

CBI to the Swiss authorities on 24th March, 1992 and 26th March, 1992 reiterating our request for legal assistance. Besides, as stated in the House, another official communication was also sent to the Swiss Government within hours of the closure of the debate pointing out that the note handed over to Mr. Felber was not authorised and should therefore not affect in any manner the pending request for assistance. I had occasion to inform the Rajya Sabha on the following day of this position. There is no question of the Government or the CBI not having reacted adequately or appropriately to the situation.

In conclusion, Mr. Speaker, Sir, I should once again like to reiterate that my Government is committed to pursuing the case in accordance with law and with all diligence to find out the truth. (*Interruptions*)

RE, PRIME MINISTER'S STATEMENT ON BOFORS INVESTIGATION

[*English*]

SHRI JASWANT SINGH (Chittorgarh): Mr. Speaker, Sir let me say at the very outset that it is a matter of considerable relief to all of us here that the good name of the hon. the Prime Minister is not involved in this questionable affair. (*Interruptions*)

Mr. Speaker, Sir, that really begs the question because this somewhat delayed expression of outrage that we are witnessing from the Treasury Benches is unconvincing because this is precisely what we had sought yesterday and for five hours, not one Member... (*Interruptions*)

SHRI A. CHARLES (Trivandrum): We were not responsible... (*Interruptions*)

SHRI JASWANT SINGH: I am on a very simple point here. This is precisely what we sought. (*Interruptions*)

SHRI A. CHARLES: He should withdraw the allegation. (*Interruptions*)

SHRI JASWANT SINGH: This is precisely what we had sought. We were not in possession of that. We constantly pleaded with the Treasury Benches. There were senior Cabinet Ministers present here. I recollect very well that I stood up myself and pleaded with the ranks of the Cabinet Ministers present saying, "all that you have to say is, one of you is to stand up and say that the Prime Minister is not involved and all the other various questions ... (*Interruptions*)"

SHRI A. CHARLES: How can we say that? (*Interruptions*)

SHRI JASWANT SINGH: For five hours, not one Cabinet Minister had the gumption, the courage and the conviction and also not one Cabinet Minister had faith in their own Chief Executive to be able to stand up and say:

"Well, if that is the only thing that you want, here it is: the Prime Minister is not involved."

Sir, you know it all. I do not want to repeat what took place in your office. So let me say that we are relieved that the hon. the Prime Minister is not involved. But nevertheless, some queries remain; some very substantial questions remain because they are worrisome questions. Let me very briefly and succinctly put them across to the hon. the Prime Minister so that we can be benefited.

MR. SPEAKER: Let us be very brief. We have discussed this for a very long time.

SHRI JASWANT SINGH: Sir, I will be very brief. They arise from the statement and are related to the facts. Our submission and the text of my submission was that all these clarifications are particularly about the handling of this entire affair arising from what is commonly called as Solanki's affair. And secondly, about the handling of the legal matter, now arising from the clarifications by the hon. the Prime Minister himself. And I am very glad that the hon. the Prime Minister has admitted here, in his own statement, that

there was received a communication in the office of the Central Bureau of Investigation. And that communication was from the Principal Legal Officer retained by the Government of India and that that communication contained some contents which I will refer to in a minute.

This is a fact. And this was a fact that we were asserting yesterday. (*Interruptions*)

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE (SHRI P. CHIDAMBARAM): Sir, with great respect I submit that that was not the factly asserted by Shri Jaswant Singh Yesterday. If you will kindly look at the report of yesterday, in the third column, if I recollect it, the sentence was "that was repeated in a communication from Switzerland to the C.B.I. on 23rd March, 1992."

In juxtaposition of that sentence to the previous sentence you and everyone else said that it was a communication from the Swiss authorities to the CBI (*Interruptions*) Just a minute. Let me finish. (*Interruptions*)

Shri Jaswant Singh you have yielded to me. I cannot be cut off in mid sentence. (*Interruptions*) He has yielded to me and I will complete my sentence.

It was pointed out repeatedly that these have to be verified. They would not observe any restraint yesterday; they would not give us any time to verify. Even in your Chamber, I will not recall any particular discussion, it was pointed that this sentence is a very carefully written sentence and somebody has economised the truth in that sentence.

Today, we have brought out, and it is brought out in the Prime Minister's statement that this communication is not from the Swiss Government to the C.B.I. In fact, there is no communication from the Swiss Government to the C.B.I., making any reference to any note or any memorandum. The only communication is from the Counsel to the client; and the client's head - the Director of C.B.I- saw it on the morning of 25 th. It was

repudiated immediately on the 26th.

Shri Jaswant Singh should not add to what he did not say yesterday. He should have the grace to sat ... (*Interruptions*)

I have great respect for Shri Jaswant Singh's sense of fairness. He is an officer, I believe, of the Army. He was an officer of the Army and he must show grace; he must show a sense of justice; he must have grace to say 'Sir, what I said yesterday was totally wrong.' (*Interruptions*)

SHRI JASWANT SINGH: Firstly the proper. The hon. Member from Sivaganga was most of the time not present during my intervention here yesterday. So firstly I must correct that. He was not present here most of the time. I did categorically say, did the Government not receive the communication from Switzerland. I did categorically say that. I recollect it very well again.

MR. SPEAKER: That is distinguished now.

Shri Jaswant Singh: He has questioned my honour. He is saying that my honour is involved here. (*Interruptions*)

MR. SPEAKER: Let us be fair to him also. He was very careful in using the words.

SHRI JASWANT SINGH: I did it in fact. Because I went to the extent of saying that I had this fact in my possession even during the debate of the 1st of April. I went to the extent of saying that even though this fact was in my possession during the debate of 1st of April, we exercised deliberate restraint. Thirdly it is a matter of record of the Parliamentary proceedings that I brought this fact to the notice of my leader Shri Lalji Advani and it was again mentioned in the text yesterday and it is a part of the text that this letter did exist.... (*Interruptions*) ... I had made as mention of this.

MR. SPEAKER: This need not be mentioned if you had agreed outside.

SHRI JASWANT SINGH: I will not make a mention.

SHRI RAM KAPSE: (Thane): Yesterday also this was mentioned.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH): I was here later in the day yesterday: I was not here in the morning. The point today in my opinion is that in deference to the House the Prime Minister agreed to make a statement. A statement was made yesterday also by the hon. Minister for Parliamentary Affairs.

SHRI RAM KAPSE: At 4 0' clock.

SHRI ARJUN SINGH: Whatever be the time. The statement of the Prime Minister is a comprehensive, coherent and categorical one. Now this statement is the statement of the Government made by the Prime Minister. If the hon. Member feels that it is all right, I think what happened yesterday and ten days earlier is not relevant. You should accept it as a statement of fact which you cannot controvert and therefore be graceful about it.

SHRIGEORGE FERNANDES (Muzaffarpur): It will be controverted.

MR. SPEAKER: We have discussed this matter for a pretty long time.

(Interruptions)

MR. SPEAKER: Please do not interrupt me. Yesterday we discussed it for more than two and a half hours. The statement has come here. It was agreed that if there are any doubts you can very briefly and succinctly ask for the clarification and nothing more than that. It should not be a regular speech going into details. Yours are quite capable of putting the *gagar* into *sagar*.

SHRI JASWANT SINGH: In deference to what you have said, I responded only because my good friend the hon. Member from Sivaganga put some words into my

mouth and I found it necessary to correct that.

So far as one of the most senior ministers and an hon. Member of the House, a one time leader of the House is concerned, I will be very deferential to his wishes. But I put it, we cannot entirely ignore what happened yesterday because the statement made by the Prime Minister arises from what happened yesterday. It is only because of that. My queasier arise actually from the hon. Prime Minister's statement. I am very relieved that he is not involved. But I would like to know from the hon. Prime Minister that when this communication was received by the CBI...

MR. SPEAKER: He has mentioned the dates, 24th, 25th and 26th.

SHRI JASWANT SINGH: On 23, 24 or 25th of March, the date is not important; it is received, say on the 25th of March. Is it not from Mr. Bonnant who is our legal counsel there? Secondly in this communication, are words to the effect that Shri Solanki acted under the instructions of Shri Rao or words to that Shri Solanki acted under the instructions of Shri Rao or words to that effect not there?

If there are those words to that effect, then what did the CBI do with this communication? Sir I put it to you that this is a sufficiently important communication; the CBI is directly ...

MR. SPEAKER: Shri Jaswant Singh, it is in the statement itself - what the Government did.

SHRI JASWANT SINGH: No. Sir, it is not. (Interruptions)

It does not give what the CBI did. Sir, I have specific query, because my query leads me somewhere. Did the CBI bring this communication to the notice of the hon. Prime Minister? If they did not bring it to the notice of the Prime Minister, then, of course, one consequence and one sequence of

queries follow. If however, this was brought to the notice of the hon. Prime Minister, then again why did the hon. Prime Minister not make any reference to it during the very lucid and very worthwhile reply on the 1st of April ? (Interruptions) These are queries. (Interruptions) Would you let me please conclude?

(Interruptions)

SHRI A CHARLES (Trivandrum): Sir, this cannot be allowed. (Interruptions)

SHRI JASWANT SINGH: Secondly, here is the communication received by our principal agency, the Central Bureau of Investigation. It is a communication received from Mr. Marc Bonnant who is our legal employee in Switzerland. It makes an allegation that he has acted under the instructions of the Prime Minister. Therefore, did the Prime Minister on the 25th or 27th or whenever, call the then hon. Minister of External Affairs and say, "Look here, there is a suggestion made in a communication received from Switzerland that you went and said this to the Federal Minister for External Affairs of Switzerland; this is a very serious thing for you to have done. Did you do it or did you not do it?" Had the Prime Minister summoned the then Minister of External Affairs and asked him the simple question? Then, certainly on the 1st of April, he would have made a reference to it. Yet on the 1st of April, there was a direct query by me on this debate. I asked the hon. Prime Minister that between the occurrence of this incident and till it finally appeared in the paper, did you have no consultations, no knowledge at all about this. If the CBI did not bring it to the notice of the Prime Minister, then, it is a matter of serious worry. I would urge the Government to enquire into it because this is a communication of sufficient importance for the CBI to have taken note of and brought to the notice of the Prime Minister.

MR. SPEAKER: Please conclude.

SHRI JASWANT SINGH: I will con-

clude, Sir very briefly I will put it. I have a specific query.

Then, a rejoinder is sent. We are informed that on the 24th, a communication was sent by the CBI. This was done earlier. Why was this communication sent on the 24th and by whom? Then, on 26th of March, we are informed that a communication is sent. Under whose signatures were these sent and what are the contents? (Interruptions)

MR. SPEAKER: No. It is not necessary. (Interruptions)

SHRI JASWANT SINGH: These are important aspects. (Interruptions)

SHRIPAWANKUMARBANSAL (Chandigarh): Sir, they want to create again lurking doubts in the minds of the people, unnecessarily. (Interruptions)

THE PRIME MINISTER (SHRI P.V. NARASIMHA RAO): My understanding of the need for this statement of mine was that something was said about me. I had to give a clear categorical statement to that extent; concerning the files, the actions and what was done by the CBI at a given time. These are matters of record. I could give answers if I have them; if I do not have them, I can give them to the hon. Members, in any other form, including a Short Notice Question, if necessary. I have no problem in that. The thrust of my statement is only about myself. For all the other matters if I have the information, I will give them; if I do not have the information, I will find a way of finding out the information and give them. That is the point. (Interruptions)

MR. SPEAKER: We really do not want to prolong this debate. It was agreed between the parties and the leaders yesterday that the honourable Prime Minister would make a statement. If there are relevant questions, one or two questions can be put by the hon. Members and the questions can be answered. (Interruptions)

MR. SPEAKER: Now if you want a regular debate on this, you could have asked for a regular debate. We could have given a regular debate. *(Interruptions)*

MR. SPEAKER: Please let me finish. *(Interruptions)*

MR. SPEAKER: Let us understand that this is a Parliament where we are working. You are very well within your right to ask certain questions to the Government and the Government is duty-bound to reply to your questions. *(Interruptions)*

MR. SPEAKER: You are more concerned with the policy matter and the philosophical matter, the laws and all those things. At the same time, you can criticise the Government and you can hold the Government accountable also. But let us please understand the distinction between the courts and the Parliament. In court, you have plaint, you have written statement, you have issues framed, the list is given, then cross-examination and things like that. Now I am very sorry to say that this cannot be allowed in the House because we have a limited time. *(Interruptions)*

MR. SPEAKER: I will give you time later on. *(Interruptions)*

MR. SPEAKER: You are going to get the time later on. *(Interruptions)*

[*Translation*]

SHRI RAM VILAS PASWAN: (Rosera) I was to just going refer to the decision that was taken yesterday.

[*English*]

It was agreed that discussion will be held under 193.

MR. SPEAKER: Let us understand.

(Interruptions)

MR. SPEAKER: What Mr. Paswan correct. It was said that the Prime Minister will make the statement and the question should be asked. Then, somebody else said that this was not the practice. I think, Mr. Lal K. Advani had said that this was not the practice. But as an exception, it should be done. Then you get a regular debate on this thing. So, we said that let us have it immediately after the Question Hour. We allowed the Members also to put questions and all that. So, if you were really interested in having a regular debate, you could have been given. But I found a via media in-between the two.

Now here is a statement. You are allowed to ask the questions. Briefly the reply can be given. But You cannot extend it beyond a certain limit. *(Interruptions)*

MR. SPEAKER: While making statement here, I had not bound myself to 193. I had said as to how it could be done, I will see. *(Interruptions)*

MR. SPEAKER: Do you want a discussion under 193?

(Interruptions)

MR. SPEAKER: I can stop it.

(Interruptions)

SHRI GEORGE FERNANDES (Muzaffarpur): That is why notices have been given under 193. Mr. Jaswant Singh has given a notice. I have given a notice. *(Interruptions)*

MR. SPEAKER: It is not correct.

(Interruptions)

MR. SPEAKER: Please sit down.

(Interruptions)

SHRI SUDHIR SAWANT (Rajapur): The issue was, whether the Prime Minister was involved or not. Then, why are they going into the details today? *(Interruptions)* We are

not understanding. This is the only issue in this Parliament.

(Interruptions)

SHRI JASWANT SINGH: Mr. Speaker, Sir, I shall be entirely reverential and I bow to your decision because whatever you decide is mandatory upon us.

I have sought certain clarifications. Then the honourable Prime Minister said; whatever he can answer, he will answer and what he cannot answer or he has not access to, he will ascertain the facts. etc.

I will accept that if you find that acceptable, Sir The honorable Prime Minister, if not now, will perhaps at a subsequent stage, have this communicated to us in writing or whatever form.

I have just three simple queries to seek on the legal aspect of it because I have already talked about this communication of Mr. Bonnant, our lawyer. Here, Sir, as stated in the honourable Prime Minister's statement, it is not a simplistic matter of counsel and client. The counsel is the counsel of the Government of India and the client is the Government of India. That is how this Parliament gets involved. This is not a private case that somebody has filed in Switzerland. The counsel is the counsel of the Republic of India and this Government is the agency of the Republic. Then, this Legislature has necessarily to go into the question and we can certainly question the executive as to what instructions it has given to their counsel.

SHRI P.V. NARASIMHA RAO: I am not questioning your right at all.

SHRI JASWANT SINGH: I appreciate that. I am emphasising the importance. Sir, my first clarification was about the counsel and client. My second clarification is about the pending cases. There is a case pending for final hearing in the Delhi High Court and I made a reference to this yesterday also. The case in the Delhi High Court is fixed for

final hearing on the 24th of April, that is, just tomorrow. Now, it does make it wonder that for months on end, this case keeps on languishing and the Additional Solicitor General does not find time to even prepare a rejoinder and suddenly, this case has got fixed. Would the honourable Prime Minister give some kind of an assurance that this case which is fixed for tomorrow will not suffer the fate as was suffered earlier? *(Interruptions)*

SHRI P.V. NARASIMHA RAO: To the extent it is in my power and to the extent we, as a party, can pursue it, we will pursue it. The rest naturally would have to rest with the court.

SHRI JASWANT SINGH: I am relieved by that. I am grateful to the honorable Prime Minister if that be the approach of the Government now I will just ask one final clarification and I will be done ... *(Interruptions)*... Would the hon. Prime Minister also inform us of the status of the hearings of the case in the cantonal courts in Switzerland because they are directly related to the hearing tomorrow? Sir, it is true because there is a consequence. *(Interruptions)*

MR. SPEAKER: The Prime Minister, in his statement, has said that whatever information you want and whatever information that can be collected in whatever form will be given to you. So, this question does not arise now.

SHRI JASWANT SINGH: After hearing my query, if you find it irrelevant, then it is all right. I am asking if the honourable Prime Minister...

MR. SPEAKER: He has already said.

SHRI JASWANT SINGH: Sir. Let me phrase what I am saying.

MR. SPEAKER: It is not necessary in view of what he has said.

SHRI JASWANT SINGH: Sir I am saying that the status of the court cases in Switzerland is vital to all this.

MR. SPEAKER: You will get the information. He has said that.

SHRI JASWANT SINGH: I want to know what is the status and what the Government is doing to ensure that they do not suffer the same fate suffered earlier.

MR. SPEAKER: This is exactly I am trying to avoid. The honourable Prime Minister has come here having seen some filed which may be in the Ministry here. Now, we are expecting the honorable Prime Minister to find out at what stage the case is in the other court and all those things. Now, this is a kind of information which will take time to be collected.

SHRI JASWANT SINGH: All right. I am not persisting my questions. How can I enter into a disputation with the Chair? Nevertheless, what I have stated earlier is there.

MR. SPEAKER: This is very ingeniously wrong remark made against the Chair.

(Interruptions)

THE MINISTER OF HUMAN RESOURCES DEVELOPMENT (SHRI ARJUN SINGH): I think Shri Jaswant Singh should feel totally relieved, as he has been saying time and again, and now end this matter.

SHRI JASWANT SINGH: I will end by one final comment. Honourable Prime Minister has found it necessary to say about unverified Press reports, etc. May I, in all humility, put it to the honourable Prime Minister that this sorry saga of Bofors has been exposed and is today the concern not just here but everywhere because it is possibly the most persistent and obstinate corruption case involving procurement of weapons. It persists only on account of two factors. One factor is because the Press persists on it. Secondly because you do not persist with finding the truth and finally laying the ghost to rest, my appeal to the Prime Minister is that the press has a sterling role to play in this and

in laying the ghost to rest. That is why to say that we stand up to speak only on the basis of unconfirmed press reports is perhaps casting some aspersions on our judgment. (Interruptions)

[Translation]

SHRI VILAS MUTTEMWAR (Chimur): He is guilty of wasting the time of the House. He has also tried to mislead the House. He must apologise for it. (Interruptions)

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, I never prefer to come to your chamber and join other leaders. (Interruptions)

[English]

SHRI MANI SHANKAR AIYAN (Mayiladuturai): Should Mr. George Fernandes go on in this way? Should he be allowed to continue with this saga of defamation? ...

(Interruptions)*

MR. SPEAKER: No please. That will not go on record.

[Translation]

SHRI GEORGE FERNANDES: MR. Speaker, Sir, my submission to you is that I never prefer to come to your chamber and join other leaders to discuss matters; one of the reasons for it is that there are certain issues which must be discussed and decided in the House itself. Yesterday, we did not come to your Chamber with our own wish, we were rather pushed to your chamber.

MR. SPEAKER: No, you were invited, not pushed.

SHRI GEORGE FERNANDES: That is why, I am referring to the matter at first, which was discussed in your Chamber.

*Not recorded.

MR. SPEAKER: The matter discussed in the Chambal cannot be discussed in the House.

SHRIGEORGE FERNANDES: But the matter was raised by you.

MR. SPEAKER: No, I did not start it.

SHRIGEORGE FERNANDES: No, you started it.

[English]

MR. SPEAKER: Well, I am very sure that Shri Fernandes knows every rule and every convention very very clearly. The only thing is that he uses it very ingeniously. I cannot take it from you; Understanding the nicety of the discussion, a Member of your standing will not refer to those discussions. I have said only two or three sentences.

[Translation]

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, I do agree with you. But I would point out the things which I have to raise. Yesterday night, I had dispatched a long letter to the Hon. Prime Minister at about 10.00 - 10.30 PM. I do not know whether you got the opportunity to go through it or not. Mr. Speaker, Sir, I had sent a copy of it to you also with the request that you may also persuade the Prime Minister in this regard.

MR. SPEAKER: Look, since you are referring to the matter, I am compelled to answer it. I received the copy of it at about 8.30 - 9.00 P.M. yesterday.

SHRIGEORGE FERNANDES: No, you must have received it about 10.30 P.M. because we signed it at about 10.00 P.M.

MR. SPEAKER: I have already stated that I got it very late. You are ferreting to the time even a later than that. The number of questions you raised in it is so large that it would need a lot of time to get the replies on all the points and you already know that a simple question needs 20 days' notice to get its reply. If you ask 50-60 questions and want me to persuade the Prime Minister to reply to all of them at once then it is not at all possible.

[English]

SHRIP. V. NARSIMHARAO: I will send all the replies to Shri George Fernandes.

SHRIGEORGE FERNANDES: I would be glad if the Prime Minister will send the replies to me of all the questions. I would also like to request the Prime Minister that he should place these replies in the House also.

Mr. Speaker, Sir, in view of the Prime Minister's Statement and the context in which it has been made. (*Interruptions*)

Mr. Speaker, Sir, in regard to the points referred to in the statement given by the Prime Minister, I would like to make certain concrete suggestions, I would not deliver any speech. (*Interruptions*)

[English]

MR. SPEAKER: All the objectionable remarks should go. I will take care of it.

[Translation]

SHRI VILAS MUTTEMWAR (Chimur): Mr. Speaker, Sir, have you allowed any discussion on this issue, go is he speaking?

[English]

MR. SPEAKER: I will allow you Mr. Aiyar. Please control yourself first. It is necessary.

[Translation]

SHRI GEORGE FERNANDES: The more you shout the more you will ruin your case.

(*Interruptions*)

SHRI P.M. SAYEED (Lakshadweep): Yesterday you have wasted about two and a half hours. Why are you wasting the precious time of the House by prolonging the discussion for nothing. You must give some respect at least to the House (*Interruptions*)

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, today I came late by about 10-15 minutes in the House. But when I entered you were trying to convince the Members. Because the Members of Congress Party were trying to disrupt the proceedings of the House before the question Hour. I have been told that the Members of the ruling party were excited over a news that appeared in the Indian Express today. I can understand their excitement because Indian Express has repeated what the Statesman had published yesterday. (Interruptions)

[English]

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMAR-MANGALAM): Sir, is he speaking on behalf of the Press?

*(Interruptions)

SHRI ARJUN SINGH: Sir, I am on a point of order. My point of order is that the processes of this House ...

SHRI RAM NAIK (Bombay North): How can there be a point of order, Sir?

SHRI ARJUN SINGH: There is a point of order and that is why I have raised it. If you want to ... (Interruptions)

MR. SPEAKER: There is a point without order.

SHRI ARJUN SINGH: If that is the system then I would like to raise a point without order.

MR. SPEAKER: In Zero Hour generally the point of order is not raised.

SHRI ARJUN SINGH: The point is that the processes of the House are utilised by all sections of the house to elicit information from the Government: they are utilised for

allowing the House to come to certain decisions on the basis of facts and they are also utilised for impinging the Government or certain Minister or even the Prime Minister. The questions that were raised yesterday have been comprehensively answered in the Statement of the Prime Minister. All the questions that Mr. George Fernandes has asked, the Prime Minister has assured him that he will send him a detailed reply. I think there should be some element of grace here. Now, when the Prime Minister has assured him that he will send the reply to him, why does he want to pursue the matter further? He should first read the reply and after that if he still wishes to say something, he should come to the House.

MR. SPEAKER: Let us understand one fact. At this point of time generally we do not raise point of order. I would like to say that we are having this discussion after a Statement is made by the Prime Minister. You can elicit information on the points on which there remains same doubt. You cannot introduce a new element in the discussion itself and de novo start discussing it. It is not correct. You may please bear only that thing in mind.

(Interruptions)

SHRI SRIKANTA JENA (Cuttack): Let me submit only one point. It was agreed by all parties yesterday that there will be a discussion.

SEVERAL HON. MEMBERS: No.

SHRI SRIKANTA JENA: There will be a discussion and one Member from each party will participate. Let us not scuttle that. Let at least the Parliamentary Affairs Minister control the Congress Members.

The main issue is this. It was agreed yesterday, that the Members should only put some questions on the Statement made by the Prime Minister. It was imposed on us. It was also agreed yesterday that one Member from each Party - Your Party's quota is already over - will participate. Now, it is the turn of Mr. George Fernandes. How much

upon. So, he should be free to ask whatever question he wants to ask.

MR. SPEAKER: There is no question of quota.

[Translation]

SHRI GEORGE FERNANDES: A lot of time has been spent on such exercises. Had we been allowed to speak, we might have placed our viewpoint. (*Interruptions*)

[English]

SHRI SRIKANTA JENA: They are trying to scuttle this debate. If they do not stop, then we will not allow anything to be discussed in this House. (*Interruptions*)

[English]

SHRI P.C. THOMAS (Muvattupurha): The statement is very clear. They do not want to also any clarification. They want to just raise that matter. That is what exactly they are doing.

SHRI MUKUL BALAKRISHNA WASNIK: We are going to insist upon the speech of Mr. George Fernandes. Whatever we said in the morning were not based on the *Indian Express*' report Yesterday also we were convinced that the Prime Minister has got nothing to do with this whole affair. We are convinced today also. The newspaper report were nothing to with our conviction. If this is the way the Janata Dal is going to be then we are going to insist on the apology.

MR. SPEAKER: What language should I use to persuade you? Please co-operate with each other. I think this language should be more sufficient. We also had a short discussion and we do not want to prolong it. Let it be shorter and it would be better.

(*Interruptions*)

[Translation]

SHRI MUKUL BALKRISHNA WASNIK

(Buldana): This Government is functioning without them. They cannot stop the work of the Government.

SHRI FRANK ANTHONY (Nominated Anglo Indian) Sir, I am on a point of order.

SHRI GEORGE FERNANDES: I am not yielding. (*Interruptions*)

SHRI FRANK ANTHONY: I am a senior Advocate practising in the Supreme Court.

I sat here for 45 minutes and I heard the vociferous attempt to clear the chief Secretary by Mr. George Fernandes.

You had in my respectful view clearly said that you would not allow anything to be said with regard to Mr. Ahluwalia if it concerned allegations about his conduct or misconduct. (*Interruptions*)

I have not finished. Mr. George Fernandes for 45 minutes has indulged in complete exoneration of the Chief Secretary, which he should not have done. (*Interruptions*)

MR. SPEAKER: Sitting here I have to see that everybody should cooperate. May I request the Minister of Parliamentary Affairs to see that all those hon. Members who are sitting in front and backward should cooperate so that in a short time we can complete this debate.

May I also request the hon. Leaders from the Opposition side sitting in from and backward to see that their Members should cooperate so that in a short time we can complete this debate.

DR. KARTIKESWAR PATRA (Balasore): You have given your ruling that a similar matter cannot be raised in the House which was raised earlier in this session. You have given time to discuss only important matters, which they have raised.

A question suspending Question Hour for certain reasons was raised. What was that reason? The reason is the involvement

of the hon. Prime Minister in a new item published yesterday. But after the statement of the hon. Prime Minister in this House, the matter was cleared. So, there is no reason to raise it further.

On thing is:

Sanduok Bhitara Paap Na Chhipe
Neech Chhipe Na Bartan ke Andar
Sabha ke Bhitara Pandit chhipe Na"

The clouds cannot hide the sun. The sins cannot be kept under lock and key. It shows that there is no need for further discussion. The discussion should be ended here. (Interruptions)

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, as I said earlier, I shall ask certain concrete questions. At the same time, if need be, I shall make one or two comments with the expectation that the questions which are asked here, will be replied to today itself ... (Interruptions)... My mother tongue is Konkani, but I speak Hindi. I make an apology if there is any mistake. First of all, I would like to know something in connection with the submission made by the Prime Minister ... (Interruptions)

AN HON. MEMBER: Let him apologise first.

SHRI GEORGE FERNANDES: I am telling them for the last time that there is a limit to fun, there is a limit to everything. The Hon. Prime Minister is sitting here. (Interruptions)

[English]

12.55 hrs.

At this stage, Shri Rajnath Sonkar Shastri and some other hon. Members came and stood near the Table.

(Interruptions)

MR. SPEAKER. Please go back to your seats.

12.56 hrs.

At this stage, Shri Rajnath Sonkar Shastri and some other hon. Members went back to their seats.

[Translation]

SHRI SRIKANTA JENA: What is being done, is being done deliberately ..

(Interruptions)

[English]

MR. SPEAKER. No. Shri Srikanta Jena, not like this. Please sit down. (Interruptions)

MR. SPEAKER: All of you, please sit down.

SHRI BASUDEB ACHARIA (Bankura): The members have a right to speak.

(Interruptions)

MR. SPEAKER: Please sit down. You resume your seats.

(Interruptions)

MR. SPEAKER: The first thing that I am going to do is to ask Shri Rangrajan Kumar-mangalam to go to the back benches.

The second thing is, please, you will have the opportunity to put forth your point of view. So, let us please carry on. Let there be a battle of wits if it is necessary. Let it be finished as soon as it is possible. All of us, let us cooperate with each other.

[Translation]

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, I want to begin with a question on the statement of the Hon. Prime Minister. On page of his statement the Hon. Prime Minister has said

[English]

"The lawyer, Mr. Bonnant, stated that he was told" - That he was told" - " that the memorandum handed over by Shri Solanki was at the request of the Prime Minister."

[Translation]

I would like to know who told him.

[English]

He was told by whom? Who told him?

[Translation]

There is a client and counsel relationship. The Government of India is the client and the counsel has told his client that it . .

[English]

SHRI PAWAN KUMAR BANSAL
(Chandigarh): Is it a court?

[Translation]

SHRI GEORGE FERNANDES: It is a far greater institution than a court ...

(Interruptions)

[English]

MR. SPEAKER: That is not going on record.

... (Interruptions)...**

[Translation]

MR. SPEAKER: That is not going on record.

... (Interruptions)...

[Translation]

MR. SPEAKER: Of course, laws are

**Not recorded.

made here and they are interpreted there.

[English]

That is the distinction.

(Interruptions)

[Translation]

SHRI VILAS MUTTEMWAR (Chimur): It does not behove of an hon. Member of Parliament like you to say such things. (Interruptions)

SHRI GEORGE FERNANDES: How does it not behove. (Interruptions)

13.00 hrs.

[English]

I do not know exactly what they want, whether I should not speak today. But I insist on speaking today. They may have decided collectively because this looks like a collective decision ... (Interruptions)

MR. SPEAKER: No, please.

SHRI GEORGE FERNANDES: This has never before happened here. This has not happened in this Lok Sabha so far. This is happening for the first time today. If they believe that they are going to silence me, I may say that even their emergency could not silence me ... (Interruptions)

MR. SPEAKER: Do you want the proceedings to go on? I can go to my my Chamber if you like.

[Translation]

SHRI NITISH KUMAR (Barh): Mr. Speaker, Sir, the hon. Prime Minister is not stopping his party members even once. A very wrong practice is being set. If it continued, he will not be able to speak here and you will have to send marshalls for each

member. What is it that all this is happening in the presence of the Leader of the House?

[English]

MR. SPEAKER: Let us not challenge each other. This is not correct.

[Translation]

SHRI NITISH KUMAR: The Leader of the House did not ask the Members of his party even once to sit. This is not proper.

[English]

MR. SPEAKER: Please do not challenge always like that. Please sit down. I request the Members to cooperate with me.

[Translation]

SHRI LAL K. ADVANI (Gandhi Nagar): Mr. Speaker, Sir, through you, I would like to urge the hon. Minister of Parliamentary Affairs that you had also to intervene and ask the hon. Minister of Parliamentary Affairs as well as the Leaders of our party. You will have not to take much time in doing according to what was decided yesterday. The Hon. Prime Minister has made a statement, the representative of one side has asked questions, and when a representative from the other side began to ask questions, he was interrupted all the time and was not allowed to speak. This is quite improper. So, your intervention is again desires so that my friend George Fernandes may ask the question he likes to ask. As it was decided yesterday, one Member each from all the parties may ask question and the Hon. Prime Minister may make a reply to them. This is a quite simple matter. But it is being delayed... (Interruptions)

MR. SPEAKER: I have been asking you again and again not to challenge, not to interrupt.

[English]

We are not here for challenging each

other or interrupting each other. If you do not interrupt, this debate can be concluded in the shortest possible time. But if you interrupt, it can prolong. We do not want it to prolong.

[Translation]

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, again I am beginning with the statement of the Hon. Prime Minister. In his statement he has said-

[English]

"The lawyer, Mr. Bonnant, stated that he was told that the memorandum handed over by Shri Solanki was at the request of the Prime Minister. ."

[Translation]

Now there is the relation of client and counsel. The client briets its counsel. We want a reply from the Hon. Prime Minister as to who did tell Bonnant, whether the client told him or some one are did so. I would also like to know that if someone tole him and it came to the knowledge of the Hon. Prime Minister or the Government that means, the client. And then a message was sent to the counsel on behalf of the C.B.I. as he has said in his statement.

But you received this information, because you have said in this that the FAX message of Mark Bonet which came in the C.B.I. office

[English]

- there was reference to a memorandum having been handed over to Mr. Felber by Shri Solanki.

[Translation]

Now this is the real issue of the entire discussion. If on the 23rd March or on the 24th March or in the morning of the 25th March, the C.B.I. Director had seen this, the Prime Minister is the Minister of C.B.I., and

C.B.I. is under him, then had Mr. Vijay Karan on any officer of the C.B.I. who was responsible to submit his report, conveyed the message to you? Did Mr. Vijay Karan himself come and meet you? Have you yourself seen this message? Was this memorandum referred to in this FAX message in which it was said that Solanki had given this memorandum to Mr. Felber? When did you ask Mr. Solanki about this memorandum?

[English]

SHRI P.V. NARASIMHA RAO: I must say that whatever he is asking now is included in the 18 Georgian questions which I have already answered. I have promised to send the reply to each one of them from the records because it is not proper for me to say anything off the cuff. I will have to go into the records. (*Interruptions*)

SHRI LAL K. ADVANI: As my colleague has already said so far as the essential issue was concerned as to whether the note was with your knowledge or authorisation, the Prime Minister's reply has been categorical. But the present situation which has arisen ought to be appreciated. I am sure that the Prime Minister appreciates it namely that the situation is of a nature which made even India's Counsel believe that it was with the authorisation of the Prime Minister. He was misled. It made even many of your colleagues here in the House yesterday believe and say: 'that we do not know there may be something and, therefore, we are not willing to contradict. (*Interruptions*)

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD): This allegation is totally false. (*Interruptions*)

SHRI LAL K. ADVANI: This question is very relevant as put forward by Shri George Fernandes and Shri Jaswant Singh. Who told the Counsel? (*Interruptions*)

SHRI P.V. NARASIMHA RAO: I would have come to the House yesterday myself but for the fact that I had a very importuned dignitary with whom we were conducting

some very important discussions. I had to prepare for those discussions. So, it was just not possible for me, Sir. I have the greatest respect for the House. When the House wants me here and if I were able to come, I would certainly have come.

SHRI LAL K. ADVANI: I am not complaining about that.

SHRI P.V. NARASIMHA RAO: That is right. Whatever is possible for me to answer here I will certainly answer. I am not asking everything to be kept in cold storage for answering later. Whatever is available with me, I am prepared to answer now. That is why I said when he reported the questions which are already contained in this long letter, I said those questions can be answered with reference to the files, with reference to the records.

[Translation]

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, the issue which I am raising is not such a issue which may require a year or two years for collection of information for which records from foreign countries should be collected. My question is very small. My question is that on the 24th, a communication came to you but you had said in your statement that the communication came to you on the 25th, agree to this, because you are also the minister in charge of C.B.I. Director of C.B.I. had seen it, you had also said in your statement that you had asked him to give a prompt reply to it. But your counsel told you that he had been told in that manner... (*Interruptions*) I have been told that such a this has happened. As a result, it has come to light that at the instance of the Prime Minister, his Foreign Minister had given a note to the Foreign Minister of Switzerland. Respected Prime Minister, I am asking you this question as I feel very much perturbed. During the debate on the 1st of April, you had misled us. You did not tell us that you had received the message on 24th and you had the knowledge of that note. You did not say that you had sent any message and that your name was attached to it and that this was

wrong ... (Interruptions)... Respected Prime Ministerji, you are a sensible person and you shall not take these things otherwise. I would like to read out two sentences of your speech. You made a beginning by saying:-

[English]

"In fact, I do feel very strongly that what happened during the last two or three days has caused embarrassment to the Government." The discovery of the fact that what was sought to be hidden between the 24th of March and the 1st of April has become Public, the discovery of the fact that the Foreign Minister was caught, has caused embarrassment ... (Interruptions)

[Translation]

I am feeling very much vexed while I am saying this. Although we oppose him in politics, we have this expectation from the Prime Minister that when he makes such a statement before the House, no such thing should be there in his statement. I shall read out a few sentences ... (Interruptions) Why do you shout? We talk of pleasant things amongst us ... (Interruptions) In the last two or three sentences of speech, the Prime Minister says:

[English]

"About the note, Sir" - here he is addressing you 'Sir' - "we will address the Government." the Government of Switzerland which means that between the 25th and the 1st, if The Indian Express had not published the note on the 1st of April, he would not have addressed the Government ... (Interruptions). If the Media, if the press had not brought the truth out, to the extent that it had not brought the truth out, to the extent that it had access to the facts and access to the truth, you would not have come before this House, nor would you have on your own initiative.

[Translation]

There is no need for the Prime Minister

to search for an answer to my question. My question to the Prime Minister is that what had he done in connection with this note during the period from the 24th to the 1st of April. When did he come to know that Shri Solanki had given a note. He has never told either the House or the country about the time or date when he came to know about this note... (Interruptions) The Indian Express and Chitira Subramaniam write that in mid February the Switzerland Government had made enquiries from the CBI ... (Interruptions) if you believe in that then you must also believe in the report of the Indian Express and Chitra Subramaniam on which date had such an enquiry been made? You have admitted it, but first of all, it was exposed in the newspapers ... (Interruptions) we shall be given as much time as we need. (Interruptions)... The newspapers made their probes and published the facts. These two newspapers i.e. the Indian Express and The two newspapers i.e. the Indian Express and The Statesman have rendered a signal service to the nation.

No one can deny this fact that if he had not raised this issue, the discussion would not have taken place here today. I would like to know from the hon. Prime Minister as to what message did our C.B.I. receive from the Switzerland Government in mid February? I am raising the original question. You had one week i.e. from 25th March to 1st April. Had you informed the Switzerland Government in this regard during this period of one week? We are not concerned with this note because this matter was neither mentioned in last speech nor in the today's speech. So I want to know from the hon. Prime Minister. Number 2 ...

[English]

SHRI P.V. NARASIMHA RAO: It is becoming very difficult to keep track of what the hon. Member wants to know. He has given specific questions and specific answers have been given to them. One thing which he has raised here is about, who told Mr. Bonnant. This was asked specifically by

the CBI. He did not give any source of his information. This is the position.

[Translation]

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, I am very sorry that the hon. Prime Minister

[English]

is being very selective in his replies. He is not prepared to touch the core of problem that I have raised here.

SHRI P.V. NARASIMHA RAO: I can certainly volunteer to give the members whatever information I have. If I have to go back to the records, I will go back to the records and answer them.

[Translation]

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, the hon. Prime Minister got this information in February. Mr. Bonnant informed on 23- 24 March on behalf of the Swiss Government not the Government itself.

[English]

SHRI P.V. NARASIMHA RAO: Sir, I have learnt just now that no communication came from the Swiss authorities in February.

[Translation]

SHRIGEORGE FERNANDES: Again, I am raising the same question.

[English]

The Prime Minister's memory is getting blanked.

[Translation]

What did you do from 24th March to 1st April? (Interruptions)

When did you come to know about the note?

[English]

I am asking only the relevant questions. I am not asking irrelevant questions.

(Interruptions)

Sir, I am not yielding. I have yielded only to the prime Minister. I am not yielding to others. (Interruptions)

MR. SPEAKER: If you ask a question it is more than enough. You need not repeat it again and again.

SHRI GEORGE FERNANDES: When the Prime Minister remembers only one aspect of my question and forgets the other aspect, is it not my duty to immediately remind him?

MR. SPEAKER: This was exactly why I have said that if you have a Court room, you have lawyers asking the questions and cross-examining. Can we do it here?

SHRI GEORGE FERNANDES: The Prime Minister chose it that way;

I did not it.

[Translation]

I am started my point.

MR. SPEAKER: You please ask your query.

SHRI GEORGE FERNANDES: I will ask now. I have been trying to speak for the last one hour but I am being interrupted. When was it revealed that Shri Solanki had handed over a note to the hon. Prime Minister? What talk did take place and when between Shri Solanki and the hon. Prime Minister after this revelation? Did the Prime Minister seek Shri Solanki's resignation? Did Shri Solanki told the Prime Minister? ... (Interruptions)

[English]

MR. SPEAKER: You can do it later on. I will allow you to reply.

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): Why did you keep silence yesterday? Today, hon. Prime Minister is present that is why you are... (*Interruptions*)

SHRI P.V. NARASIMHA RAO: Shri Khurana it was my mistake.

If I had come, it would have not happened. ...

SHRI GEORGE FERNANDES: What did Shri Solanki say to you?

MR. SPEAKER: There is no need to repeat that.

SHRI GEORGE FERNANDES: I am not repeating. I am just asking him as to what did he say to Shri Solanki? Did he seek his resignation? Did he reach the conclusion within this week i.e. from 24th to 1st that he had made a mistake by accepting a note from a stranger. A stranger comes and hands over a note to him without speaking anything and he tries to change the whole history of the case in the court.

MR. SPEAKER: You please come to the next point after this question.

[English]

You have spoken for about one hour. This is repetition.

[Translation]

SHRI GEORGE FERNANDES: That is why I want to know as to when Shri Solanki had submitted his resignation? When you came to know all this, how did you talk to him? He met you yesterday. He also met you in Tirupati. He put forth a proposal of Interna-

tional Affairs. He made a statement only when he reached Ahmedabad. There he said that if he opened his mouth there would be a great upheaval. He said that he had done his duty. What was the duty which he performed.

[English]

SHRI BUTA SINGH (Jalore): Sir, I am on a point of order.

MR. SPEAKER: After one hour, I think, he is well entitled to raise a point of order.

SHRI BUTA SINGH: My point of order arises from this. We are fortunate that you are so indulgent to this House and it is out of your indulgence that this debate is taking place. You have agreed in a meeting with the leaders that you will allow certain clarifications after the hon. Prime Minister has made the statement.

Sir, we are with you. kindly have as many Members as possible for asking clarifications. But this House knows what is meant by clarifications. This House is being turned into an interrogation centre. That is one objection.

Second thing is, so far as Mr. George Fernandes is concerned, he has given in writing his clarifications to you and to the hon. Prime Minister. His job ends there. He should confine only to the written clarifications that he has submitted to you. In my humble submission, you should not have allowed Mr. George Fernandes to put those clarifications through his long speech which is unending. (*Interruptions*)

I am completing. It is the last sentence. Kindly bear with me. What is happening in this House today is the one-sided political vilification campaign which is being allowed and this will go to the Press. My request to you is to put a bar on the Press not to publish all that is being said and it will be published only after the Government reply is available. (*Interruptions*)

MR. SPEAKER: I am standing now. Please sit down.

I really agree with Mr. Buta Singhji that clarifications means clarifications and not the questions.

But for all the ills that are taking place in the House, I take the responsibility because I have to see to the totality and then see that this debate takes place in as short time as possible. On the one hand, I have to request Shri George Fernandes to ask clarifications only and not give a long oration.

On the other hand, I have to ask you not to interrupt.

Both the sides should cooperate with me.

Our interest in the House is that this debate takes place in as short time as is possible.

Let us not blame each other. If you have to blame, you blame me. I will take it.

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, when foreign Ministers of two countries meet I am asking a simple question. I shall not ask anything except the question. When foreign Ministers of two countries meet, views are exchanged and a memorandum detailing the talks held is prepared. I would like to know as to what was written in that memo which was given by the hon. Prime Minister to his foreign Minister after his meeting with his counterpart, Felber? And I would like to know from the hon. Prime Minister...

MR. SPEAKER: Is this all in that memo?

SHRI GEORGE FERNANDES: That is not mentioned in the letter.

We would like that the reply to it should be given in the House. Mr. Speaker, Sir, again I would like to know when did the hon. Prime Minister come to know about that letter. Just now he said that the Government

did not receive any information from there in February, we again asked in March and April. For this only reason we asked you what is the issue relating to the note of the Government of Switzerland. And suppose if we have not asked about it then what action you would have taken to find out about the note as to who wrote this note who sent it to whom. Did you try to find out about it? you did not make any efforts in this regard (*Interruptions*)

SHRI NITISH KUMAR (Barh): Why are you annoyed with us and you are saying nothing to them. (*Interruptions*)

MR. SPEAKER: I am annoyed with both the sides and explaining peacefully..

(*Interruptions*)

SHRI GEORGE FERNANDES: The Government received the letter on 8th April.

(*Interruptions*)

SHRI GEORGE FERNANDES: Whatever has been explained in Delhi Court in this regard, have you clarified it? Since this matter has to be raised in Swiss court and in Indian Court it is to be heard tomorrow, has the Government taken any decision in this connection? We would like to know about that decision. (*Interruptions*)

[*English*]

MR. SPEAKER: Next point please. Your language is very good and very lucid. We understand it. I have taken the point.

[*Translation*]

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, I have requested the hon. Prime Minister to place some documents on the Table of the House and these documents should be placed through you. First of all we would like to have a copy of that note which was handed over to the Foreign Minister of Switzerland by our hon. Minister of External Affairs. The Fax message given by Mark Bonnat on 24 th

should be placed on the Table of the House. We would like that the messages given by C.B.I. to the Swiss Officials after 24th March should be placed on the Table of the House. To copy of the message given by C.B.I. to Mark Bonnat on 24-25 March should be presented here. The documents sent by the Government of Switzerland on 8th April in respect of Bin Chadda case which is to be filed in a Delhi Court should be placed here. And my last request to the hon. Prime Minister is about the note which was handed over to Mr. Felber. Everybody has accepted it. Today Mr. Subrahmanyam has also accepted this that on the name of the Prime Minister, that note had gone to various places from mid of February. Therefore, the Prime Minister should get a copy of that note from our Embassy and should lay it on the Table of the House.

In the end I would like to request that a decision should be taken to file a case against the Minister of External Affairs, who have put the Constitution, his intent and everything on stake, and has made this case so serious. Then we will accept that the Government is ready to uphold the law and the truth.

[English]

MR. SPEAKER: I am allowing the Members from this side also and one or two Members from this side also.

SHRI SAIFUDDIN CHOUDHURY (Katwa): Sir, many of our friends in this House have urban sophistication but this country has rural intelligence and nothing can be kept suppressed from them. You will find there is an obvious riddle into the new revelation that has come before us. There are two things which are very similar, and very intriguing. One thing is that Shri Solanki hands over a note and he says that he cannot identify who gave him that note. So, some face-less, nameless lawyer, some person gave him the note, according to him. Now, today, one new item has appeared in the *Indian Express* and it emanated from Geneva. It says that the Foreign Ministry

spokesman of the Swiss Government has said that they deny any involvement of the Indian Prime Minister in giving this note to Mr. Felber through Shri Solanki. When he was asked how this news item got circulated that the Prime Minister of India is linked with it, he said: "I am clueless". How could this happen? Who is this omnipotent person who cannot be traced in both cases, who cannot be identified, who is working obviously to subvert this Bofors investigation? This is the moot question. Now, the Prime Minister has come here. What we demanded was that he must come and clarify and clear this kind of an allegation that has come up in the Press. He has come and made this statement. But the question remains as to how this news item got circulated. This is a very important thing.

MR. SPEAKER: Has this come in today's newspaper.

SHRI SAIFUDDIN CHOUDHURY: Yes, he must also have seen it.

MR. SPEAKER: So, everyday something appears. Is he expected to an answer?

SHRI SAIFUDDIN CHOUDHURY: No, Sir. This is a kind of denial that has come. If this thing was not there in-between, then the matter could have been otherwise.

MR. SPEAKER: Now, please come to the pointed question.

SHRI SAIFUDDIN CHOUDHURY: There is an attempt going on to subvert the investigation. Now, relevant questions have been put by other Members who spoke before me. Shri George Fernandes also posed certain questions. In the news item contained in today's *Indian Express*, it has been stated that since mid-February this news item was getting circulated in Swiss circles. They say that and I repeat it. But it is necessary to be clarified whether they queried the CBI or not; whether that is true or not.

Secondly, we have definite knowledge

that the meeting took place between Shri Solanki and Mr. Felber and after the meeting was over, Mr. Felber recorded the minutes of the meeting and for checking it up, sent the note to the Indian Embassy in Berne. I would like to know whether that is a fact or not and if that is a fact, then whether that note would be placed on the Table of the House. This is very important. This is not to malign any personality but to reach at the truth; to bring the truth to light to all of us. This is very important.

Thirdly, the common interest of this House is to know the truth about the whole Bofors episode. In this, we want to know the truth. We tried to sympathise with Shri Solanki that in a very casual manner, without knowing the intricacies of the foreign affairs, he handed over the note. It is not that simple. If we are to arrive at the truth, then it is necessary that there has to be a public prosecution of Shri Solanki. It is not a simple thing that somebody sitting in Switzerland can just blackmail our country. How can they do it? Now their Foreign Minister, their spokesmen are saying certain things. On that, so many things are taking place in our country. Ruling Party Members themselves are saying that there is a process of destabilisation going on. How people in other country are in a position to really blackmail us in our country? If we are sincere to pursue the investigation into the Bofors affairs, then nobody can blackmail us in this respect. In this context, tomorrow's court case in the Delhi High Court is very important. The Supreme Court on a sum similar matter has given a ruling that the FIR is valid, letter rogatory is valid, investigation must continue. On the same substance, how a lower court can accept another case, is beyond my comprehension. And if they do it, then why not according to relevant Articles of the Constitution, this case is withdrawn from them and sent to the Supreme Court? It is very important. It is not the question of whether somebody's reputation..... (*Interruptions*)

MR. SPEAKER: There is one more thing which is important. Cases are pending in the

court, and we are discussing the matter here.

(*Interruptions*)

SHRI TARIT BARAN TOPDAR (Barackpore): If that is your ruling, let us stop the discussion on this. (*Interruptions*)

MR. SPEAKER: Please come to the point. We shall have to bear in mind that there should be some limitation to it.

(*Interruptions*)

SHRI SAIFUDDIN CHOUDHURY: Article 139A of the Constitution says:

"Where cases involving the same or substantially the same questions of law are pending before the Supreme Court and one or more High Courts or before two or more High Courts and the Supreme Court is satisfied on its own motion or on an application made....." (*Interruptions*)

MR. SPEAKER: There is no ambiguity on that point.

SHRI SAIFUDDIN CHOUDHURY: Then why did you link it? (*Interruptions*)

MR. SPEAKER: You are telling that this should be transferred.

(*Interruptions*)

SHRI SAIFUDDIN CHOUDHURY: I have every right to refer to that case. If read further, then we find the order of the lower court has to conform the order of the higher court and steps should be to ensure that. It is a question of proving *bona fide*. The Prime Minister has said that he is interested to pursue the case till its logical conclusion. Now it has to be proved and not just by saying this you can convince the people of this country. Therefore, I want to know whether..... (*Interruptions*)

MR. SPEAKER: Are you yielding?

SHRISAIFUDDIN CHOUDHURY: I can yield. I have no problem. *(Interruptions)*

SHRI A. CHARLES (Trivandrum): Last week we had a full discussion on Bofors. Yesterday the only question was whether the hon. Prime Minister had the knowledge about the so-called note in the Solanki affair..... *(Interruptions)*

MR. SPEAKER: I am respecting the wishes of the Members to speak.

(Interruptions)

SHRI A. CHARLES: I should be given the opportunity. *(Interruptions)*

SHRI SAIFUDDIN CHOUDHURY: To my dismay, I can that I find the Prime Minister and the Government are differing. Mr. Prime Minister says that so far as it goes to his individual person, he can give answers and he will take up other things later on. Yesterday everybody was sitting here. But nobody stood up to defend the Prime Minister. This is a very serious matter. *(Interruptions)*

MR. SPEAKER: Let me understand, is it a technical matter, legal matter or political matter?

(Interruptions)

SHRI SAIFUDDIN CHOUDHURY: It is because everybody is active today. The moot question is that powerful lobbies are active to subvert the Bofors case. The Prime Minister has said that he has no knowledge about that. All right, every good. I would like to know whether this is in his knowledge that people are active to subvert the case. What measures is he going to take to see that this case is taken to its logical end? That is my question. In relation to that, so many pointed clarifications have been asked like, whether the communication came from Switzerland to CBI in mid-February or March and whether that was taken to the Prime Minister. And if it was taken then why did the Prime Minister not take sharp against Shri Solanki at that time? This is a very relevant point. By de-

fending somebody and by not being harsh to somebody who is really doing harm to the country, one cannot also save his reputation. This is my submission.

MR. SPEAKER: I want to ascertain the wish of the House. Now it is 1.40 p.m. Shall we continue and finish it?

SOME HON. MEMBERS: Let us continue.

MR. SPEAKER: O.K. I think some of us can go and come back.

SHRI INDRAJIT GUPTA (Midnapore): Sir, unlike my friend, Shri Fernandes, I shall be very brief out of deference to the hanky-panky of Members on that side. I am still worried, as I had said yesterday, about the identity of some of the main actors in this murky drama. The identity is not being revealed. Why? I do not know. I would like to know whether the hon. the Prime Minister can reveal and help me to understand who it was, who did all this? I do not know. We will hear from him. But I find it very difficult to believe that after all this passage of time, the Prime Minister, on his own – if nothing else, at least out of curiosity; curiosity is also a human feeling – out of curiosity at least, would not have tried his best to find out whether from Shri Solanki or from C.B.I., or from other sources, who was this faceless, the nameless gentleman, who was in a position to go to Davos, tap Shri Solanki on the shoulder and say "here is a piece of paper, please pass it on."

In this statement of the Prime Minister, it is sometimes referred to as 'note', sometimes it is referred to as a 'memorandum'. I think memorandum is something, as it will be at a higher level. So sometimes the inclination is to promote this note to the value of a memorandum, to the level of a memorandum. I do not know what it was, because we have not received that authentic copy of that paper which my friends here have said should be laid on the Table of the House.

Now Sir, why am I asking this question?

It is not out of curiosity. I think if the identity of that person is revealed, it may sooner or later provide us with some further clues as to the chain, the links in this whole business. After all, the Prime Minister of India had to admit that what had happened there – that episode – caused acute embarrassment to the country and the Government. Why did it cause embarrassment? It was because the contents of that note, however spurious or however concocted, they may have been suggested that the Government of India and the Prime Minister are not interested in vigorously pursuing this inquiry into the Bofors affair. That is why, it caused embarrassment. I am very glad and I welcome this last sentence which the Prime Minister has said in his statement:

"I should once again like to reiterate that my Government is committed to pursuing the case in accordance with law and with all diligence to find out the truth."

This statement was compromised. The idea behind the statement was compromised by what was included in that note handed over to Shri Solanki and by Shri Solanki to his Swiss counterpart. Therefore, the embarrassment was caused. And I find it difficult to believe that the Prime Minister, during all these weeks, has not bothered to find out by all means at his disposal and to come to a conclusion as to who that gentleman was? And therefore, I wish to ask one question only. I may be wrong. I am saying this on the basis of information which I have received. If that is wrong, he may kindly say so.

SHRI P.V. NARASIMHA RAO: Any information is welcome.

SHRI INDRAJIT GUPTA: I would like to know whether that nameless, faceless lawyer, who according to Mr. Solanki was a stranger to him, was a gentleman by the name of Shri Pinaki Verma, who happens also to be the lawyer of Mr. Chandra Swamy, who is more popularly known as the Godman?

SHRI P.V. NARASIMHA RAO: I will

make a note; Pinaki Verma.

SHRI RAM VILAS PAWAN: Or as it Pinaki Mishra?

SHRI INDRAJIT GUPTA: May be Pinaki Mishra. I am sorry, it may be Mishra. The first name is Pinaki – it may be Mishra, Verma or Sharma. By that name has a gentleman acted as the lawyer of Mr. Chandra Swamy, the Godman?..... (Interruptions)..... Let us find out whether such a person was there..... (Interruptions).....

In that connection, it leads to some very interesting conclusion. It can. We would like to ask you as the Prime Minister to follow this train of clues and see if anything comes out of it. We are interested to know why a Foreign Minister should lose his job so easily. It does not happen everyday. You asked him to resign, he had to resign, he offered to resign once he found that this whole thing had come out. Was it a normal thing? And you don't expect this House to be agitated or the country to be agitated about?

The starting point of this whole thing is, who drafted that note; who had written that note; who handed it over to Mr. Solanki; why did Mr. Solanki accept it without a single murmur. When it was handed over – a note containing this implication or suggestion that the Prime Minister is not interested in pursuing this case – I think it amounted to a very very serious, almost a criminal, offence. It is a forgery. Is that a forgery – the note which was handed over? Forgery is a criminal offence. Who is involved in this? How many Ministers are involved? I do not know. Who was responsible for drafting that memorandum? How Mr. Solanki got involved in this matter without the knowledge of the Prime Minister?

I believe the Prime Minister now when he says that he had nothing to do with it; he had no knowledge of it. Such a senior minister as the Minister of External Affairs is in a position, without the knowledge of the Prime

Minister to do a thing like this. It is very difficult to swallow.

Therefore you should not be impatient because we are continuing to have some doubts as to how this matter came up. Is the hon. Prime Minister able to throw any light after all this passage of time on the identity of that mysterious and shadowy figure? It is almost like one of those mysterious detective stories. Only we have not got a detective who is apparently able to unravel the truth of this mystery.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): There is one to cover it up!

SHRI INDRAJIT GUPTA: I shall be grateful to him because the matter may not end here; there may be further clues which will lead us to somewhere nearer the truth.

MR. SPEAKER: Well, one Member from this side may speak. Mr. Bansal please.

SHRI RAM NAIK: They are so satisfied; they do not have any queries to the Prime Minister!

SHRI PAWAN KUMAR BANSAL: The issue regarding Bofors once again erupted in this House last month. When it did, Mr. Solanki, the then Minister for External Affairs came to the House and admitted that he had passed on a note to his counterpart in Switzerland. That understandably caused concern to all of us. It was in true deference to the high ideals of democracy and the ideals which the Congress has held close to it that he tendered his resignation.

Therefore, a debate ensued in this House and none other than the Prime Minister himself came and made an impassioned speech here, making it abundantly clear that what had happened during the preceding three, four days, had definitely embarrassed the Government. I am surprised today to find the hon. Members on the other side raising all sorts of interpretations on that one sentence of the Prime Minister. The Prime Minister had said in unambiguous terms at that

time that the Government was not interested in delaying the proceedings of the matter; and that the Government whenever the need arose, had spoken to the concerned authorities, to make it abundantly clear that the matter should proceed without any delay whatsoever.

Unfortunately yesterday, a news item appeared in the Press which gave a suggestion that perhaps the Prime Minister of India was associated with the note. As I said yesterday, prudence demanded that we took stock of the matter; that the Government was apprised of the matter. That is where we should have stopped yesterday. Unfortunately, as is their habit, as is their wont, a ruckus was created and there was storm, a very big storm in the House yesterday.

Sir, it is with due respect to the hon. Members on the other side, I am constrained to make one strong averment about it that I have a clear feeling that there are people in this country and outside who want this Bofors issue to linger on; but it is the Government which wants the matter to come to an end and come to an end by finding out the truth, by arriving at the truth. But, on the other side, our hon. friends, I should say are not interested in coming to the truth. That was precisely Sir, I emphasise, that was precisely the reason why our friends were not prepared to wait even for a single day to have a statement from the hon. Prime Minister. Today when the statement is made, with grace, they should have expressed their relief. I found a mischief when Shri Jaswant Singh was referring to that. Simulation of such relief was also actuated by a mischief. Sir, I am sorry that I have to say so. I was listening to what Shri George Fernandes was saying. At times, he was referring to what Ms. Chitra Subramaniam has said. I have that news item with me. For the sake of just clarifying one point, I would like to read a few sentences from that and I would bring this to the notice of the House, through you, Sir. Various acts from time to time, various statements of the Government have been purposefully and deliberately distorted to give the impression that perhaps the Govern-

ment is wanting to hide something. It is in this context that I want to refer to it. Ms. Chitra Subramanian says:

"When the note was handed over to Mr. Felber, there was absolutely no indication that it came from any one other than the Indian Foreign Minister himself."

She is quoting the Swiss officials. Thereafter her own feeling comes.

SHRI RAM NAIK: What is your question?

SHRI PAWAN KUMAR BANSAL: I will put my question. Kindly bear with me. You were taking very long time. My questions will be directed towards your intention. I would like to know as to what is the intention of the Opposition in raising this matter again and again. (*Interruptions*)

SHRI P. V. NARASIMHA RAO: This is a question which I can never answer. (*Interruptions*)

SHRI PAWAN KUMAR BANSAL: This is the question which I know, the Prime Minister will not like to answer. But, this is the question which the people of the country now know. It is abundantly clear to the people of the country that our friends on the other side are not interested in finding out the truth. They are only interested in maligning, only in unleashing a campaign of vilification through innuendoes. That is what they are all interested in. (*Interruptions*)

Sir, this is how where the author of this story herself gives her own version. I am again quoting from this newsitem.

"When asked how Mr. Narasimha Rao's name had entered the process and circulated, Mr. Meuwly said, he was clueless."

Here is the next line:

"The Swiss authorities investigating

Bofors had, however, got the "impression".....

The word 'impression' is used by Chitra Subramaniam in trouble inverted commas. It is precisely on this word that I want to stop to elaborate what I want to say. It is this sort of impression, the word, the story is created and the story is sent to the people that some impression was created in the minds of the Swiss authorities. (*Interruptions*) It is Mr. George Fernandes who rises and has the audacity to ask the Prime Minister as to who gave information to our counsel there. The counsel there says, well, he has some information. He has an impression that perhaps the Prime Minister was associated with the note. How can the Prime Minister enter the brain of our counsel there? It is precisely here that I want to make this allegation, an allegation with all humility and responsibility that it is people, with who our friends have links whether they are in the country, whether they are beyond the borders of this country who want to carry on their game of destabilising the country. This is repeating *ad nauseum* and we are forced today. Whenever they are flabbergasted by the progress of the Government, they resort to this immediately. This is exactly what has been done here.

It is not out of context to mention that Mr. Solanki had taken the responsibility on his shoulders.

MR. SPEAKER: Yesterday, what actually we had decided was to have some clarifications. Some speeches are made. I am allowing you. Please be brief.

SHRI PAWAN KUMAR BANSAL: After that he had said:

"It is true that when I was in Davos, I made a courtesy call on Mr. Felber..... At the end of our conversation, while taking his leave, I handed over a note to Mr. Felber."

He said that this note was passed over to him by a lawyer. What was this note? That is

before all our friends here. The note referred to the status of the cases pending here. It did not say and Mr. Solanki did not ask anybody there that the Government of India was interested in delaying the matter. After that, had our friends been honest, had our friends been true to their duties.....

MR. SPEAKER: It is not necessary. Please understand.

SHRI PAWAN KUMAR BANSAL: All that has been said. All innuendos had been unleashed by Mr. George Fernandes. I am constrained to say this.

All that I would like to say is that I learn that many questions have been submitted to you and to the Prime Minister by Mr. George Fernandes. I know that it is not within the hands of the Government to ensure that any case in a court takes a particular course.

They want me to pose questions which they did not do. I would like to know: what was the last communication and the date of the communication between the Government of India and the Swiss authorities?

SHRI VIJAY PATIL (Erandol): Sir, my one line question is this. The Bofors case is pending since long. In the interval, there was another Government.

I would like to know from the hon. Prime Minister what special efforts were made by that Government to expedite the case. Here one External Affairs Minister has gone because of handing over a note to some authority. There was a Government which came to power by making political capital out of Bofors starting from 1988 — by — election of Allahabad. After that, the Bofors issue was there all over the country. They came to power with a promise to the people of this country that they would expedite the case and they would find out who were the culprits.

MR. SPEAKER: Good question. Please conclude.

SHRI VIJAYA NAVAL PATIL: I want to know: what special efforts were made during that period to expedite the case?

14.00 hrs.

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada): Mr. Speaker, Sir, through you, I would like to seek a clarification from the hon. Prime Minister. His statement contained a clear contradiction. On page 1, paragraph 3, it is stated:

"Since, in fact, I had neither authorised the giving of the note nor had any knowledge of the note, the question of Shri Solanki mentioning my name or authority to his counterpart simply could not arise."

Sir, it is further stated:

"Shri Solanki has confirmed this and has emphatically denied having made any reference to me in any manner."

While on page 2 of the statement, the CBI's lawyer in Switzerland, Mr. Marc Bonnant stated:

".....that he was told that the memorandum handed over by Shri Solanki at the request of the Prime Minister."

So, at some level, somebody should be hiding the fact. This lawyer, a responsible person who is acting on behalf of the CBI, has written a letter seeking some clarification from the Government. It is not so simple. We cannot take it so lightly. Let the Prime Minister say whether this contradiction has been examined as to how that lawyer of the CBI was given that 'impression'. He cannot mention the name of the hon. Prime Minister so lightly or so irresponsibly. How did that lawyer get this impression? From what source at what level? If he is correct, then Shri Solanki must be wrong; if Shri Solanki is correct, the lawyer or the person who has informed him so, must be wrong. The hon.

Prime Minister may kindly clarify this contradiction.

I seek yet another clarification from the hon. Prime Minister. Is it a fact that the lawyers in the Geneva Court who are arguing on behalf of the beneficiaries of the pay-offs have told the court that their papers are not yet ready and that they are expecting a note from the Government of India, shortly? Have they said so? Kindly let me have the clarification from the hon. Prime Minister.

SHRI P.V. NARASIMHA RAO: I am grateful to the hon. Members for putting pointed questions. These questions do require reference to some of the files and at the earliest opportunity, I will seen them answers. I have no problem at all. I have nothing more to add at this stage. Then, about placing the papers on the Table, we have certain rules, we have certain regulations and we have certain conventions. As regards the question whether I can place on the Table of the House a part of the correspondence between two Governments, we will have to go into that. I will got into each of the documents asked for by Shri George Fernandes and give him the reasons — whether I am going to place it or if I am not, I will tell why.

SHRI JASWANT SINGH: Sir, just one clarification. This does not require any reference to files. On 25th, he received a communication in which a reference has been made to the Prime Minister. All that I wanted to know was, "Did the CBI bring this communication to your notice?" Did you, thereafter, speak to the hon. the then Minister of External Affairs? These two do not require a reference to files..... (*Interruptions*)

SHRI P.V. NARASIMHA RAO: They do require a reference to the files. I will have to talk to the Director once again.

SHRI INDRAJIT GUPTA: Mr. Prime Minister, are we to take it that you also have no knowledge or information about the identity of that person who handed over the paper?

SHRI P.V. NARASIMHA RAO: Yours is the first clue! Very valuable! Pinaki Varma / Mishra / Gupta / anything! (*Interruptions*)

SHRI SRIKANTA JENA: Sir, may I know from the hon. Prime Minister that this Pinaki Mishra..... (*Interruptions*)

MR. SPEAKER: What is this? I am not allowing it to go on like this. Why should all the Members speak again?

SHRI SRIKANTA JENA: Sir, this is very relevant.

MR. SPEAKER: If it is relevant, you should have asked before please sit done.

This House stands adjourned for Lunch to reassemble at 3.05 p.m.

14.05 hrs.

The Lok Sabha then adjourned for Lunch till Five minutes past Fifteen of the clock

The Lok Sabha re-assembled after Lunch at Eight minutes past Fifteen of the Clock

[MR. SPEAKER in the Chair]

[*English*]

MR. SPEAKER: Now, Papers to be Laid.

SHRI NIRMAL KANTI CHATTERJEE (Dum Dum): Sir, I have a point of order. Item no. 3 on the List of Business refers to laying on the Table an order which says, "Supply of fertilisers to be made during the period from the 1st October 1991 to the 31st March, 1992." My objection is that that period is already over and there is no explanatory note along with this paper for the delay in placing it on the Table of the House.

MR. SPEAKER: You can raise it when it comes.