों से मेरा हादिक अनुरोध है कि इस बात को एक राजनीतिक मुद्दा मत बनाइये, अपना कोई स्वार्थ न देखें, राजनीतिक स्वार्थ को न देखें लेकिन राष्ट्र के सर्वोच्च हित में अपना सहयोग इसके अंदर दें। मुझे फिर एक बात याद आती है। यदि समिति बनती है और समिति अपना निष्कर्ष देगी तो मुझे उसमें कोई शंका नहीं है कि न मेरी पार्टी का कोई व्यक्ति, न मेरी सरकार का कोई व्यक्ति, न ही प्रधान मंत्री आपको उसमें दोषी मिलेंगे और इसीलिए बाद में आपको पछतावा न हो कि लोगों के सामने कहने के लिए विश्वास न रहे इसी लिए मैं आशा करता हूँ कि आप इसमें सहयोग देंगे। बाद में फिर आप ही कहेंगे या शायद यह बात प्रजा के समक्ष आएगी— जो एक शेर मुझे याद आता है कि —
“बड़ा शोर मचते थे पहलू में दिल का जो चीरा तो कतराए खून निकला।”

मान्यवर, पूरा पहलू खोदकर चूहा निकालने वाली बात है। देश के गौरव, देश की गरिमा, सदन के गौरव और सदन की गरिमा को मद्देनजर रखते हुए मैं आशा करता हूँ कि विपक्ष के मित्र और नेता इस बात को स्वीकार करेंगे कि और देश के सामने सच्चाई लाने का सरकार को जो चेष्टा है उसमें अपना सहयोग करेंगे मान्यवर, आपने मुझे बोलने के लिए बहुत समय दिया इसके लिए मैं आपका बहुत आभारी हूँ। धन्यवाद।

SHRI KRISHNA KUMAR BIRLA
(Rajasthan): Sir, I rise to support, the Motion moved on Bofors.

Serious allegations have been made regarding the kickbacks. Such allegations have been made by the Swedish National Radio Company. In spite of the best efforts made by the Government of India and the persistent endeavours by the Government no specific names have been given. The Government had then moved

the Swedish Government and through them they also made efforts so that specific names could be supplied. Could more have been done in the matter?

Many other questions have been posed. The Prime Minister had earlier insisted that in the deal, there should be no middleman. And after some efforts he got an assurance concerning this from no less a person than Mr. Olof Palme, the then Prime Minister of Sweden; this assurance was given in January 1986. **Then, Sir, this was also confirmed by Bofors on 10th March, 1986 that there was going to be no middleman.** After some time the report of the Swedish Audit Bureau was publicised. This came as a great surprise to everyone, including the Government. The Government then moved the Government of Sweden and Mr Carl Johan Aberg who is the Permanent Under Secretary of State, Foreign Trade, has said that the then Prime Minister, Mr Palme had confirmed that there was going to be no middlemen. Can the Prime Minister be blamed in case he trusted and in case he puts his confidence in the words of the then Swedish Prime Minister?

There is no doubt that the Government is sincere to find out the truth, to find the names of the people who have taken the commission. With that intention a Joint Parliamentary Committee has been appointed. Could there be more evidence to show the sincerity of the Government? Will the Prime Minister appoint a committee. If it is found that his party has received the money, will it not expose his own party?

Sir, the prime suspect according to the newspapers is Mr. Win Chadha. Steps should be taken as early as possible with regard to his deportation. I would certainly agree with many of the earlier speakers that the efforts made by the Government of India in this direction need to be further strengthened. A case should be filed against him in respect of evasion of income tax and violation of FERA.

Sir, in my opinion, it is unfortunate that the Opposition has not agreed to join the Joint Parliamentary Committee

because this is a work which all of us should see not from the partisan angle but from a common angle. In case the Opposition decides not to join the Committee, much of importance of the Committee will be lost. In this connection I would like to mention that most of the demands made by the Opposition have been met by the Government. Thus size of the Committee has been increased. It has been decided that the Comptroller and Auditor General of India and Attorney General will also assist the Committee and other agencies are also going to assist the Committee. The Committee can also summon witnesses and receive evidence from foreign and national agencies.

Sir, it has also been accepted by the Government that the Committee could constitute a smaller sub-committee which could visit foreign countries with the permission of the Speaker. As hon. Members might have read in the newspapers the Prime Minister has also said that in case the Opposition wanted to send any team to foreign countries they are welcome to do so. My appeal to hon. friends in the Opposition will be to work in a spirit of cooperation, in a spirit of give and take. There should not be any place for unnecessary doubts and suspicions. There should be no effort towards maligning any particular party because this has serious implications. The Bofors deal has been given worldwide publicity. Wild allegations by Swedish radio and by some leaders in India have created an impression that the ruling party has become corrupt. Efforts have been made even to find fault with the Prime Minister. Sir, there are some foreign powers behind this who are interested in desablising this country. Hence in case the Committee could establish that no money was taken by the ruling party and in such matters whether it is ruling party or Opposition party I do not make any distinction in them - that no money was received by the ruling party - money might have been received by the individuals - that will immediately raise the prestige of the country in foreign countries. Sir, our efforts should be to go to the bottom of the matter, to find out the truth and to punish the guilty. I would certainly appeal that the

Opposition Parties join the Committee and if, during the course of the investigation, any problems are faced by them, I have no doubt that solution will be found.

Sir, the Prime Minister has emphasised that there should be no middlemen. In my opinion, the stress should have been not so much on this but from a practical point of view on another matter. Every big company does need middlemen to look after its interest whether you call them middlemen or whether you call them agents. I would like to tell the House that there are a large number of exporters of capital goods from India also and they have also got their agents or middlemen, by whatever name we may call them, in those countries. In fact, our emphasis should have been: are the prices that are being offered to us competitive? Are the prices competitive in consonance with the quality of goods that are being offered? Sir, according to the statement made by Shri Shivraj Patil that prices are all right. As far as the quality of Bofors is concerned, it is better than the guns made in France. These guns are more automatic. They have more burst capacity. And Sir, apart from competitiveness, another emphasis should have been that for work done in this country, there should be no commission paid outside the country. After all, the work was done in this country. So, where is the question of paying any commission in Swiss Bank? There should have been nothing hanky panky. That should have been the main emphasis. Some people say cancel the order of Bofors. This will be an absolutely foolish step to do so. Why? Because Pakistan has already ordered for such guns. They have also received the delivery of such guns. Now, in case, we cancel the order, there will be a set-back of two years. In such matters, where the defence of the country is involved, where the security of the country is concerned, we should leave the matter to army and we should be guided by their views.

Lastly, Sir, I would only like to mention that we are facing a peculiar situation. There are four parties involved, Swedish Radio, Swedish Government, Swedish Audit Bureau and Bofors. I would

Shri Krishna Kumar Birla]

These parties are not willing to supply names of middlemen. They are taking shelter behind the Swedish law. Bofors, apart from the Swedish law, I believe, also feel that ethics are concerned. My impression is that in case, Bofors were to disclose the names here, they will lose the credibility throughout the world because they must be doing similar things in other parts of the world. The better way for Bofors would have been that they should have boldly said to the Prime Minister, to the Government that compare our prices and forget as far as the commission is concerned as that is our look-out. But they have very much behaved like what was stated in Mahabharata. That Ashwatthama has been killed - either the elephant or the man, I would say that let the Parliamentary Committee go into it in depth. Let them go to the bottom of the matter. The terms of reference are very wide and I have no doubt that with the cooperation of the Opposition, much could be achieved. I would certainly like to support Mr. Matto when he said that the Prime Minister should try to meet the leaders of Opposition and try to see whether this matter could be resolved. Thank you, Sir.

(Interruptions)

SHRI V. GOPALSAMY: Because he referred to Mahabharata, Mr. Dronacharya was killed.

SHRI KRISHNA KUMAR BIRLA: Bofors should have been more specific, that is my point.

PROF. NIRMAL CHATTERJEE: Mr. Birla, the hon. Minister for Defence is convinced that there is no case for any probe because this is a normal affair.

SHRI KRISHNA KUMAR BIRLA: If this be so, I would say that such normal affairs take place in West Bengal too, from where the Hon'ble Member comes.

SHRI BHASKAR ANNAJI MASODKAR (Maharashtra): Sir, I rise to support the motion... (Interruptions) Initially I had my reservations about

formation of such a Committee (Interruptions).

श्री सत्यपाल मलिक : उपसभाध्यक्ष महोदय, यह डिस्मिशन आज खत्म होगा या कल तक चलेगा ? क्या स्थिति है ?

उपसभाध्यक्ष (श्री हेच० हनुमन्तप्पा) : मलिक जी, आप बैठेंगे । उम्हें बोलने दीजिए ।

श्री सत्यपाल मलिक : उपसभाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है । मैं यह जानना चाहता हूँ कि आज बहस खत्म होगी या कल तक चलेगी । अगर कल तक चलेगी तो मैं उम्मीद रखूँ और बैठूँ ।

उपसभाध्यक्ष (श्री हेच० हनुमन्तप्पा) : अभी तो मैं नहीं बता सकता हूँ ।

श्री सत्यपाल मलिक : आप यह कैसे नहीं बता सकते हैं कि डिस्मिशन आज खत्म होगा या कल तक चलेगी । या मिनिस्टर का जवाब देव होगा ।

उपसभाध्यक्ष (श्री हेच० हनुमन्तप्पा) : आप का मालूम हो जाएगा । आप 5 मिनट बैठें ।

SHRI NIRMAL CHATERJEE: That includes me? If I remember, Mr. Vice-Chairman, you promised me yesterday that I will get a chance to speak.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Please sit down. I have allowed one. (Interruptions)

SHRI DIPEN GHOSH: If there is time, he would be given. After all the speakers finish, if there is time, then he would be given. It was so said. You tell us what is the time fixed for it.

श्री सत्यपाल मलिक : उपसभाध्यक्ष महोदय, मुझे यह एशुरेंस चैयर से मिला है । आप बताइये ।

उपसभाध्यक्ष (श्री हेच० हनुमन्तप्पा) : मेबर और चैयर के बीच में यह मामला है । मैं किसी की बात नहीं चाहता हूँ ।

Why don't you listen to me? Please sit down.

श्री सत्यपाल मलिक : मुझे तो आप बता ही सकते हैं कि क्या स्थिति है ?

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA) : I told you to sit down. I am putting it to Mr. Malik, It is between the Member and the Chair.

SHRI SATYA PAL MALIK : I seek your direction.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA) : Why don't you listen to me and sit down? I told you to please sit down for five minutes. You will know.

SHRI BHASKAR ANNAJI MASODKAR: Sir, I stand up to support the Motion. Initially I had some reservations about the formation of such a fact-finding committee. I had thought that the task of such a nature is not a political or legislative task. It was administrative task of the executive agency and executive Government. But after listening to the speeches (*Interruptions*) very forceful, fanciful and even farcial to some extent. I have revised my opinion and I do feel that the Government deserves to be congratulated for coming to this House with this Motion to form a Joint Committee of Parliament. My reasons I will give. I will be brief, Sir, because you are short of time and I will merely state reasons as to why I feel that there is a just vindication in this resolution of the Government's stand. Firstly, Sir, I feel that the Government, by proposing this Motion, is involving the entire House and through this House, the entire country into the process of settling controversy which has been unnecessarily raised and has been occupying the minds of the people for the last four months or over. A lot of dust has been raised. It was the duty of the Government, therefore, to take the House into confidence, to take the country in confidence and to see that the clouds of dust are done away with. This is the first principle and the first point. That is why I said that Government deserves to be congratulated, that although I had my reservations as to whether the Gov-

ernment can constitute such a Committee or should, as a good politics, constitute such a Committee, I support the Motion that the Government has brought before the House. I am not going to say whether the Opposition should or 6.00 P.M. should not participate in this process. It lies in their best judgement to take such a decision as they like. That is the only way democratic functioning can go on. With or without them the task can be done. Firstly, therefore, I feel this resolution furthers same principle and that is of a good Government. this resolution furthers the principle also of an open Government. There is nothing to hide. Everything is open, not only in the executive closets of the Ministers but within your sight and through this modality is being placed before you. You are welcome to join and investigate. I do not think any Government had dared to such an extent. I had no occasion to examine all the precedents. But the Indian precedents indicate that no Government had come out to investigate its policy by appointing such a committee. You will agree with me when you look to the terms of reference to this committee that more or less this is a sort of self-scrutiny of the action and policy of the Government. It is pursuant to high and noble principle that is being pursued before this House, that a Government, however strong in majority, can subject itself by its own motion to self-investigation. Therefore, I support the resolution on this first principle as I take it that this is the first and the basic principle of a democracy, that not only should we be tolerant to the Opposition views but we should take Parliament into confidence and through Parliament the whole country, the whole nation when public issues require it.

Secondly, I feel this particular motion and the principle underlying it support the Government stand and it is in furtherance of some basic policy decision by which this Government is standing and ruling this country. And that is this, that there shall be purity in administration and purity in politics. We want a clean Government. We want a pure Government, a

[Shri Bhaskar Annaji Masodkar]

Government above doubt, and that can only be achieved if the Government subjects itself to such a scrutiny on its own. This is the second aspect of the present motion.

Thirdly, on which there cannot be any debate democracy behoves a sort of accountability. Democracy involves public accountability. And how else can accountability in such a situation full of accusations wanton and wild, be discharged? I ask honourable Members on both sides who have given learned speeches, who have given fiery speeches, forceful speeches in this House and I was listening to them attentively: How can accountability be discharged by the Government? Do you mean to say that if Government were to have investigation by any other agency, that will satisfy the doubting members of this House? On the other hand, the Government herein is ready to put all the fact before the elected members of this House, before a committee of this House, and in that process putting itself in the hands of the committee. What more a popular Government is expected to do? What more is expected of a good Government? Accountability no doubt is basic principle of any democratic functioning. We must, I think, congratulate the leader of the Government for daring such an experiment for accountability to the people. It is really ironical that Member after Member from opposition is trying to be sceptical about the intentions of the Government: it is really painful to listen in the House to the charge that the Government's intentions are oblique or that the Government's attempt is a cover-up, while the position is just the reverse. On the other hand, the Government is placing the scrutiny in the hands of thirty Members. Although the Government is supported by the strongest possible majority, thirty Members can decide the fate of this Government's policy. What more does the Opposition want? What more does the country want? What more do the people of this country expect? I had myself thought, when this debate was going on, that there should be a smaller Committee, say a Committee of five

people, akin to a judicial investigation. But here is a Government which is broad minded, which is open which wants to do justice, which wants to be fair, not only wants to be fair, but also wants to establish that its actions were fair, in all its perspective and which has come out, after the persuasion from the Opposition, to accept the figure of thirty Members. It is such a large Committee and everyone is having one vote and by that vote the fate of Government policy will hang, the democratic credibility of this Government will hang. Such a daring experiment has been put forth through the mechanism of this Motion and yet I find parliamentarians opposing this Motion. I can only say....(*Time bell rings*) as some of the Members have said, that those who oppose are afraid of the result. Truth strikes them hard. Fortunately, Sir, the Motion has a focal point and that is the Audit Bureau Report. It has been now and then quoted here and I do not want to repeat all that. Sir, that Report, if the learned Members or both sides of the House were to consider carefully, leaves many matters for investigation and that investigation possibly, as some of the Members had suggested, could have been carried out by different agencies. But on the first principle, I feel that the Government did well in bringing the issue before this House taking it into confidence and through this House the whole country into confidence. Sir, I won't take more than two minutes and I am looking at you for getting only two minutes more.

Now, Sir, Bofors had taken the stand before the Audit Bureau that it would not divulge certain things on the ground of confidentiality and that Bureau, after investigating, trying to meet the bank officials and other sources, had concluded that some of the stands taken by Bofors were not truthful and that has been read out by one of the Members. Only the latter portion I want to read out. The second conclusion in the Report is that considerable amounts have been paid subsequently to AB Bofors' previous agents in India. The whole thing is nebulous. Who is this previous agent, what were the payments that were

nade, to whom they were made and or what—all these questions have been left open by this Report and are in an enigmatic state. So, there is no doubt that there is a need for investigation and there is no dispute on this aspect. But what is the mode of that investigation? The Government has shown courage to come to this House and involve this House in this investigative process itself. You are aware that many such matters could have been covered up by executive investigations. But, as I have

ty, in its tireless pursuit for in its persistent pursuit of politics, this Government is experiment which, I hope, is a truly experiment to this only want to remind

Sir, that it is our duty now as parliamentarians to rise to the occasion and to make good what we call the principle of purity in politics. Before I close, I propose to quote from Rousseau and that speaks for itself. It says.

"The passage from the state of nature to civil state, produces a very remarkable change in man, by substituting justice for instinct in his conduct, and giving his action the morality they had formerly lacked. Then only when voice of duty takes the place of physical impulse and right of appetite, does man, so far had considered only himself, find that he is forced to act on different principles and to consult his reason before listening to his inclination."

I hope that all of us, both on this side as well as in the opposition side, will listen to the promptings of our reason and endorse the decision to have such a Committee for investigating the truth.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): There are three more speakers. If the House agrees, we can conclude the discussion and the Minister can reply tomorrow.

SHRI NIRMAL CHATTERJEE: If we adjourn till tomorrow, the additional benefit would be that some of us would be given an opportunity to speak. A promise has been given that if we can make time, Mr. Satya Pal Malik will also be permitted to speak. Taking all this into account, we humbly request that the House be adjourned till 11 o'clock tomorrow.

SHRI DIPEN GHOSH: In any case, the discussion is not going to be concluded today.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): The Business Advisory Committee has allotted only two days. Only three Members are left.

SHRI NIRMAL CHATTERJEE: You referred to the Business Advisory Committee. We had a discussion with the Deputy Chairman and we did say that there was a chance of this debate spilling over to another day. There was a consensus that this will be done.

SHRI PARVATHANENI UPENDRA: The normal convention is that the leaders of the opposition parties, Leader of the House and the Minister for Parliamentary Affairs generally consult each other before extending the sitting of the House. No such consultation has taken place today.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): That is why I have put it to the House.

SHRI DIPEN GHOSH: In any case, the debate is not going to be concluded today.

SHRI NIRMAL CHATTERJEE: Kindly permit me to conclude. (Interruptions) The Government said that they are open for all kind of discussion. If that be so and if there is a full-throated discussion, at least that will create some kind of good mood. If the majority is allowed to decide this way, then our charge is that with the majority in the Committee they will bulldoze that Enquiry Committee also.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Please sit down. There is no unanimity about extending the House. I adjourn the House till 11 o'clock tomorrow.

The House then adjourned at sixteen minutes past six of the clock till eleven of the clock on Wednesday, the 12th August, 1987.