

Title: Regarding re-induction of Shri George Fernandes in Union Cabinet.

12.33 hrs.

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ): Mr. Deputy-Speaker, Sir, I am on a different subject which is also very important. It is pertaining to the propriety of the Parliament and standing and established convention of the functioning of the Cabinet system of the Government in this country.

Sir, in the second week of March this year, the entire nation was shocked when the *Tehelka* revelations came out in public. Not only the nation was shocked, as a follow up measure, instantly one of the Cabinet Ministers of the NDA Government, Miss Mamata Banerjee resigned on the issue and also asked for the resignation of the *Raksha Mantri* on moral grounds.

The Government of India and yourself, Sir, witnessed the scene in the House as to how the entire Opposition and a few constituents of the NDA were highly perturbed and surcharged on the revelation, and tried to draw the attention of the House to have a Joint Parliamentary Committee constituted to go into the matter.

Sir, then after a few days uproar from this side or that side, the Government, in its own wisdom, ignoring the advice of the Opposition appointed the Justice Venkataswamy Commission to look into the matter and to find the truth.

Sir, you know that no Government of a day, be it in the State or in the Centre, goes in for any Commission of Inquiry unless they are satisfied for a *prima facie* truth or genuineness or urgency of that case. But this Government headed by Shri Atal Bihari Vajpayee, the hon. Prime Minister, considered that this matter should be looked into by a Commission of Inquiry instead of a Joint Parliamentary Committee. Not only that, it was the first time in the history of Indian democracy that the Minister who had resigned from the Council of

Ministers was given a full time on Doordarshan to explain his conduct to the entire nation as to why he came out, which is unprecedented. Instead of making the statement in the Parliament, he chose to go to Doordarshan to appeal to the nation possibly to justify his protocol beyond the Prime Minister or beyond any senior Minister of the Government.

Mr. Deputy-Speaker, Sir, thereafter we found that the *Tehelka* revelations outside the Parliament took the position of a senior and distinguished leader of the BJP for his involvement in the *Tehelka* tapes and also of President of another constituent party. I do not like to take their names because they are not present in the House.

After the revelations, day in and day out, reports were coming out; I can produce volumes of newspaper documents and television scripts in this regard. While the ruling party and the opposition try to argue the matter, every one said that till the truth comes out, the resigned Ministers should not come back to the Government. Apart from this, the distinguished Minister himself had said very emphatically on Doordarshan, the script of which we collected, that unless things come out very clearly, he would not come back to the Cabinet. We have no personal animosity against any individuals in the NDA nor have we any disregard to the Prime Minister himself. The Prime Minister has his own discretion to include any one he chooses to be in the Cabinet. That is his prerogative, which we never question. We humbly respect his authority also. But Parliament is supreme in democracy. In Parliament, right from the days of Pandit Jawaharlal Nehru till this day, not a single occasion had arisen where such things have been made, by deliberately destroying the parliamentary traditions, parliamentary propriety, and if I may say so, the ethics of the Cabinet system of the Government and the so-called political morality.

I would like to draw your attention to the fact that during the tenure of Rajiv Gandhi as Prime Minister, two distinguished Ministers who were absolutely honest and sincere, Shri Chandulal Chandrakar and my distinguished colleague, Shri K.P. Singh Deo had to resign because simply their names figured that they had been to Taiwan on some visit. On that ground only, they had to quit and they were not re-inducted. Explanations were also given.

In this very House, while the Prime Minister on behalf of his Government appoints a Commission of Inquiry to find out the truth, it is amazing to the entire nation how the same Prime Minister, before the Commission of Inquiry completes its task, comes out with his own verdict that he considers Shri George Fernandes innocent? We are not saying anything. How can the Prime Minister say that on his own will? On the basis of the very foundation of the constitutional democracy and on his own commitments, if the Prime Minister, on behalf of the Government, is convinced that a Commission of Inquiry must go into the matter to find out the truth, how can he impose his own will on this matter? Has it ever happened in Indian democracy? Has any Prime Minister of this country done this?

Therefore, we strongly feel that this is a matter which has not only created a controversy by itself, it is also an assault on the parliamentary traditions and propriety; it is an assault on the Constitution and political morality; it is an assault on Prime Minister's own faith in his own decision making and it is an assault on the Commission of Inquiry which has been duly appointed by the Government on the sanction of the Constitution of India. It is not a simple matter; shamelessly this has been done when proceedings are going on in camera. A few proceedings had been completed. We have no access to the proceedings, nor can we say anything on that now. We came to know from various reports as to what happened. The Security Advisor to the Prime Minister visited Washington and he came back; within 48 hours thereafter, a compelling situation came and Shri George Fernandes had to be inducted into the Cabinet.

SHRI SOMNATH CHATTERJEE (BOLPUR): Shri Jaswant Singh requested for his replacement by Shri George Fernandes!

SHRI PRIYA RANJAN DASMUNSI : A few days before, reports came from the then Minister of Defence that defence things are going on in the right order and pressure was mounted. This is something which is a very serious matter. Mild criticism was also there. We want to know and the House has every right to know as to what were the circumstances under which the Prime Minister, assaulting the Commission of Inquiry, gave clean chit to the Minister who had been inducted.

The Prime Minister owes an explanation to the House. It is because the Cabinet is answerable and accountable to the Lok Sabha. Therefore, the very conduct of the Prime Minister of giving a clean chit to the Minister requires to be explained by the Prime Minister himself and nobody else....(*Interruptions*)

SHRI SOMNATH CHATTERJEE: A notice has been issued by the Commission of Inquiry which makes him *prima facie* guilty....(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : Sir, in the terms of reference it has been clearly stated that it would find out the truth. Sir, one week before his induction, when this controversy began that this tape is a false one and a twisted one, the Commission gave a clear decision that it is not. The action of the Prime Minister requires to be explained in the House. We consider that no less a person than the Prime Minister himself should give an explanation in the House. He should withdraw his Minister forthwith and should re-establish the parliamentary decorum and parliamentary propriety...(Interruptions)

MR. DEPUTY-SPEAKER: Now, Shri Yerrannaidu would speak.

...(Interruptions)

SHRI BASU DEB ACHARIA (BANKURA): Sir, Shri George Fernandes has been given a notice by the Commission. When Shri George Fernandes resigned on that ground, how could he be re-inducted in the Cabinet?... (Interruptions). Sir, what is the use of having an inquiry?....(Interruptions)

MR. DEPUTY-SPEAKER: This is 'Zero Hour'. Shri P.R. Dasmunsi has raised this matter.

डॉ. रघुवंश प्रसाद सिंह (वैशाली) : प्रधान मंत्री जी ने उन्हें कैसे क्लीन चिट दे दी। (व्यवधान)

श्रीमती रेनु कुमारी (खगड़िया) : चार्जशीटेड मुख्य मंत्री राज कर रहे हैं। श्री जार्ज फर्नान्डीज़ चार्जशीटेड नहीं हैं। ये उन्हें हटाने की बात कैसे कर रहे हैं। (व्यवधान) कांग्रेस बिहार में वक्तव्य दे तो हम इन्हें समझेंगे। (व्यवधान)

MR. DEPUTY-SPEAKER: Shrimati Renu Kumari, please do not shout like this.

...(Interruptions)

MR. DEPUTY-SPEAKER: I have already given the floor to Shri Yerrannaidu.

...(Interruptions)

SHRI BASU DEB ACHARIA : How can there be an impartial inquiry?... (Interruptions)

डॉ. रघुवंश प्रसाद सिंह : उपाध्यक्ष महोदय, इस विषय के बारे में क्या हुआ? (व्यवधान)

MR. DEPUTY-SPEAKER: This is 'Zero Hour'. Other Members should also get a chance.

...(Interruptions)

MR. DEPUTY-SPEAKER: I have seen your name. You will be given a chance.

...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI: Shri Dasmunsi, you had your say....(Interruptions)

SHRI SOMNATH CHATTERJEE : This is an important matter. Is there no other person in this country who could become the Minister of Defence?... (Interruptions)

MR. DEPUTY-SPEAKER: You have raised the matter. The Government has taken note of it. This is 'Zero Hour'.

SHRI PRIYA RANJAN DASMUNSI : The Government must say when the Prime Minister would come and explain this matter to the House....(Interruptions)

MR. DEPUTY-SPEAKER: Shri Dasmunsi, please take your seat. I am on my legs.

...(Interruptions)

श्री रामदास आठवले (पंढरपुर) : उपाध्यक्ष महोदय, हमें सरकार से जवाब चाहिए। (व्यवधान)

MR. DEPUTY-SPEAKER: Shri Ramdas, please resume your seat.

...(Interruptions)

MR. DEPUTY-SPEAKER: Will you please resume your seat? I am on my legs.

...(Interruptions)

MR. DEPUTY-SPEAKER: You have raised your point.

...(Interruptions)

MR. DEPUTY-SPEAKER: Will you allow me to speak?

...(Interruptions)

SHRI N.N. KRISHNADAS (PALGHAT): When such a serious matter has been raised in the House, why is the Government keeping mum? ...(Interruptions)

SHRI CHANDRA SHEKHAR (BALLIA, U.P.): Mr. Deputy-Speaker Sir, the matter has been raised by Shri Priya Ranjan Dasmunsi. It has serious implications. If you go into the whole event, in the earlier stages the Prime Minister said that the Defence Minister was not at fault. But he was asked to resign. Not only the Defence Minister, but also the Minister of State for Defence was also asked to resign. The country was without a Defence Minister. The Prime Minister himself ordered an inquiry under the Commission of Inquiry Act. The Commission is carrying on its work.

A summon was issued to the former hon. Minister of Defence. After that, all of a sudden the same Prime Minister repeated his old statement that the Defence Minister was not at fault. Why has this happened? Either the Prime Minister was not able to make up his mind at the earlier stage or he was forced to repeat his statement once again. I have not been able to understand it.

I would like to make it quite clear that when the Minister of State for Defence was asked to resign, I told the Government and I told the people that this was not proper. The Defence Minister should not have been asked to resign if he was not guilty. But, at that time because of some political considerations, the Government asked him to resign. After a few months again because of some other political considerations he was asked to come back to the Cabinet. This is something which makes the whole position ridiculous. It does not add to the grace of the Defence Minister; it does not add to the grace of Parliament; it does not add to the dignity of the Prime Minister and the whole system is being ridiculed. I have nothing to say as to why this Prime Minister has behaved in this manner. It was only – what word should I use? – expected of this Prime Minister that he should explain his conduct as to why he asked them in the beginning to resign and why he asked them to come back later. ...(Interruptions)

डॉ. रघुवंश प्रसाद सिंह : प्रधानमंत्री को सदन में हाजिर करिये। (ब्यवधान) प्रधानमंत्री को बुलाया जाये और उनसे सदन में स्थिति साफ कराई जाये कि उन्होंने जांच हुए बिना कैसे क्लीनचिट दे दी? (ब्यवधान) आप उन्हें बुलाइये, प्रधानमंत्री आकर बतायें। ...(Interruptions)

श्रीमती रेनु कुमारी : मेरी रिक्वैस्ट है कि इनसे पूछा जाये, बिहार के मुख्यमंत्री पर चार्ज है, फिर भी उसे मुख्यमंत्री बनाये हुए हैं। (ब्यवधान)

SHRI SOMNATH CHATTERJEE : Only in matters of great public importance, Commissions of Inquiry can be appointed. When the Government of India decided to appoint this Commission of Inquiry instead of sending the matter to the JPC, the minimum conviction they had was that it was a matter of great public importance requiring investigation by a judicial authority. That judicial authority, under the provisions of the Act, would issue summons to a person only if there is some *prima facie* case against him. Ultimately one may be exonerated. But, when a notice has been sent to him, he is very much under the scrutiny by the judicial authority appointed by the Prime Minister and during the pendency of that matter and the pendency of that notice still to be decided, how could the Prime Minister make a statement that there was no evidence against the Minister? This is a very serious matter. We have never seen that the Head of the Government, the Prime Minister of the country deliberately trying to influence the decision of a Commission of Inquiry. Coming from the Prime Minister about the exoneration of a particular person who is in the position of merely an accused, it means he is being given a clean chit. Is it not directed towards deliberately influencing the Commission of Inquiry? What else is this?

He has not got the minimum respect for the constitutional norm and the propriety not to bring him back until the matter is finally disposed of. What was the urgency in this matter? Is it that the NDA has nobody to be offered as the Defence Minister? All of a sudden how it was orchestrated! Shri Jaswant Singh suddenly said that Shri George Fernandes will be a good Defence Minister; he could not carry on the burden any more. This is a sort of drama which was enacted. This decision was preceded by a drama.

It is such a sorry state of affairs in this country that we have to face a Minister here everyday who is tainted according to this Commission, who was asked to go out and for whose resignation one of the constituents of the NDA had to withdraw its support to the Government. ...(Interruptions)

They resigned jointly from the Ministry. What has happened later? The Prime Minister must make a statement in this regard. Would heavens have fallen if they were not brought back to the Ministry? ...(Interruptions)

MR. DEPUTY-SPEAKER: You have had your say. I cannot compel the Government to respond.

...(Interruptions)

MR. DEPUTY-SPEAKER: I cannot compel the Government.

SHRI PRIYA RANJAN DASMUNSI : Through you I would like to ask the Parliamentary Affairs Minister whether he would convey to the Prime Minister the wish of the House that he should come to the House and explain the matter.(Interruptions)

SHRI VAIKO (SIVAKASI): The Prime Minister took a correct decision to bring back Shri George Fernandes as the Defence Minister of the country.(Interruptions)

श्री मुलायम सिंह यादव : उपाध्यक्ष महोदय, प्रधान मंत्री जी ने स्वयं इस सवाल को गम्भीर बनाया है। अभी सोमनाथ जी ने कहा कि जार्ज साहब अच्छे मंत्री हो सकते हैं, वे अच्छे नेता भी रहे हैं, लेकिन सवाल यह है कि जब पहले रक्षा मंत्री ने नैतिकता के नाते इस्तीफा दिया, तो उनका इस्तीफा स्वीकार नहीं किया गया। बाद में करीब एक हफ्ते के बाद उनसे इस्तीफा मांगा गया। समता पार्टी के कई सांसदों ने यहां खड़े होकर कहा, प्रभुनाथ सिंह जी भी उस समय थे, अब वे भले ही अपनी बात से बदल जाएं, उन्होंने कहा था कि जब इस्तीफा दिया गया था, तब क्यों नहीं स्वीकार किया। अब इस्तीफा मांग कर हमारे मंत्री का अपमान किया गया है। यह सवाल उस समय उठा था। हरिन पाठक जी से भी तब इस्तीफा लिया गया था। बाद में सरकार ने अपनी पसंद का आयोग गठित किया। उसकी अभी पूरी रिपोर्ट भी नहीं आई है। भारतीय जनता पार्टी के तत्कालीन अध्यक्ष को उसमें कैसे लेते हुए दिखाया गया था। उन्होंने स्वीकार भी किया था कि हमने रुपए पार्टी के वास्ते लिए थे। यह पूरी सरकार ही भ्रष्ट है। अब फिर जार्ज साहब को रक्षा मंत्री बना दिया गया है। इस तरह खुद प्रधान मंत्री जी ने इस मामले को गम्भीर बनाया है। प्रधान मंत्री और गृह मंत्री में आपस में मतभेद हैं। गृह मंत्री ने कहा कि उनको रक्षा मंत्री नहीं बनने देंगे और प्रधान मंत्री ने कहा कि हम बनाएंगे। आपसी मतभेदों के कारण देश की जनता को धोखा दिया जा रहा है। रक्षा मंत्रालय एक महत्वपूर्ण मंत्रालय है। देश की सीमाओं पर दोनों ओर से सेनाएं तैनात हैं। प्रधान मंत्री जी ने विवादास्पद बयान देकर रक्षा मंत्री का पद गम्भीर बना दिया है। इसलिए प्रधान मंत्री जी को सदन में आकर इसे स्पष्ट करना चाहिए और माफी मांगनी चाहिए अन्यथा अपने वक्तव्य को वापस लेना चाहिए। यह देश की जनता के सामने स्पष्ट होना चाहिए। जैसा चन्द्रशेखर जी ने भी कहा कि यह प्रधान मंत्री की गरिमा के अनुकूल नहीं है।

इसलिए प्रधानमंत्री जी को सदन में आकर बयान देना चाहिए। (व्यवधान)

MR. DEPUTY-SPEAKER: Shri Prabhunath Singh.

...(Interruptions)

SHRI BASU DEB ACHARIA : Sir, what is the response of the Government on this issue?

MR. DEPUTY-SPEAKER: Shri Acharia, I have given the floor to Shri Prabhunath Singh. This is too much.

...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI: Sir, we are staging a walk-out in protest. We condemn the attitude of the Government.(Interruptions) We will not compromise on this issue. Tomorrow also we will take it up. We will not remain silent till the Prime Minister explains the position.....(Interruptions)

12.56 hrs.

(At this stage, Shri Priya Ranjan Dasmunsi and some other

hon. Members left the House.)

...(Interruptions)

SHRI SOMNATH CHATTERJEE : Sir, we are walking out in protest. This is how the Government is behaving on a very important issue.

12.56 hrs.

(At this stage, Shri Somnath Chatterjee and some other

hon. Members left the House.)

श्री प्रभुनाथ सिंह (महाराजगंज, बिहार) : उपाध्यक्ष जी, जब से तहलका का मामला सामने आया, हम उसी समय से कह रहे हैं कि तहलका मामले में एक साजिश के तहत जार्ज फर्नांडीज का नाम बदनाम किया जा रहा है जबकि जो कैसेट दिखाया गया, (व्यवधान)

MR. DEPUTY-SPEAKER: Shri Rashid Alvi, do not interrupt. You had your say. Now let him also have his say.

श्री प्रभुनाथ सिंह : जी टी.वी. पर जो कैसेट दिखाया गया, उसमें जार्ज फर्नांडीज के नाम का कहीं जिक्र नहीं था। हम उन दिनों भी कह रहे थे कि जिन दिनों इस सभा में चर्चा चल रही थी कि एक साजिश के तहत जार्ज फर्नांडीज के चरित्र का हनन किया जा रहा है, (व्यवधान)

श्री मुलायम सिंह यादव : किसकी साजिश है? (व्यवधान) यह भी बताइए।

श्री प्रमुनाथ सिंह : बता रहे हैं। एक साजिश के तहत यह किया जा रहा है और इस साजिश में जहां एक तरफ कांग्रेस है, वहीं बीजेपी के कुछ लोगों का भी हाथ था। (व्यवधान) लेकिन जब प्रधानमंत्री जी को हकीकत का पता चला कि जार्ज फर्नांडीज को एक साजिश के तहत फंसाया जा रहा है तब उन्होंने उन्हें मंत्री मंडल में वापस लिया है। जार्ज फर्नांडीज बिल्कुल निर्दोष हैं। उन पर किसी तरह का आरोप नहीं है। (व्यवधान)

श्री मुलायम सिंह यादव : बीजेपी का लीडर कौन है, यह बताइए? इसलिए समाजवादी पार्टी सदन का बहिष्कार करती है।

12. 58 hrs.

(तत्पश्चात् श्री मुलायम सिंह यादव तथा कुछ अन्य माननीय सदस्य सभा से बाहर चले गए।)

MR. DEPUTY-SPEAKER: Shri Yerrannaidu.

SHRI K. YERRANNAIDU: Mr. Deputy-Speaker Sir, cotton is an important commercial crop grown in many districts of Andhra Pradesh as also other parts of the country.

MR. DEPUTY-SPEAKER: You are coming to commercial crop now!

SHRI K. YERRANNAIDU: Yes, Sir. There is no price fixed for cotton. (Interruptions)

संसदीय कार्य मंत्री, सूचना प्रौद्योगिकी मंत्री तथा संचार मंत्री (श्री प्रमोद महाजन) : उपाध्यक्ष जी, विद्यमान रक्षा मंत्री श्री जार्ज फर्नांडीज को लेकर चर्चा वाय उठाया गया। इस संबंध में मुझे केवल इतना कहना है कि जार्ज फर्नांडीज पर तहलका मामले में किसी भी प्रकार का कोई भी आरोप नहीं है। वेंकटस्वामी (व्यवधान)

डॉ. रघुवंश प्रसाद सिंह : कमीशन की जांच चल रही है। आप कौन हैं? (व्यवधान) कमीशन का फैसला यहां दे रहे हैं। नोटिस जा रहे हैं। (व्यवधान)

MR. DEPUTY-SPEAKER: Dr. Raghuvansh Prasad Singh, please hear him. You must have patience to hear him also. He has heard you. Now let him also be heard.

...(Interruptions)

श्री प्रमोद महाजन : वेंकटस्वामी आयोग द्वारा भी इस क्षण तक जार्ज फर्नांडीज को भेजे गये जिस नोटिस का उल्लेख हुआ है, उसी नोटिस के साथ भी वेंकटस्वामी आयोग ने जार्ज फर्नांडीज पर किसी प्रकार का परोक्ष या अपरोक्ष रूप से कोई आरोप नहीं लगाया है। इसलिए आयोग ने जार्ज फर्नांडीज पर आज तक तहलका मामले में किसी भी प्रकार का आरोप नहीं लगाया है। (व्यवधान)

SHRI PRIYA RANJAN DASMUNSI : Sir, can a Commission of Inquiry make any allegation till the inquiry is not over?.....(Interruptions)

श्री प्रमोद महाजन : जो नोटिस मिला है, उसमें भी दूर-दूर तक कोई जिक्र नहीं है। (व्यवधान)

Nothing has been asked to be explained.

13.00 hrs.

जिनके नेता पूरे के पूरे जांच में बर्सों से डूबे हैं, वे यहां पर भ्रष्टाचार का ज्ञान सिखाने खड़े हो जायें और बोलने तक न दें, यह कहां तक सही है। (व्यवधान) प्रियंका दासमुंशी जी ने माना है कि मंत्री परिषद् में किसी को सम्मिलित करना प्रधानमंत्री का विशेषाधिकार है। इस अधिकार के संबंध में उन्हें किसी के सामने कोई जवाबदेह होने की आवश्यकता नहीं है। इसलिए प्रधानमंत्री जी ने जार्ज फर्नांडीज जी को रक्षा मंत्री के रूप में नियुक्त किया है। उनको बदलने या वापिस लेने का सपना विपक्ष देख रहा है, तो दिन में सपने देखने वालों का मैं कुछ नहीं कर सकता हूँ। (व्यवधान) जार्ज फर्नांडीज रक्षा मंत्री हैं, रहेंगे और हम शुरु से कहते आए हैं कि उन पर किसी तरह का कोई आरोप नहीं है। (व्यवधान)
