

[Sh. Vasant Sathe]

country? But negative everything. If they think that the role of the opposition is only to oppose, they are sadly mistaken. The word is not opposition. The democratic word should be the alternative. You may sit opposite. But they think opposite means supposition and therefore they must oppose good, bad everything of the Government. Under this feeling they have really gone from bad to worse. Now this Government has caught the imagination of the people with these programmes and policies. By Panchayati Raj every man in every village knows that now he is getting the power directly from the Centre of this country. By Jawahar Rozgar Yojana, every young man in each house feels that he will get a job. Then there are other programmes—giving power to the Municipal Committees in the urban areas, seeing that the elections are held properly, women getting greater representation, young men getting voting right from eighteen onwards. Please tell me, Sir, if these things will not enthuse our common people, what else will enthuse? Bofors? I cannot imagine the wisdom of the people in the Opposition who think they can go to the people with these sort of gimmicks. With this, I do not think that this Report should go to the PAC because as a special case you decided it to be discussed here. Normally it would have gone to the PAC. I would not submit to the House that it should not go to the PAC because unnecessarily it will be a waste of time of the PAC. As I showed, it is entirely without jurisdiction. I am referring only to these two paras. For the rest of the things, it can go to the PAC. These two paras should be deleted from this Report and should not be sent to the PAC at all. The final verdict has been given once. Though there is a finality, even now the House should say that we give our finality to this that this has no substance whatsoever.

17.42 hrs.

RESIGNATIONS BY MEMBERS

[English]

MR. DEPUTY SPEAKER: I have to inform the House that the Speaker has today received three more letters of resignations from the following Members:-

1. Shri Charanjit Singh Athwal,
2. Shri Ashok Kumar Sen, and
3. Shri V. Sobhanadreeswara Rao

The Speaker has accepted their resignations with immediate effect.

SHRI VIJAY N. PATIL (Erandol): What is the total now?

MR. DEPUTY SPEAKER: I think it is seventy-two. It can be counted.

17.43 hrs.

DISCUSSION UNDER RULE 193

[Translation]

Paragraphs 11 and 12 of the Report of the Comptroller and Auditor General of India for the year ended 31st March, 1989 (No. 2 of 1989)—Union Government—Defence Services (Army and Ordnance Factories)—Contd.

SHRI SHRIPATI MISHRA (Machhlishahar): Mr. Deputy Speaker, Sir, Shri Kaushal, Shri Vasant Sathe and other hon. Members have dwelt upon Bofors deal and the C&AG Report in detail.

Today the opposition benches are empty but it should not surprise us. After all, the elections are round the corner and they have to formulate a strategy for the coming elections. This action is a part of their election

strategy and whether it works or not is a different matter but this is one of the strategies which they have adopted.

The Bofors issue was in a way closed after the JPC report and the matter was erased from the public mind. But it has again come up and we have to see as to what are the actual facts of the case. Who would be interested in clearing this matter? I do not want to say as to who is interested and who is not in getting at the truth, but my question is that who would like this matter to be clarified and find out whether the allegations are true or not. Whatever may be the legal position, the general public is interested in knowing the truth. It is the Ruling Party which should be more interested in nailing the truth. It will be damaging to the interests of the ruling party if charges levelled against it are not probed and doubts are allowed to persist in the public mind. It will harm their interest. It is clearly in the interest of the Ruling party to get to the bottom of the matter and bring the facts to light.

The Opposition has been engaged in the exercise of raising the Fairfax and the Bofors issues since 1987. They have wasted much of the time of the House. I do not want to go into the number of hours which have been wasted but this is a fact which no one can deny. The same thing has been stated just now. As it is very relevant, I would also like to add a few points in this regard.

When the Fairfax issue was raised for the first time, the Opposition demanded appointment of a Joint Parliamentary Committee. But going a step further, Hon. Prime Minister appointed a sitting Judge of the Supreme Court to investigate this matter although we are of the view that there was no need to order a probe by a Supreme Court Judge and a Joint Parliamentary Committee would have very well served the purpose, since this committee would have consisted of Members from both the Houses, to whom it would have submitted its report. But the Prime Minister, whom they are asking today to furnish the proof of his non-involvement, said that a person no less than a Supreme

Court Judge should look into the matter find out the truth. He desired that the truth should come out no matter what price one had to pay for it. But thereafter, things changed with the Opposition demanding JPC. Consequently, the JPC was appointed to go into this matter.

When a JPC was being demanded, where the hon. Members in the Opposition not aware that there were certain specified rules and procedures for setting up a JPC? They were all aware that the Chairman and the Members of such a Committee can be appointed as per the rules in this regard. In spite of that they started demanding that the Chairman of this committee should belong to the Opposition. They wanted to change the rules just for this committee. Although the Opposition was very much aware that rules could not be changed, they kept on insisting their demand. When the terms of reference of this committee were being approved, they moved several amendments. We remained silent-spectator amendments brought one after the other by the opposition were accepted by the Minister of Defence without any objections. Even when terms of reference were changed as desired them they did not participate in this Committee and went on harping their demand that the Chairman of this Committee should be from the Opposition. They wanted to be the judge as well as the witnesses although they were the complainants in the case. They were deliberately trying to create confusion because they were aware that there was no substance in their charges *re* Bofors. Their only intention was to create confusion among the people of the country to the maximum possible extent and prove the baseless charges as true so that confusion may persist.

Shri Banatwala and Shri Kaushal have also submitted that this report should not have been discussed in the House but should have referred to the PAC directly. I strongly feel that the points already dealt with by the JPC should not be touched again. Therefore, under the circumstances, it has become imperative from the legal as well as

[Sh. Shripati Mishra]

political point of view to have a discussion on the CAG report in the House and I agree to it that it should not be referred to the PAC after a discussion is held in the House on it. Particularly, paragraphs 11 and 12 should not, in any case, be referred to the PAC. I moved my proposal under rule 184 so that after discussion under rule 184, a division could be sought on the points on which they differ. But they preferred Rule 193 to Rule 184 to move their motion. Thereafter, the House could not conduct its business for 3 days because they constantly disturbed the proceedings by standing up and demanding the resignation of the Hon. Prime Minister. The reports of the CAG are examined by the P.A.C. in the normal course and lacuna in the Government functioning are mentioned in the Report but it is perhaps for the first time that our intelligent friends in the Opposition have come forward with a demand for the resignation of the Hon. Prime Minister on the basis of certain references in C.A.G.'s report. It can not form the basis for the resignation of the hon. Prime Minister. It has never happened still a demand was made so that discussion on the CAG's report could not take place in the House. The JPC has already dealt with the 5 main points involved. So they apprehended that if a discussion took place here, everything would become crystal clear and the confusion created by them will be cleared.

The first point related to non-preparation of the General Staff Qualitative Requirement Report. On this point, during the course of cross-examination the Defence Officials said that it was not necessary to prepare the G.S.Q.R. report, it was prepared in case of ..(Interruptions)...I would not like to comment, I leave to you. I am sorry for whatever some of my hon. friends said, because this is not a political case but it speaks of the mental set up of the person. Therefore, there is no need to be worried about it. This is evident from the symptoms, the reality may be different, I do not know.

The Opposition wanted that this report

should not be submitted. The GSQR report is prepared when the item to be purchased is manufactured within the country. When the item is purchased from abroad, it is not necessary to prepare such a report. When a purchase is made from outside the country, the negotiating committee has to see whether the item with the given qualities suits our requirement or not. It was stated by them that a comprehensive description was made available to the negotiating committee by them and it was not necessary to prepare such reports. So it was not prepared.

The next point raised was regarding the comparative superiority of the French Gun to the Swedish Bofors. In this connection, I would not like to repeat the fact that Gen. Sunderji took decision in favour of Bofors Gun in view of development of a new radar system. The third point on which the CAG has made adverse comment is that the improvements to be made in the gun system were not undertaken by the company and the trial of the Gun was not carried out after necessary improvements were made. The JPC had examined the matter in detail so much so that a Sub-committee made field inspection of the improvements made in the gun and found them satisfactory. It was also stated that if a re-trial was to be conducted on the basis of the improvements, it would have taken at least one year more and it would have become necessary to enter into a fresh contract in that case. Under the circumstances, the improvements were checked and it was found that there was no need for a trial. The fourth point raised was regarding the cost of the Gun. The Bofors company did not reduce its price after the contract was signed as the French company did. It is a fact that it is not possible to change the contract once it is signed and besides, as it has been pointed out in the JPC report, there was an advantage in this deal because the Bofors Gun requires one person less to operate it as compared to the French Gun. As a result of detailed cost analysis, it was revealed that with a life-span of 20 years of the Gun, there would be a saving of Rs. 125 crores. If this factor is also taken into account, this contract was cheaper than the French System. The

decision was taken after looking into all these aspects. The C&AG and the Parliament or any other body for that matter are the creation of the Constitution and the Parliament has been certainly empowered to decide the nature and scope of functions of the C&AG. Who is the master, the person who issues directions or the person who has to carry them out? It is not difficult to decide this matter. Naturally, the person who issues them is superior and the person who carries them out would be his subordinate. It is an honour to be a subordinate to Parliament in a parliamentary democracy and there is no harm in it. The JPC report was discussed inside the Parliament, it was finalised and approved here and after the approval by the Parliament, there is no authority to which those points can be referred. The JPC has looked into those points and it cannot be referred to any other authority.

[*English*]

MR. SPEAKER: You may continue tomorrow.

17.59 hrs.

RESIGNATION BY MEMBER

[*English*]

MR. DEPUTY-SPEAKER: I want to inform the House that the Speaker has, today, received another letter of resignation from Shri Ananda Patbak, Member of Parliament. The Speaker has accepted his resignation with immediate effect.

The House stands adjourned to meet again at Eleven of the Clock on Tuesday, July 25, 1989.

18.00 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, July 25, 1989/ Sravana 3, 1911 (Saka)