

**GOVERNMENT OF INDIA  
DEFENCE  
LOK SABHA**

UNSTARRED QUESTION NO:398

ANSWERED ON:02.12.2004

PROCUREMENT OF MIRAGE

Pathak Shri Brajesh;Scindia Shri Jyotiraditya Madhavrao;Yadav Shri Ram Kripal

**Will the Minister of DEFENCE be pleased to state:**

- (a) whether the Government propose to revise contracts with French Company Dassault Aviation for procurement of Mirage fighters;
- (b) if so, the details thereof and the reasons therefor;
- (c) the details of delivery schedule fixed with French Company;
- (d) whether any company has filed a case in Paris Court;
- (e) if so, the details thereof;
- (f) the details of cost escalation due to delay in delivery as per schedule;
- (g) whether the Government has received any memorandum/request to investigate the Mirage deal; and
- (h) if so, the details thereof and action taken by the Government thereon?

**Answer**

MINISTER OF DEFENCE (SHRI PRANAB MUKHERJEE)

- (a) & (b): There is presently no proposal to revise on-going Contracts for the procurement of Mirage aircraft.
- (c) The delivery of the Mirage aircraft is expected between November 2004 and January 2005.
- (d) & (e): No case has been filed by any company against the Government of India in a Court in Paris in regard to the procurement of Mirage aircraft.
- (f) There is no cost escalation linked to the delivery of the aircraft between November, 2004 and January, 2005.
- (g) & (h): The former Chairman, Public Accounts Committee, sent a letter mentioning, inter alia, about a judgement of the French High Court of Justice in Paris against M/s Dassault Aviation/Thales, the manufacturers of Mirage aircraft, in respect of sale of 10 Mirage aircraft. The letter mentioned that the judgement of the French High Court purportedly required the vendors of the aircraft to pay a substantial amount as commission to agents.

Enquiries with the Embassy of India in Paris revealed that the case filed by one M/s. Keyser against M/s. Dassault Aviation, France, before the Tribunal de Commerce (Commercial Court) of Paris claiming payment of commission was rejected by the Commercial Court on 11th September 2002. An appeal filed by M/s. Keyser against the order of the Commercial Court of Paris was subsequently withdrawn by them and the withdrawal was confirmed by the French Appellate Court on 24th September, 2004. M/s Dassault Aviation had also confirmed compliance with Government of India's requirement regarding non-engagement of agents.