

Title: Statement regarding article appeared in *Outlook* magazine about the visit of the Justice S.N. Phukan Commission to Pune and other places.

12.30 hrs.

(iii) Article appeared in *Outlook* magazine about the visit of the Justice S.N. Phukan Commission to Pune and other places

THE MINISTER OF DEFENCE (SHRI PRANAB MUKHERJEE): Sir, with your permission I beg to make this *suo motu* statement.*

The issue of the *Outlook* magazine dated 9th May, 2005 has commented adversely on the visit of Justice S.N. Phukan Commission to Pune and other places. In this connection, I would like to place the facts before the hon. Members.

Hon. Members may kindly recall that the Commission was looking into fourteen items relating to the Ministry of Defence which included:

- T-90S Tanks
- Tank Navigation System
- Upgunning of 130mm Field Guns
- Krasnopol
- Armoured Recovery Vehicle
- Simulators for the Army
- Kornet-E
- Light Weight Binoculars
- Hand Held Thermal Imagers
- Image Intensifier Tubes
- Rocket Launcher Mk-III
- Sukhoi-30 Aircraft
- Barak Missiles
- Advanced Jet Trainer

The matter regarding a visit by the Commission to see the equipment listed above had come up for discussion several times during the hearings before the hon. Commission.

* (Also Placed in Library, See No. LT 2053/05).

In view of the anticipated visit an order dated 16.12.03 was issued to the Service Headquarters and concerned officers in the Ministry of Defence to prepare for the visit. A request was made to the Service Headquarters to prepare a detailed programme and to send it to the Ministry by 19th December 2003.

Air Headquarters moved Joint Secretary (G/Air) on 17.12.03 to seek the approval of Raksha Mantri for providing Service aircraft.

On 19th December 2003, Secretary of the Commission, wrote a letter to the Ministry of Defence that "pursuant to a submission made by the learned Counsel for the Union of India, hon. Chairman has directed that equipment relating to the past defence transactions located at various places may be inspected. Accordingly, hon. Chairman along with the team of counsels for the Commission and officers of the Commission shall visit Pune, Ahmednagar, Bangalore and Mumbai starting 22nd December, 2003 to 27th December, 2003."

On 22nd December 2003 the then Raksha Mantri approved the provision of an IAF Service aircraft.

On 22.12.03 Justice S.N. Phukan, accompanied by Mrs. Phukan and eight officers listed below undertook the visit:

Shri Vijay Hansaria, Senior Counsel

Shri Yogesh Malhotra

Shri Pragyan Sharma

Shri Rahul Bezbaruha

Shri S.K. Dasgupta, Secretary of the Commission

Shri J.P. Mehta

Shri Suresh Chander Chawla

Shri S.L. Bunker from the Ministry of Defence

The visit was undertaken in a Service aircraft (Avro) to Pune. The visit to Ahmednagar was done in a IAF helicopter. The journey from Pune to Mumbai was made in a helicopter. From Mumbai to Delhi the journey was made by IL-76 transport aircraft. No visit was made to Bangalore.

The Commission visited the shrine of Shirdi from Ahmednagar on 24.12.2003 by road.

The instructions regarding the use of VIP aircraft were issued by the Ministry of Defence on 6.1.1981. *Inter alia* these instructions are reproduced below:

Entitled Personages

The President, the Vice-President and the Prime Minister are entitled to the use of the VIP aircraft.

The following personages are also entitled to the use of the VIP aircraft, if it is essential to do so and if an aircraft is available:-

Minister of Defence;

Minister of Home Affairs;

Minister of State in the Ministry of Defence;

Chief of the Army Staff;

Chief of the Naval Staff;

Chief of the Air Staff;

Defence Secretary;

Other Ministers of the Central Government and senior services and civilian officers who are connected with the Defence organisation; and

Cabinet Secretary.

It is expected that, except the President, the Vice-President and the Prime Minister, other users will make use of commercial air services on official duty, whenever possible.

The aircraft of the VIP flight are to be used on official duty only.

For entitled personages when journey is not for Defence purposes, the cost will be recovered according to the scales prescribed from time to time.

No recovery will be made in cases where the Competent Authority for reasons of State decides to provide an aircraft.

Normally for visits of a Commission, Indian Airforce aircraft are not provided.

...(Interruptions)

MR. SPEAKER: No questions are permitted here.

...(Interruptions)

MR. SPEAKER: No, sorry. Let us go back to the Calling Attention.

...(Interruptions)

MR. SPEAKER: Then, what is to be done now?

SHRI PAWAN KUMAR BANSAL (CHANDIGARH): Sir, it is important. No expert was there. No expert went.
...(Interruptions)

MR. SPEAKER: I cannot allow any discussion.

...(Interruptions)

SHRI PAWAN KUMAR BANSAL : The aircraft did not include any expert. What was the reason to go there?
...(Interruptions)

MR. SPEAKER: Hon. Members, please take your seats. There are many methods which are open. Let us not start a system which is not available here. But, there are many other methods available to hon. Members. Please take recourse to them. Mr. Bansal, I will not allow any question-answer.

...(Interruptions)

MR. SPEAKER: No, sorry.

...(Interruptions)

SHRI BASU DEB ACHARIA (BANKURA): Sir, we want some clarifications....(Interruptions)

MR. SPEAKER: Nothing will be recorded.

(Interruptions)*

MR. SPEAKER: Shri Bansal, nothing is being recorded. Why are you saying? I will not allow anything to be recorded.

(Interruptions)*

* Not Recorded.

MR. SPEAKER: It is well established so far as this House is concerned. There is a rule in this House on this.

...(Interruptions)

MR. SPEAKER: No, I will not allow you.

...(Interruptions)

MR. SPEAKER: Are you interested in your Calling Attention, Mr. Acharia?

...(Interruptions)

MR. SPEAKER: Please sit down.

...(Interruptions)

MR. SPEAKER: I will not allow. Sorry, Mr. Bansal. I will not permit. I will permit a discussion provided it is initiated in a proper manner. I have to have a notice on that. I cannot allow like this.

...(Interruptions)

MR. SPEAKER: Sorry. Nothing is being recorded. Nothing will be recorded.

(Interruptions)*

MR. SPEAKER: Nothing is being recorded. Why are you saying, I do not know.

(Interruptions)*

MR. SPEAKER: It is very unfortunate. I can only say that. The hon. Leader of the House will please take notice. The rules do not permit it; it is expressly made clear. I have not stopped any discussion in an appropriate manner.

...(Interruptions)

MR. SPEAKER: You cannot remake the rules every minute as you like.

...(Interruptions)

MR. SPEAKER: Then, I will adjourn the House. I will adjourn the House, if the Members of the ruling party behave in this manner. I can only express my unhappiness, to put it very mildly.

* Not Recorded.

...(Interruptions)

SHRI NIKHIL KUMAR (AURANGABAD, BIHAR): Sir, the Statement is incomplete.

MR. SPEAKER: Will you go and talk to your Minister?

...(Interruptions)

MR. SPEAKER: I will not allow, Mr. Ram Kripal Yadav. I have got some more requests for asking clarificatory questions on the Calling Attention.

SHRI RAM KRIPAL YADAV (PATNA): It is a very important matter. ...(Interruptions)

MR. SPEAKER: I will allow up to four other hon. Members. I will request them to only mention the question because an elaborate opening has been made by Shri Acharia.

MR. SPEAKER: Hon. Finance Minister is not here.

Minister of Parliamentary Affairs, where is the Finance Minister?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI BJOY HANDIQUE): He is coming.

MR. SPEAKER: Okay, item No. 11, Calling Attention. Shri Basu Deb Acharia.