

Fourteenth Loksabha

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Participants : Gandhi Smt. Maneka, Salim Shri Mohammad, Gandhi Smt. Maneka, Chidambaram Shri P., Sibal Shri Kapil, Sibal Shri Kapil, Dasgupta Shri Gurudas

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Title : Discussion regarding Report of Justice R.S.Pathak Inquiry Authority and Action-Taken Report thereon laid on the Table of the House on 7 August, 2006.

MR. CHAIRMAN : Now we take up item no. 24. Shri Gurudas Dasgupta.

SHRI GURUDAS DASGUPTA (PANSKURA): Mr. Chairman, Sir, I am extremely sorry that in an environment of confusion I have to raise an important debate which seeks to dispel the confusion and remove the misgivings which are still there regarding the Report that has been submitted by Justice Pathak. I believe I should not have done it, but I had to do it because the Report has created confusion in the country.

MR. CHAIRMAN : Mr. Dasgupta, please come to the point.

... (*Interruptions*)

SHRI GURUDAS DASGUPTA : Sir, do I have an advice from the Chair? I do not feel that I need to be advised. My point is simple. I am raising a discussion on the Inquiry Report submitted by Justice Pathak on the corruption or the complaint of corruption that is supposed to have taken place.

16.44 hrs. (Mr. Deputy-Speaker *in the Chair*)

The Report says:

“Oil allotted to Seghal was to oblige Natwar Singh.”

This is the statement made by Mr. Pathak. Another statement made by Mr. Pathak says:

“To Iraq, the intended beneficiary was Mr. Natwar of the Congress.”

Sir, according to me, the Report is a grey report, truth should have been in black and white.

Justice Pathak has taken the right course for investigation, but he has not reached the right conclusion. If he has not engaged in covering up, which I assume he has not, then he has not, at least, uncovered the fundamental link of the nexus.

Sir, I am sorry to say that the tragedy of the Indian reality is that Commissions and Commissions, Inquiries and Inquiries do seldom lead to unambiguous conclusions. Justice Pathak has also landed himself in an ambiguous situation, absolutely ambiguous. The crime has been perpetrated – it has been corroborated by evidence – but the main player has been let off. The main player is a person and not a Party, according to me. It is not a political Party, but a person belonging to a leading Party of the country. Why has he been let off? ... (*Interruptions*) I will come to that.

Mr. Natwar Singh has been let off because there is no material evidence to show that he has been benefited by the contract or his family has gained from the contract. Nobody has seen Mr. Singh to take the money. I have not seen nor Mr. Malhotra has seen it. He has not signed any receipt for receiving the money nor an amount has been credited to the account as yet because the inquiry is not complete till now, according to me. No amount has been credited to his account in Delhi or somewhere else in India, may not be an island, may not be somewhere else. But there is a big 'but'.

There are two front players and there are people who have been back seat driving. Who are the two front players? The two front players are Mr. Khanna and Mr. Sehgal. It is established in the report that these two front players, not the back seat driving people, have earned a commission or any amount paid by somebody, maybe legal or illegal, maybe white or black. They had received a sum of 1,46,000 US dollars.

Mr. Lawyer is taking down the figure. The figure is from this report. Mr. Khanna and Mr. Sehgal have received 1,46,000 US dollars, according to Justice Pathak whom you believe. Out of that amount, 68,293 US dollars have been received in the account of Hamdan. Who is the owner of this account? Who is the owner of this company? The owner of this company is Mr. Sehgal. Mr. Khanna has received 32,558 US dollars. What is the remaining? Something remains. The remaining is 35,735 US dollars. Where has this money gone?

Justice Pathak has not done justice without making a comment on this. Justice Pathak has done the justice to his report without saying where the money has gone and who is the beneficiary. Sir, it is all well known that there are two persons.

Shri Malhotra, do not grudge them. They are more popular than you. There are two persons. One is Mr. Sehgal, a delhi-based businessman. We can do every business in Delhi under the nose of the Government; there is no problem. And the other is Mr. Aditya Khanna.... (*Interruptions*)

You are interested in party affiliations; I am interested in finding out the criminals.

SHRI ANANTH KUMAR (BANGALORE SOUTH): Both of them are being supported by you. That is the point.

SHRI GURUDAS DASGUPTA : He finds politics in crime; I find crime in politics. That is the difference between him and me. That is why I am raising it.... *(Interruptions)*

MR. DEPUTY-SPEAKER: Shri Dasgupta, please address to the Chair and not to any individual.

SHRI GURUDAS DASGUPTA : The point is this. These two persons had formed a firm on 50:50 basis. This was registered. Where was this registered? Our Finance Minister must be knowing the fundamentals of this area, namely, the Channel Islands. There are Channel Islands in the world where everything can be done. This company was registered there. The name of the company was 'INDRUS'. It was because they wanted to do business with Russia. How did the collusion develop? Just a company named 'INDRUS' is formed, but INDRUS is run by another accounting firm and, thirdly, this accounting firm owns another accounting firm which is known as 'Hamdaan'. There are three companies together. There is not only one, there is another 'Hamdaan', which means four companies have been incorporated, four companies have been put together in order to ensure that this political-cum-economic nexus do find way easily and can remain out of the teeth of law.

How the whole thing started? These companies were formed earlier but how they started the operation? How could they start the operation 'fool for oil' – I would call it 'perversion' of food-for-oil – programme? In January, 2001, Shri Sehgal and Mr. Khanna thought that they should do business in oil. They had done enough with Russia. Their business had failed. It was a non-performing business. Therefore, they wanted to perform some business. In order to perform some business, they said that they should look for oil, most lucrative oil and that too from Iraq. This they did; this conclusion they could come to with the help of one Mr. Jamil. Please forgive me for giving his political identity.... *(Interruptions)*

THE MINISTER OF SCIENCE AND TECHNOLOGY AND MINISTER OF EARTH SCIENCES (SHRI KAPIL SIBAL): Mr. Deputy-Speaker, Sir, he keeps on looking at me as if I am responsible.

MR. DEPUTY-SPEAKER: I have always requested him to address to the Chair.

SHRI KAPIL SIBAL: I am not answerable to all this.

SHRI GURUDAS DASGUPTA : Fortunately, his is the most beautiful face. Therefore, I can only look at him.

SHRI KAPIL SIBAL: I did not know he were of that kind.

SHRI GURUDAS DASGUPTA : I am not of that kind; I am only truthful. But, God save me.

SHRI KAPIL SIBAL: That, you have confessed at last.

SHRI GURUDAS DASGUPTA : God save him; she is not a lady; he is not a lady.

SHRI KAPIL SIBAL: 'She' is included in 'he' as you said.

SHRI GURUDAS DASGUPTA : The point is this. His political identity is this. This Jamil gives his credential as a former youth General Secretary of Rajasthan, not Congress. Now, they became

three. This trio believed that they can do business of oil in Iraq if they had a political patronage.

Now, there is a search for political patron. Businessmen were searching a political patron. From here it begins because they knew that without political influence, nothing could be done in Iraq. At this point of time, a new angel appears on the scene. He is no other person than Mr. Jagat Singh. Jagat Singh appears on the scene directly from the heaven, and he says: "I can give the political patronage, and do not worry. खन्ना साहब, आप मुसीबत में नहीं धिरोगे। हम हैं, तुम्हारी मदद करने के लिए, हमारे पिताजी हैं, तुम्हारी मदद करने के लिए।" This was the assurance from him. Obviously they knew that Mr. Natwar Singh was a former Foreign Minister, he had his contacts with the political leadership of Iraq, and therefore, he can do the job. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: He is not present in this House.

SHRI GURUDAS DASGUPTA : Sir, we are discussing this Report. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: Okay.

SHRI GURUDAS DASGUPTA : Sir, I am discussing the Report. It is there in the Report. Should I not quote from this Report? ... (*Interruptions*)

MR. DEPUTY-SPEAKER: Please continue.

श्री गुरुदास दासगुप्त : आप कृपया मेहरबानी कीजिए। Sir, my voice is bad. Please do not interrupt me. ... (*Interruptions*)

KUMARI MAMATA BANERJEE (CALCUTTA SOUTH): He is a nice person. ... (*Interruptions*)

SHRI GURUDAS DASGUPTA : Everybody who sits there on the Chair is a nice man to me. Madam, do not make a distinction on the person who is occupying the Chair. ... (*Interruptions*)

Therefore, Mr. Jagat Singh appears on the scene and he is assured of the political patronage. He was the one angel. Another thing is that a God-gift opportunity comes to this trio, not trio but to these four people. What is that? They came to know that the Congress Party was sending a goodwill delegation to Iraq to express solidarity with the people who had been under constant attack of America. It was a God-gift opportunity. I do not believe in God but they believed in God and, therefore, God blessed them. Do not blame me, blame them. Please do not blame God and they will be angry.

Earlier, three persons were the official members of the delegation to Baghdad. It was increased to four. Four authorised members were supposed to go in a delegation. But suddenly, two persons joined the delegation unauthorised. Sir, kindly note this point – unauthorised. It is because at no point of time, the Congress Party had said or there is anything on record to say that they were the authorised members of the delegation. At no point of time they have said so. ... (*Interruptions*) I have to say according to my conscience. You have to say according to your conscience. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: Please address the Chair.

... (*Interruptions*)

SHRI GURUDAS DASGUPTA: You believe in sponsorship, and I do not believe.

The point is that two unauthorised people joined the delegation. This could not have been done – this is my point – and this could not have happened if there was no tacit approval of the *ipso facto* leader of the goodwill delegation. The leader was one person but the *ipso facto* leader was Mr. Natwar Singh. Therefore, it could not have been done without the approval, support and, if I may say so, the connivance of the *ipso facto* leader of the delegation. What happened? The diplomatic corps of India in Amman and also in Baghdad arranged for six people. How could they do it? The official delegation was for four people but it is on record that the diplomatic missions in Amman and Baghdad booked six rooms, they booked six tickets, and they made arrangements for travel and stay of six people.

17.00 hrs.

But, interesting, Sir, this is where the mystery begins. The list of the people submitted to the Diplomatic Corps mentioned only five names, and the sixth man was unnamed, which means, the friend of Mr. Jagat Singh was not named. Mr. Jagat Singh was made a part of the delegation but not the friend that he had with him.

Sir, the delegation started from Delhi on 19th for Amman. Just see, how the whole operation was carried out! It is a matter of shame for the whole country. On 19th, the plane took off from Delhi. It was a six-member delegation with two officials and two non-officials. On 22nd January, Mr. Natwar Singh meets the Minister of Oil -- it is very interesting. He had always an eye on the oil, not on anti-American fraternity. He meets the Minister of Oil. Why does he meet him? He meets him to express his satisfaction for the solidarity and the support that the Government of India is doing. That is the first part. That is the overt part.

What is the covert part? He talked with him on the oil contract because Mr. Sehgal was present there. Next, on 30th January, after eight days, he writes a letter. Meeting the Minister of Oil did not yield result perhaps. Therefore, he writes a letter. What is there in that letter? In the letter, he shamelessly certifies that ‘Mr. Sehgal and his company is well-known to him, and they might be given all support and co-operation.’ Is it a language? What is the meaning of this language? What support and cooperation is being talked about? It only means that he said that the contract may be given to them to lift the oil so that they can make money, so that he can be benefited, so that his family can be benefited, so that his son can be benefited.

In all these months between January to August, there have been a number of trips to Baghdad. Mr. Sehgal had been there; Mr. Jagat Singh had been there; and on all occasions, they were armed with a letter from Mr. Natwar Singh. All these three letters talked of anti-imperialist solidarity, which was the corruption under the cover of anti-imperialism. That was the cover. But this was all for procuring oil contracts. How did it work? On 30th January, he received a letter and

on 11th February, the first contract is done. He writes to the Minister of Oil on 30th; he meets the Minister on 22nd January; and on 11th February, the contract is signed of 2 million barrel of oil; and the contract is known as M-0954.

Then, goes the second letter. A political man, who has been connected with politics for a long time, has been applauded by the country for his jobs. We clapped him for some of his speeches. He was with me in the other House. How a man can stoop so low just to give benefits to the businessmen! And, one of the businessmen happens to be his son. He wrote a second letter. The first letter got the first oil contract. He wrote a second letter, and the second letter also got them a second contract. The second contract is known as M-09120, but this deal did not succeed ultimately for reasons not known to us.

On 16th August, he writes the third letter stating the same language, stating anti-imperialism, solidarity and salute to President Saddam. At the end four more lines are there.

“Please give your support and co-operation to Mr. Sehgal and his company.” Both of them are very well known to me.

See the third letter. As a result of the third letter on 16th August, they got the second or the third contract which is M1057. They got one million barrels on 31st August, 2001. During January to August, as I earlier said, so many foreign trips had taken place. Sir, can I ask you this? Will the Indian Missions therein in Baghdad and Amman kindly clarify? Will the Foreign Minister kindly clarify why this businessman was given out of the way support and co-operation by the Indian Missions there? At whose behest was this businessman given support? What was the reason? What could have been the implication?

Therefore, it is clear that they procured oil because of political patronage, and it was written as ‘political allocation’. The contracts were written as political allocation. The words used were ‘political allocation’. It is because of the political friendship, because of the political leader Mr. Natwar Singh—because he projected himself—they procured oil. How dare a man, who has committed a fraud, could project himself as a representative of India?

Now I come to circumstantial evidence. It is quite clear that there is enough circumstantial evidence to show that Mr. Natwar Singh colluded with Sehgal and colluded with his son to give benefit to his son, if not to himself. He cannot have acted without his political credential. There is large unaccounted money. Flow of money has not been traced. What is my charge against Mr. Natwar Singh is that he has abused his position as a member of the delegation. He has misused his position as the *ipso facto* leader of the delegation. He has manipulated the goodwill visit and converted the goodwill visit into a commercial visit for procuring contracts for oil for his son and people known to his son. It is unbelievable that the three letters he had written were without any material interest. There is no philanthropy involved.

Sir, I am really sorry to say that the Congress Party is to be blamed. The Congress Party is to be blamed because it did not monitor the work of its political delegation. Yes, let us laugh at it.

People who had joined politics can laugh at it. But the question is that the Indian National Congress should monitor what their representatives are doing outside. This is my first point why I blame.

Secondly, I blame because there were three other members of the delegation and they did not object to be joined in the travel of Sehgal and Jagat. They did not object at the time of the departure. One of them, who is a friend of mine, was in the other House. I know him. He might not have done it because he never wanted to antagonise Mr. Natwar Singh. It may be the reason. I do not know.

श्री मोहन सिंह (देवरिया) : वह भी विदेश मंत्री रहे हैं।

श्री गुरुदास दासगुप्त : हां, वह भी विदेश मंत्री रहे हैं। आप क्यों उनका परिचय दे रहे हैं, उनका परिचय मत दो।

But more important is that three members of the delegation might have been afraid to antagonise Mr. Natwar Singh. Why did not they report the same to the Congress high command on their return? They returned from Amman, Jordan. Was it not their responsibility to inform the Congress high command?

SHRI KHARABELA SWAIN (BALASORE): The same day he has informed. He said he has not concealed it to the Congress President. That is another question.

SHRI GURUDAS DASGUPTA : Sir, I have a friend to support me. But I do not need any support at the moment. ... (*Interruptions*) My point is that the other members of the delegation have not informed the Congress High Command. He is considered by the Congress friends that he is a colossal failure. Why did he not inform the Congress High Command on their return? Why Mr. Natwar Singh was allowed to have his sway using the All India Congress Committee's letterhead, using its FAX number, using its telephone number, always projecting himself as the most glorious, anti-imperialist fighter India has ever produced? ... (*Interruptions*)

Sir, I hope the Government will not mind because Government is also in fault. You never wanted an enquiry in full. It is 'enquiry in full' not 'to fool' but it is 'enquiry in the full'. The preposition makes the difference. It is 'not to fool' but 'not in full'. What is that? Why was that withheld under Sections 8-B and 8-C of the Commissions of Inquiries Act? ... (*Interruptions*) Sometimes, people laugh due to ignorance and sometimes people laugh because they enjoy that one of their old colleagues is being assailed. I do not know why.

Sir, I welcome the statement of the hon. Minister of Finance that there will be an inquiry. But I am opposed to inquiry by multiple agencies separately. If multiple agencies do the inquiry separately, things will not come out. Therefore, I suggest that let there be a united command of all these agencies – the Central Board of Excise and Customs, the Central Board of Direct Taxes, the Directorate of Enforcement and the Anti-Corruption wing of the CBI. All these agencies should be combined together to nail down the criminal who had betrayed India's interest in the foreign land. He must be nailed.

Sir, while concluding, may I request you to kindly consider this? As a Member of Parliament, Mr. Natwar Singh has abused his position. As a Member of Parliament he has not

discharged his duty. As a Member of Parliament he has acted for self-interest. It is enough ground for losing his membership.

Lastly, I appeal to the Government that in order to exonerate yourself from all possible suspicion that the Congress Party was involved – which my friends are saying and which I am still doubtful to believe – in order to exonerate yourself of the suspicion that has gathered around you, please go to the root of the issue. Please haul up the culprit. Please set up an inquiry under a united command. Please see that nobody goes scot-free however high may be in the political system.

SHRIMATI MANEKA GANDHI : Sir, I wish to congratulate hon. Member Shri Gurudas Dasgupta on his speech. But I find it so amazing that one can say exactly the same facts and twist them around to do whatever you want. As in Alice in Wonderland, once the White Queen says that “I can make words do exactly what I want them to say; they do not necessarily have to do what they are supposed to do”. This has been a masterly defence of the Congress Party. I will present the same facts. ...
(*Interruptions*)

SHRI GURUDAS DASGUPTA : Sir, I thank you for your compliment. It is nice to receive compliments from a lady. ... (*Interruptions*)

SHRIMATI MANEKA GANDHI : Sir, I will present the same facts, with the half portion ...
(*Interruptions*)

SHRI GURUDAS DASGUPTA : Sir, I said ‘it is always nice to receive compliments from the ladies’. ... (*Interruptions*)

SHRIMATI MANEKA GANDHI : Sir, I would like to present the same facts, using a few facts also that were left out in the previous speech because they did not actually suit the world vision of the speaker.

An Inquiry Commission Report for the UN charged that Shri Natwar Singh and the Congress Party had received as non-contractual beneficiaries eight million barrels of oil that equals \$ 480 million worth of crude oil at present rate of approximately \$ 60 a barrel. Shri Natwar Singh was cited among more than 133 Indian entities in the IIC Report which investigated accusations of abuse of the Oil for Food Programme. The Government responded immediately to give them credit by instituting an Inquiry Committee headed by Justice Pathak.

This Pathak Committee Report has just come in. It needs to be looked at carefully. Let us look at the Report point by point to see where it has failed by simply overlooking or obfuscating the facts. The powers of the Committee were severely limited. Apart from para 4.4 which says that the Report cannot be made the basis of proceedings, criminal or civil, against the person involved in the inquiry, the Government also refused to let it have the powers of Sections 8B and 8C of Commissions of Inquiry Act. Justice Pathak himself has lamented this. Now, what were these provisions? These provisions would have allowed Shri Natwar Singh, his son and all his relatives, who have been mentioned, to question other members of the Congress Party, like Shri A.R. Antulay, Shri Shiv Shankar or any of the witnesses that testified against them. What was the Congress afraid of that it did not let the principal accused even have the power to interrogate those who were testifying against him?

There are several people named in the Pathak Committee Report in connection with the Oil for Food Programme. Let us examine them individually. One, Aditya Khanna. Who is Aditya Khanna? He is a brother of Arvind Khanna, the Congress MLA from Sangrur and MP-candidate of the Congress Party, the son of Greta Khanna who is the sister of Natwar Singh's wife. He is the nephew of Natwar Singh and the Congress Chief Minister Amrinder Singh and the first cousin of Jagat Singh. Two, Aniel Matherani, the General Secretary of the Congress Foreign Affairs Cell who was later made Ambassador, Croatia by the Congress Party. Three, Jamil Zaidi, the former General-Secretary of the Youth Congress of Rajasthan. Four, Jagat Singh, the Congress MLA and former General-Secretary of Youth Congress and son of the Congress leader Natwar Singh. Five, Andleep Sehgal, the nephew of Natwar Singh, as stated by him, which is not correct. In actual fact, he is the brother of soon to be daughter-in-law of Natwar Singh. Six, of course, the soon to be former Congress leader, K. Natwar Singh himself. Seven, Vikas Dhar, the son of the OSD to the late Congress Prime Minister. Eight, A.R. Antulay, the ex-Chief Minister of the Congress Party of Maharashtra, who was removed by the Congress Party itself on charges of corruption some years ago. Nine, P. Shiv Shankar, also the ex-Minister of the Congress Party.

All of them are connected only by one thing and not by relationships, not by friendship, but by their links to the Congress Party. All of them are active functionaries of the Congress Party. ...
(Interruptions)

MR. DEPUTY-SPEAKER: No running commentary. That will not go on record.

(Interruptions) *

SHRIMATI MANEKA GANDHI : Sir, I am not a conspiracy theorist, but this begs the question whether these people are using the Congress' name to get ahead in their lives or they are being used by the Congress as pawns to make money or they have got ahead as MPs, MLAs, Ministers, party functionaries, ambassadors and businessmen by complying and becoming pawns.

The Congress claims that an innocent goodwill delegation was sent to Iraq to proclaim their solidarity with the Iraqi establishment. But this is entirely untrue, and it is seen by the events that are set out by the Pathak Report.

Firstly, Shri Andaleeb Sehgal, Shri Jagat Singh, Shri Vikas Dhar and Shri Arvind Khanna are all Congress people, who make several companies together with the express purpose of making a deal for Iraqi oil. Thereafter, they are informed, and I quote according to paragraph 10.1 of the Report :

“... that the business in oil in Iraq was controlled by the political leadership of the country, and only those persons could manage to do business in oil in Iraq who had some influential standing with the political leadership of the country...”

It was further stated that the oil deals are made by the oil minister of Iraq. They informed Shri K. Natwar Singh of this, and he met the Congress President. Immediately and coincidentally, a Congress delegation to Iraq is set up by the Congress Party at its behest and led by Shri Natwar Singh. This follows a meeting between the Congress President, who takes Shri Natwar Singh with her to meet the Iraqi Vice-President when he comes to Delhi, and also to meet the Oil Minister. Therefore, the message is clear that Shri Natwar Singh is an important functionary of hers, and he will be dealing with Iraq in future.

*Not Recorded.

The delegation, according to Pathak Report, is approved by the President of the Congress Party herself. She authorises Shri Natwar Singh, Shri Aneil Mathrani and Shri A. R. Antulay to go to Iraq. Then a fourth person is added. He is Shri Natwar Singh's son Shri Jagat Singh. What does he represent? He represents the Youth Congress according to himself, and the fifth person comes after the fourth person. Shri Jagat Singh is not added at the end. He is added as the fourth person to the delegation. The fifth person is Shri P. Shiv Shankar. These five worthies have their tickets booked. But all the embassies, down the line, and the travel agents of Iraqi Airways are informed that a sixth person is in the delegation, but his name is secret and is kept secret for weeks. A ticket and a room are booked in the name of an unnamed person, who is included not by the Leader of the Delegation, but this comes from the Congress Party. The secret inclusion turns out to be Shri Andaleeb Sehgal, the business partner of Shri Jagat Singh and his cousin Shri Khanna. It is an official delegation, but it has two business members in the delegation in which the Congress President could have taken so much interest by meeting all the Iraqi people and leaders of their countries here in Delhi. Would Shri Shiv Shankar and Shri Antulay not inform her of these two inclusions, that is, if they were included and were not prime movers of the delegation? Shri Shiv Shankar said that they flew with him, they stayed where he stayed, they attended the meetings, they went to the same dinner, they met the same Ministers, and they came back with him. Yet he says that he has no idea what they were doing there.

Obviously, Shri Shiv Shankar belongs to the Gandhian tradition of see no evil, hear no evil, and speak no evil.

According to paragraph 11.2 of the Pathak Report, so many preparations were made for this trip, and it was rescheduled several times. So many letters go up and down to embassies and the Congress Party functionaries, but there was no itinerary made for the delegation. I repeat no itinerary was made for the delegation in Iraq. The Congress President has given no direction, and there have been no meetings on what they would do once they reached Iraq. What an important delegation to spread goodwill without any idea as to who they are going to meet, why they are going to meet them, what is the delegation, what will they do there for four days, etc.? There is nothing. How amazing it is? Obviously, there was no itinerary for the delegation made by the Congress President or by Shri K. Natwar Singh because its members knew what they were going to do. It had nothing to do with spreading peace and goodwill. They were going to make money. How else ...
(*Interruptions*)

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM): Sir, this is not correct. I am raising an objection. ... (*Interruptions*) I am making an objection. Please hear me. ... (*Interruptions*) I will tell you what is my objection. ... (*Interruptions*) Mr. Malhotra, I am asking her to yield. Why are you standing up in between? We are having a discussion on the Justice Pathak Report, and we have to confine ourselves to the matter contained in the Report. ... (*Interruptions*) She cannot deal in matters, which are outside the Report, and it is out of her personal knowledge that she is speaking. ... (*Interruptions*) We have to talk about all that is contained within the Report. This is not a general discussion. We have to discuss on matters contained in the Report. ... (*Interruptions*) Please read the agenda. This is a discussion on the Report of the Justice Pathak Inquiry Authority, and not a general discussion. Therefore, she cannot imagine these things. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: Please sit down.

... (*Interruptions*)

SHRI P. CHIDAMBARAM: She is a Member of this House. How can she make allegations without giving any notice? ... (*Interruptions*)

SHRI KAPIL SIBAL : Sir, it should be removed from the record. ... (*Interruptions*)

SHRI P. CHIDAMBARAM: How can she make allegations against a Member of the House without a proper notice?

SHRI KAPIL SIBAL: She is a Member of this House. ... (*Interruptions*)

उपाध्यक्ष महोदय : मिस्त्री जी, आप बैठ जाइए। Please sit down.

... (*Interruptions*)

SHRI P. CHIDAMBARAM: Whatever is there in the report, let her say that. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: Please sit down.

... (Interruptions)

PROF. M. RAMADASS (PONDICHERRY): What is the discussion about? The discussion is about R.S. Pathak Report. ... (Interruptions)

उपाध्यक्ष महोदय : जयप्रकाश जी, आप बैठ जाइए।

... (Interruptions)

MR. DEPUTY-SPEAKER: Please sit down.

... (Interruptions)

उपाध्यक्ष महोदय : मैडम, आप बैठ जाएं।

... (Interruptions)

MR. DEPUTY-SPEAKER: The next speaker is Shri Kapil Sibal, who is a very intelligent, good and a senior lawyer. He will reply to what all she has already said.

... (Interruptions)

SHRI KAPIL SIBAL: No, Sir. ... (Interruptions)

PROF. VIJAY KUMAR MALHOTRA (SOUTH DELHI): The Congress Party is responsible. ... (Interruptions)

SHRI MADHUSUDAN MISTRY (SABARKANTHA): She has to substantiate her allegations; she cannot simply make allegations against another Member. ... (Interruptions)

उपाध्यक्ष महोदय : अगर कुछ ऑब्जेक्शनेबल हुआ तो मैं उसे देख लूंगा।

... (Interruptions)

PROF. VIJAY KUMAR MALHOTRA : It is a shameful behaviour. ... (Interruptions)

SHRI KAPIL SIBAL: Sir, I want to raise a point of order. ... (Interruptions) Sir, you have to hear me. ... (Interruptions)

उपाध्यक्ष महोदय : आप लोग अपनी-अपनी सीटों पर जाइए। मैं श्री कपिल सिब्बल को सुनना चाहता हूं।

...(व्यवधान)

SHRI KAPIL SIBAL : Sir, I am on a point of order. Let me just raise the point of order... (Interruptions)

उपाध्यक्ष महोदय : पहले आप अपनी-अपनी सीटों पर जाएं। मैं श्री कपिल सिब्बल को सुन लूं।

...(व्यवधान)

श्री प्रभुनाथ सिंह (महाराजगंज, बिहार) : उपाध्यक्ष महोदय, यह जो रिप्लाइ का ड्रामा हो रहा है, इसकी जरूरत क्या है ? ...
(व्यवधान)

MR. DEPUTY-SPEAKER: Under what Rule you want to raise the point of order?

... (*Interruptions*)

उपाध्यक्ष महोदय : कपिल सिब्बल जी, आपका पाइंट ऑफ आर्डर किस रूल के तहत है ?

SHRI KAPIL SIBAL: Under Rule 353. The Rule says: “No allegation of a defamatory or incriminatory nature shall be made..”... (*Interruptions*)

श्री कपिल सिब्बल : क्या आप मुझे बोलने भी नहीं देंगे ? ... (व्यवधान)

PROF. VIJAY KUMAR MALHOTRA : How can you say that? It is a part of the Report....
(*Interruptions*)

श्री कपिल सिब्बल : आप मुझे बोलने तो दीजिए। ... (व्यवधान)

SHRIMATI MANEKA GANDHI : Justice Pathak has said it, not me.... (*Interruptions*)

SHRI KAPIL SIBAL: The Rule says:

“No allegation of a defamatory or incriminatory nature shall be made by a Member against any person...”

Any person, including a Member of this House and Shrimati Sonia Gandhi is a Member of this House. It further says:

“...unless the Member has given adequate advance notice to the Speaker and also the Minister concerned so that the Minister may be able to make the investigation into the matter for the purpose of a reply.”... (*Interruptions*)

SHRIMATI MANEKA GANDHI : Which is the Minister?... (*Interruptions*)

SHRI KAPIL SIBAL: It further says:

“Provided that the Speaker may at any time prohibit any Member from making any such allegation if he is of the opinion that such allegation is defamatory to the dignity of the House or that no public interest is served by making such allegation.” ... (*Interruptions*)

MR. DEPUTY-SPEAKER: There is no point of order.

... (*Interruptions*)

SHRI P. CHIDAMBARAM : Where does the Report refer to Shrimati Sonia Gandhi? Where does the Report refer to the Congress President? Where does the word 'Congress President' occur in the Report? How can she make such a reference to that?... (*Interruptions*)

SHRI ANANT GANGARAM GEETE (RATNAGIRI): It is there in the Report.... (*Interruptions*)

SHRI KAPIL SIBAL: It is not there. Please show me. If you have not read the Report, it is not my fault.... (*Interruptions*)

MR. DEPUTY-SPEAKER: Please go to your seats.

... (*Interruptions*)

SHRI L.K. ADVANI (GANDHINAGAR): Sir, I have been listening to the speech made by my colleague. This reaction from the Congress Party side is on this simple statement, which is a part of the Report and which says: 'It is surprising that though the delegation was a high profile delegation, no itinerary has been prepared for the visit of the delegation.' Where is the allegation?... (*Interruptions*)

SHRI KAPIL SIBAL: There is nothing to do with it.... (*Interruptions*)

SHRI P. CHIDAMBARAM: Shri Advani, please see the record.... (*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing will go on record.

(*Interruptions*)*

MR. DEPUTY-SPEAKER: Please go back to your seats.

... (*Interruptions*)

MR. DEPUTY-SPEAKER: Please go back to your seats.

... (*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing should be recorded.

(*Interruptions*) *

MR. DEPUTY-SPEAKER: This is too much. At this time, I cannot do this.

... (*Interruptions*)

MR. DEPUTY-SPEAKER: I will see that.

... (*Interruptions*)

उपाध्यक्ष महोदय : आप अपनी सीट पर जाइए।

...(ब्यवधान)

उपाध्यक्ष महोदय : मैं देखूंगा, यदि कुछ ओब्जेक्शनेबल हुआ तो मैं उसको निकाल दूंगा।

...(ब्यवधान)

*Not Recorded.

SHRI P. CHIDAMBARAM : Sir, may I respond to what Leader of the Opposition said? ...
(Interruptions)

Sir, as long as she spoke about the itinerary, we did not object. When she said that there was no itinerary, we did not object. But when she went further and said that the Congress President sent this delegation to make money, we objected to it... (Interruptions)

MR. DEPUTY-SPEAKER: The House stands adjourned to meet again at 6 p.m.

17.41 hrs

*The Lok Sabha then adjourned till Eighteen
of the Clock.*

18.00 hrs.

The Lok Sabha re-assembled at Eighteen of the Clock.

(Mr. Speaker in the Chair)

DISCUSSION ON UNDER RULE 193

Re: Report of the Justice R.S. Pathak Inquiry Authority and the Action Taken Report- Contd.

MR. SPEAKER: Shrimati Maneka Gandhi may continue her speech now.

SHRIMATI MANEKA GANDHI (PILIBHIT): Sir, I am sorry that the Government....
(Interruptions)

MR. SPEAKER: Please take your seats. All sections of the House have agreed that this is an important matter and it should be discussed. That is why, an Inquiry Authority was appointed and it has given its Report. An eminent person, a former Chief Justice has headed it. Every hon. Member has a right to make comments but naturally, we have to have a regulated debate. Otherwise, nobody's views will be there on record. Therefore, my respectful request to all of you is to please see that a structured debate takes place. Obviously, we are all aware of the rules and we should avoid saying anything which does not comply with well established rules.

Now, Shrimati Maneka Gandhi may continue.

... *(Interruptions)*

अध्यक्ष महोदय : आप बैठ जाइए।

...*(व्यवधान)*

MR. SPEAKER: We will look into it.

... *(Interruptions)*

MR. SPEAKER: When I am on my legs, you should take your seat. I am sure you do not want the House to be adjourned if it cannot function.

... *(Interruptions)*

THE MINISTER OF SCIENCE AND TECHNOLOGY AND MINISTER OF EARTH SCIENCES
(SHRI KAPIL SIBAL): Sir, I am on a point of order under rule 353.... *(Interruptions)*

PROF. VIJAY KUMAR MALHOTRA (SOUTH DELHI): The Chair has already given his ruling. Sir, how can he raise a point of order now?... *(Interruptions)*

MR. SPEAKER: You have raised it earlier.

SHRI KAPIL SIBAL: But there was not ruling given.... (*Interruptions*)

MR. SPEAKER: Everybody is dictating the Chair. Please take your seats.

... (*Interruptions*)

SHRIMATI MANEKA GANDHI : It is surprising that while Shri Natwar Singh is attacked, everybody is almost keeping quiet..... (*Interruptions*)

SHRI KAPIL SIBAL: Sir, I may be permitted to raise my point of order.... (*Interruptions*)

MR. SPEAKER: Well, he is raising a point of order. Let me hear it.

... (*Interruptions*)

PROF. VIJAY KUMAR MALHOTRA : Sir, he cannot raise the point of order when it has already been overruled.... (*Interruptions*) Ruling has already been given on it.

MR. SPEAKER: I will look into the matter. I will discuss it with the hon. Deputy-Speaker. You are slated to speak later and so, you can mention your point at that time.

... (*Interruptions*)

MR. SPEAKER: It will be seen. Shri Sibal has himself sat down. From the list, I find that he is going to be the next speaker. Please take your seat now.

... (*Interruptions*)

SHRI MADHUSUDAN MISTRY (SABARKANTHA): Sir, she has levelled an allegation against the Government..... (*Interruptions*)

MR. SPEAKER: Let us see. We have to conduct the proceedings now. My ruling is, as the ruling of anybody sitting in the Chair, that rules have to be complied with. Therefore, it is our duty to see that rules are complied with.

... (*Interruptions*)

रेल मंत्री (श्री लालू प्रसाद) : अध्यक्ष महोदय, मुझे एक मिनट अपनी बात कहने का मौका दीजिए। ...(व्यवधान)

MR. SPEAKER: You may speak if she yields.

SHRIMATI MANEKA GANDHI : Now, I am not yielding.... (*Interruptions*) This is not the forum.
... (*Interruptions*)

श्री लालू प्रसाद : मेनका गांधी जी ने विाय को छोड़कर डेरोगेट्री लैंगुएज का इस्तेमाल किया है। ...(व्यवधान) महोदय, मेनका गांधी जी द्वारा जिन दो डेरोगेट्री शब्दों का इस्तेमाल हुआ है, उन दोनों शब्दों को प्रोसीडिंग्स से निकाला जाए और इनको एक्सपंज किया जाए। ...(व्यवधान)

MR. SPEAKER: It will be looked into. I will see to it. Shrimati Maneka, please continue now.

... (Interruptions)*

MR. SPEAKER: It should be totally deleted.

... (Interruptions)

MR. SPEAKER: It is very unfortunate to make such comments. It has to be deleted. The whole thing should be deleted. You cannot insult a Member.

... (Interruptions)

MR. SPEAKER: I had deleted it. That is expunged.

... (Interruptions)

SHRIMATI MANEKA GANDHI : The Pathak Inquiry Authority was instituted by the Government in order to discover who made money illegally. That was the purpose of the Committee. What did I say? I said -- I will repeat exactly what I said -- that there was no itinerary for the delegation because its members knew what they were going to do and it had nothing to do with spreading peace and goodwill. **. ... (Interruptions)

MR. SPEAKER: Hon. Members, just a minute please. Please sit down.

... (Interruptions)

*Not Recorded.

**Expunged as Ordered by the Chair.

MR. SPEAKER: Hon. Members, please go to your seats.

... (Interruptions)

MR. SPEAKER: Shri Mistry, please go to your seat.

... (Interruptions)

MR. SPEAKER: This is very unfair. I am on my legs.

... (Interruptions)

MR. SPEAKER: This is very strange.

... (Interruptions)

अध्यक्ष महोदय : हमें कितनी डिक्टेसन देंगे। हमारा गला भी सूख गया है।

... (ब्यवधान)

MR. SPEAKER: Hon. Member, Shrimati Maneka Gandhi, making an allegation that somebody has done something -- obviously you mean "illegally" -- is an allegation for which under rule 353 a notice should be given. Therefore, it will stand expunged.

... (*Interruptions*)

MR. SPEAKER: Shrimati Maneka Gandhi, continue your speech.

SHRIMATI MANEKA GANDHI : All right, I will continue my speech.

They did not let me say the next sentence. The next sentence is: "How else would you explain the fact -- what they were going for -- by the fact that this delegation led by Shri Natwar Singh met the Oil Minister along with Andaleep Sehgal, whose company wanted the contract? An official political delegation of the Congress Party for spreading peace and goodwill meets normally the President or the Prime Minister or the Vice-President or the Foreign Minister. It certainly does not meet the Oil Minister who has nothing to do with peace and goodwill.

Could it be to discuss India's needs in oil? Then, why would a minor functionary of the then Opposition Party wants to discuss India's needs in oil? Why would his business associates want to be in the same meeting? Why would the Oil Minister want to meet Shri Natwar Singh? Contrary to what Justice Pathak has written about Shri Natwar Singh being the External Affairs Minister for many years and having great contacts with the Iraqis, the truth is that he was a junior Minister in the External Affairs Ministry for three years, more than ten years ago. The Oil Minister met him because he was ordered by his own Government, his own President who thought that since Shri Natwar Singh carried a letter from his President, he represented the entire Congress Party. ... (*Interruptions*)

SHRI KAPIL SIBAL : How can she say that?... (*Interruptions*)

MR. SPEAKER: Can anybody be sitting and standing here and creating trouble?

... (*Interruptions*)

MR. SPEAKER: When I say something, I refer to all sides.

प्रो. विजय कुमार मल्होत्रा : आप इनसे भी कहिये। ...(व्यवधान)

MR. SPEAKER: It is a country of such a highly talented people who are all here. We have to discuss matters with great importance and seriousness. Therefore, we should all be careful that we should not say or do something which can create unavoidable situations. Therefore, I am requesting Shrimati Maneka Gandhi. I hope I am right.

... (*Interruptions*)

अध्यक्ष महोदय : हम क्या करें, लैफ्टिस्ट हैं इसलिए लैफ्ट साइड देखते हैं।

...(व्यवधान)

अध्यक्ष महोदय : हम सब साइड देखते हैं। ऐसा नहीं है कि हम इन्हें नहीं डांटते।

...(व्यवधान)

श्री दुयंत सिंह (झालावाड़) : अध्यक्ष महोदय, वहां से कई मंत्री भी खड़े हो कर बोल रहे हैं। (व्यवधान)

अध्यक्ष महोदय : बच्चा लोग, आपको क्या हो गया है ?

...(व्यवधान)

प्रो. विजय कुमार मल्होत्रा : कांग्रेस पार्टी की लीडर ने डेलीगेशन भेजा, इसमें क्या चाल थी, यह बात है? ... (व्यवधान)

MR. SPEAKER: I will look into this. Then, I will decide.

... (Interruptions)

MR. SPEAKER: Strong words always do not make good friends. I am sorry.

... (Interruptions)

SHRIMATI MANEKA GANDHI : I fail to see as to why you should get agitated. First, stronger words have been used. Second, Shri Natwar Singh himself has said that he went and he carried a letter from his Congress President. Is there nothing wrong with that? ... (Interruptions) Now, when I get too close to the fire, let everybody not get so agitated. Please listen to the words. There is nothing harsh in it. When Shri Natwar Singh carried this letter from the Congress President, the worthy Iraqi Oil Minister gave order to him because he thought that he represented the whole Congress Party. Did he imagine that the Congress Party was asking for financial favours through Shri Natwar Singh and his family members? Did Shri Natwar Singh..... (Interruptions)

MR. SPEAKER: You give a structured reply. I think, a proper reply can be given by you, if you think so.

... (Interruptions)

SHRIMATI MANEKA GANDHI : The pointed issue is did Natwar Singh represent the Congress Party or did he represent himself and his family? This is a question that Justice Pathak has tantalizingly left in the air.

Anil Matherani, a Congressman in the Foreign Affairs Cell of the Congress Party, working with Shri Natwar Singh and who was made the Indian Ambassador to Croatia was in Baghdad and Amman along with Natwar Singh in the year 2001. He says in his taped interview to 'India Today' that the Iraqis needed a green signal for giving the oil vouchers to the Congress Party and this I quote from him and "Natwar provided it". Sonia Gandhi's meeting with the Iraqi Vice President Taha Yassin Ramadhan on his visit to Delhi on November 27, 2000 accompanied by Natwar Singh gives the first indication to the Iraqi authorities that Natwar Singh carried the weight of the Congress President. This is a quotation. "As if to confirm to the Iraqi regime that Natwar represented Sonia Gandhi, she also sent a letter to Saddam Hussein through Natwar Singh. Justice Pathak ignores

almost all of Matherani's revelations and completely refuses to ask about this incriminating letter that Natwar Singh himself had revealed that he had been given by his Party President to take to Iraq.

Former Maharashtra Chief Minister, Shri A.R. Antulay, who was also a member of the delegation, was unwilling to talk on this visit when contacted by the newspapers. He, however, did say that the only official meeting that was organised by Shri Natwar Singh was with Mr. Tariq, the Oil Minister of Iraq.

Not only does Natwar Singh and his delegation spread peace and goodwill at the Oil Ministry but he then goes to State Oil Marketing Organisation (SOMO) the next day to spread some more goodwill from the Congress Party and all they discuss is the oil for food programme. Justice Pathak, being an astute, experienced finder of truth, starts promisingly in paragraph 11.8 by saying that: "It is also well known that at the time the Iraq Government allocated oil only to those entities that were perceived as Iraq friendly." The Judge has arrived at the truth of the delegation's intentions and also that the Iraq Government knows that Natwar Singh is not a private party but a representative of a political party. Yet he exonerates the party by committing the one thing that is not allowed by law. Sir, you being a lawyer, know that clumsily he climbs into the minds of the Iraqis and claims to speak for them.... (*Interruptions*)

SHRI KAPIL SIBAL: Sir, she is using the word "clumsily."

MR. SPEAKER: Bring it to me. I will see that. Let it come.

... (*Interruptions*)

SHRI KAPIL SIBAL: This is completely unfair.

MR. SPEAKER: Merely using strong words do not help.

SHRIMATI MANEKA GANDHI : I am sorry, Sir. It is a sentence structure. "Clumsiness" is because of the sentence structure.... (*Interruptions*) I am sorry that ... *

*Not Recorded

MR. SPEAKER: This type of personal allegation may not be made.

SHRIMATI MANEKA GANDHI : I am sorry, Sir.

MR. SPEAKER: Nobody is here deciding about the English language.

SHRI GURUDAS DASGUPTA (PANSKURA) : We should maintain the dignity of the House and the discussion.

SHRIMATI MANEKA GANDHI : What dignity?

SHRI GURUDAS DASGUPTA: Otherwise, we shall stoop low in the eyes of the people who are watching us.... (*Interruptions*)

SHRI KAPIL SIBAL: Sir, she says: "What dignity?" I agree with her. What dignity!

SHRIMATI MANEKA GANDHI: That is what I was going to say. Can you stoop even lower? I come to my point. Clumsily, he climbs into the minds of the Iraqis and claims to speak for them. I quote:

"The Iraqi officials were probably of the belief that Shri Natwar Singh would be able to help their cause in the international community and his influence would be great as he was a senior member of the Indian National Congress. "

The Iraqis are not dim by any standards. They are clever. They are resourceful people. They are certainly not, what I would call, stupid. They knew exactly what they were doing. They knew that he was a non-entity, no matter how much his great, so-called friendship with the Deputy Prime Minister of Iraq is whom he had just recently met. There is no record in the Volker Report that any contracts were handed out anywhere in the world on the basis of friendship to individuals. The Iraqis were clear that they wanted to benefit whole political parties. Justice Pathak writes of the reception given to the delegation by the Oil Ministry and SOMO but again attempts to obfuscate the role of the Congress by writing in 12.1 that "the allocation of two million barrels of oil was made to Andaleeb Singh solely because the Iraqi Government wanted to oblige Shri Natwar Singh.

MR. SPEAKER: You cannot refer to it.

SHRIMATI MANEKA GANDHI : Has Justice Pathak interrogated the givers of the contract, the givers of the oil? How can he make an inference that is so patently absurd? Why would the Iraqis want to oblige Natwar Singh? Or, were they completely convinced by the presence of Shri Antulay and Shri P. Shiv Shankar that they were obliging the Congress Party? Justice Pathak has written a great deal about the meetings of Natwar Singh, Andaleeb Sehgal, Anil Matherani and Jagat Singh with the Ministers and the oil officials. He has neglected to tell us what Shri Antulay and Shri P. Shiv Shankar were doing at the time. They never went to any meeting. They went on wandering along the Mosque. They went to sight seeing in a desert! What were they doing? They had no itinerary. Is that a deliberate omission? Or, were they present as well to endorse this party deal? The significance of Natwar Singh personally being sympathetic to the cause and the people of Iraq is minimal since he was at that time largely a political non-entity. The Iraqi Government was interested in currying favour with the Indian National Congress and not with Shri Natwar Singh but through Natwar Singh. The Congress Party knew this. Otherwise, why would they have sent other senior people with him who met nobody to spread peace and goodwill by themselves? Did Shri Antulay go, did Shri P. Shiv Shankar go and met the President, the Vice-President? Surely, they must have spread peace and goodwill. But they did not go anywhere either. So, for what were they sent with Shri Natwar Singh? Is it to reinforce Shri Natwar Singh's claim that he represents the Congress Party?

How does Justice Pathak come to the conclusion that the Iraqis misunderstood a personal request from Natwar Singh as a request from the Congress Party?

How does Justice Pathak come to this astounding conclusion? On what basis? After all, Natwar Singh leads the Congress Delegation, delivers a letter from the Congress President, expresses solidarity on behalf of the Congress Party to the Baath Party. Where does Natwar the Congressman end and Natwar the self-serving favour seeker begin and on what material evidence

can we divorce one from the other? The fact that this entire trip has been made by these Congress members in coordination with an already tied up buyer company is borne out by the letter written by the Masefield representative Nick Swan who writes to SOMO from England the very next day after the delegation meets SOMO that he would like a visa in connection with, I quote from paragraph 12.1: “political allocation of two million barrels of Basrah Light Crude”. This is further borne out by a letter written to the Oil Minister of Iraq by an Iraqi bureaucrat in which approval is sought for the contract and the name of the purchasing company is already listed as Masefield AG and the purchaser is Natwar Singh, member of the Indian Congress Party.

श्री राम कृपाल यादव (पटना) : क्या कोई समय की पाबंदी भी है?

अध्यक्ष महोदय : आप बैठिए, मैं अलाऊ कर रहा हूँ। उनके बोलने से आपको कोई आपत्ति नहीं होनी चाहिए इसलिए आप बैठ जाएं।

श्री राम कृपाल यादव : हम तो बैठ ही जाएंगे।

SHRIMATI MANEKA GANDHI : Now Justice Pathak is faced by the fact that Natwar Singh comes back and writes a letter to the Government of Iraq specifically to the Oil Minister in which he recommends Andaleeb Sehgal as a person of his confidence for many years. If the Government of Iraq wanted to oblige Natwar Singh and people of his confidence for many years and his sons and sons-in-law, would Natwar Singh, As Justice Pathak claims, put him in his letter of that extra baggage about the Congress Party and how he greatly values its fraternal links with the Arab Baath Socialist Party? Obviously, he wants the Iraqis to believe at every point the simple fact that this is the Congress Party and that the Iraqis are simply giving oil through him.

However, Justice Pathak chooses to believe Shri Moti Lal Vohra’s interpretation that it was a personal letter, after all that were said about the Congress Party and the Baath Party being brothers in arms. So, they get a contract, they get a contract of millions of dollars.

Sir, what happens next is even more curious. Suddenly, a meeting of the Congress Party is called in Bangalore and a Foreign Policy Resolution concerning the Middle East is passed by the All India Congress Committee which states that the Indian National Congress supports the Government’s attempts to restore the relationship of India with Iraq and unequivocally calls for termination of sanctions. What an amazing coincidence! Natwar Singh writes a letter then immediately enclosing this Resolution passed by his President and asks for a second contract ...
(Interruptions)

MR. SPEAKER: These are all inferences.

... (Interruptions)

MR. SPEAKER: Still some time is left.

... (Interruptions)

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYA RANJAN DASMUNSI): Sir, I can only say ignorance is bliss.

SHRIMATI MANEKA GANDHI: This is what Justice Pathak has said. ... (Interruptions)

MR. SPEAKER: Let her finish. Please take your seat.

... (*Interruptions*)

MR. SPEAKER: Please do not make too many inferences, but go on.

SHRIMATI MANEKA GANDHI: Sir, I am quoting word for word from the Pathak Report. I am not making it up. So, according to Justice Pathak, he sends a second letter just after this Resolution and he encloses this Resolution which has so fortuitously been passed. He says, 'this further proves how close we are to you and how the Congress Party is close'. This is his letter and he says, 'Thank you very much. Will you please give a second contract for the Congress Party?' This is his letter in the name of his son and his cousin Andaleeb Sehgal and the Congress MLA Jagat Singh carries this letter to Iraq personally with the Resolution passed by the Congress Party. The Iraqis now are completely convinced that they are dealing with the Congress Party. So they give another... (*Interruptions*)

MR. SPEAKER: That is an inference.

... (*Interruptions*)

MR. SPEAKER: I have said that she is making an inference.

... (*Interruptions*)

MR. SPEAKER: I have not denied it.

SHRIMATI MANEKA GANDHI: So, they give another contract of two million barrels... (*Interruptions*) Sir, as a lawyer you know that 'a' and 'b' always add up. If Shri Natwar Singh did not believe, if Shri Natwar Singh had to get oil for his personal relations, he would not have included the Congress Party Resolution passed so quickly. However, Shri Jagat Singh, who is a Congress MLA, goes again to Iraq and he gets another contract of two million barrels, which is not given to Shri Jagat Singh, the son of Shri Natwar Singh and ... * but, I quote from para 14.8, 'Shri Jagat Singh of the Congress Party'... (*Interruptions*)

MR. SPEAKER: Yes, if it is there, it is there. I hope it is there. I will see that.

... (*Interruptions*)

SHRIMATI MANEKA GANDHI: Sir, I have been working on this report for a long time.

Para 14.14 of the Pathak Committee Report... (*Interruptions*)

डॉ. अरविन्द शर्मा (करनाल): ये पढ़कर बोल रही हैं, पढ़कर बोलना क्या एलाउड है?

MR. SPEAKER: She is reading a report, how can I stop her?

... (*Interruptions*)

MR. SPEAKER: We have got a very competent person speaking here.

... (*Interruptions*)

* Not Recorded.

SHRIMATI MANEKA GANDHI: Sir, para 14.14 of the Pathak Report... (*Interruptions*)

श्री जय प्रकाश (हिसार) : (*Interruptions*)*

MR. SPEAKER: Nothing will be recorded.

(*Interruptions*)*

SHRIMATI MANEKA GANDHI: Sir, they should be ashamed of themselves talking like this... (*Interruptions*)

MR. SPEAKER: Nothing is being recorded.

(*Interruptions*)*

*Not Recorded.

अध्यक्ष महोदय : आप बैठ जाइये।

श्री प्रभुनाथ सिंह (महाराजगंज, बिहार) : *(Interruptions)**

MR. SPEAKER: Expunged.

... *(Interruptions)*

MR. SPEAKER: Shri Jai Prakash, sit down.

... *(Interruptions)*

MR. SPEAKER: All this has been expunged. Both the observations are expunged.

... *(Interruptions)*

प्रभुनाथ सिंह : जब ये लोग बोलते हैं तब आप नहीं सुनते हैं।

MR. SPEAKER: She has not yielded.

... *(Interruptions)*

MR. SPEAKER: I have expunged that.

... *(Interruptions)*

अध्यक्ष महोदय : एक्सपंज कर दिया है, आप बैठ जाइये।

... *(Interruptions)*

MR. SPEAKER: You do not want a debate. I would like to know from the hon. Leaders from all sides, do you want the debate to continue or not.

SOME HON. MEMBERS: Yes.

MR. SPEAKER: I would request all the hon. Members, including the hon. Member on her legs, to please conclude now. You are using strong words, and you are making good points. They have to reply. Let us not only try for the sake of abuse. Please do not do that.

SHRIMATI MANEKA GANDHI: Sir, I have not used a single strong word... (*Interruptions*)

MR. SPEAKER: I would request all sides to please cooperate. It is an important issue. Let there be a structured debate.

*Not Recorded.

SHRIMATI MANEKA GANDHI: Sir, I am trying to make a legal argument in favour of the point that I am trying to make and if that legal argument does not please the accused, then they will have a chance to reply... (*Interruptions*)

SHRI KAPIL SIBAL : Sir, this is not fair... (*Interruptions*)

MR. SPEAKER: I would also, at the same time, request the hon. Member, she is making good points, that if she avoids all those inferences, it will be helpful.

... (*Interruptions*)

प्रो. विजय कुमार मल्होत्रा : कांग्रेस पार्टी और उसकी अध्यक्ष...(ब्यवधान) तेल के कूपन मिले हैं, उस पर डिबेट हो रही है। (*Interruptions*) ... *

MR. SPEAKER: Mr. Malhotra, your interpretations are not being noted. Everybody is teaching everybody else.

... (*Interruptions*)

MR. SPEAKER: Yes, please conclude now. You have taken a lot of time.

SHRIMATI MANEKA GANDHI: Sir, para 14.14 of the Pathak Report is truly unworthy of such an eminent and fine jurist. Again he cannot avoid the facts that the Iraqis are giving money to the Congress Party. He again attempts to sidestep the Congress involvement by saying that it was a misunderstanding.

MR. SPEAKER: I will have to see that.

SHRIMATI MANEKA GANDHI : I am sorry. I am reading the Report.

MR. SPEAKER: Which paragraph?

SHRIMATI MANEKA GANDHI : I am reading Para 14.14 of the Report.

SHRI KAPIL SIBAL : She is reading out a typed speech.... (*Interruptions*)

प्रो. विजय कुमार मल्होत्रा : अध्यक्ष महोदय, मैं पूछना चाहता हूं कि क्या कोई भी लीडर टाइम्ड स्पीच नहीं पढ़ता है? ... (व्यवधान)

MR. SPEAKER: I have allowed it. You sit down.

... (Interruptions)

* Not Recorded

MR. SPEAKER: Nothing will be recorded. Do not record it.

(Interruptions)*

MR. SPEAKER: I have allowed. I have not stopped her from reading out.

... (Interruptions)

अध्यक्ष महोदय : यह सब क्या हो रहा है?

... (व्यवधान)

SHRIMATI MANEKA GANDHI : I am sorry to say that people who live in glass house should not throw stones.... (Interruptions)

अध्यक्ष महोदय : आप तो वहां बैठते हैं, यहां क्या कर रहे हैं?

... (व्यवधान)

MR. SPEAKER: Why are you so impatient? You are all the time dictating the Chair, trying to bulldoze the proceedings.

SHRIMATI MANEKA GANDHI : Justice Pathak again attempts to sidestep the Congress involvement by saying that it was a misunderstanding that the Iraqis thought that they were giving it to the Congress Party. How would he know that they understood the situation? He has not talked to a single Iraqi. Now, he attempts to save Natwar Singh as well by saying that his role as facilitator was a limited one. Natwar Singh writes the letters; he arranges the trips; he meets the Ministers; he gets the deals not once but twice; he gets the moneys into the accounts of his relatives and he has a limited role?... (Interruptions)

MR. SPEAKER: That is not there. There is no such finding. Do not say that. That is an allegation. If there is no finding, then that is an allegation.

SHRIMATI MANEKA GANDHI : There is a finding.

MR. SPEAKER: Show that. If it is there, I will allow it; I will certainly allow it. Where has it been said in that paragraph?

SHRIMATI MANEKA GANDHI : Whatever ruling you will decide, you are most welcome to correct me if I am wrong.

*Not Recorded.

MR. SPEAKER: Bring it to me I will see to that.

SHRIMATI MANEKA GANDHI: Natwar Singh's role is as a prime mover and not as a bye stand side facilitator. Everybody involved is either related to him and with the Congress Party. How is he just a bye stand or a facilitator? And what is the role of the other two Congressmen who accompanied him? After all, Shri Natwar Singh put his address down as 1 Akbar Road – this is in the Pathak Report – New Delhi. Sorry, Sir, this is in the Pathak Report. While he comments that he wrote the letters of 1 Akbar Road which is the Office of the Indira Gandhi Trust headed by the President of the Congress Party of which he is the Treasurer. Shri K. Natwar Singh was so close to the President that he was chosen by her to administer the moneys in her personal trust for many many years. Do you think she would not be aware of his goings on from her own trust?

MR. SPEAKER: Please conclude. You have made very strong points.

SHRIMATI MANEKA GANDHI : I want five minutes more.

MR. SPEAKER: Hold patience for five minutes more.

आप बोलिए, कृपया आप बोलते रहिए।

SHRIMATI MANEKA GANDHI: Another omission by the Pathak Committee is looking into the ownership of Masefield AG. Whatever is known about the company is through the deposition of Aditya Khanna. Maybe the company is through the deposition of Aditya Khanna. Maybe the main money making conduit that should be looked at is not Natwar Singh but Masefield which, according to some information, may be owned by a Congress MLA's family. Andaleeb Sehgal and Nick Swan went... (*Interruptions*)

Listen to the evidence.... (*Interruptions*)

MR. SPEAKER: She has agreed. If some reference is made which is not in the report, then that need not be contained. That we will find out.

... (*Interruptions*)

MR. SPEAKER: If it is not in the Report, it will be omitted.

... (*Interruptions*)

SHRIMATI MANEKA GANDHI : Why do you not investigate it now? ... (*Interruptions*)

MR. SPEAKER: She has made a very good research.

... (*Interruptions*)

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM): You show me the Report where it is mentioned that Masefield AG is owned by a Congress MLA's family. You tell me from the Report. We are discussing the Report, and not her personal knowledge and matters. ... (*Interruptions*)

अध्यक्ष महोदय: आप मेहरबानी करके बैठ जाइए।

... (*व्यवधान*)

MR. SPEAKER: I will call you. You have to speak. Please do not get exhausted. You will be called to speak.

... (*Interruptions*)

MR. SPEAKER: What are you doing? Shri Jaiprakash, please sit down. Nothing is going on record except the speech of Shrimati Maneka Gandhi.

(*Interruptions*)*

MR. SPEAKER: Madam, you yourself agreed that whatever you are saying is based on the Report. If it is not based on the Report, then it will be omitted. You have to take that responsibility. Do not say anything by your inference only.

... (*Interruptions*)

SHRIMATI MANEKA GANDHI : Sir, I have clearly said that this is an omission made by the Pathak Inquiry. Now, how do I infer this? Sir, later on you can decide but please listen.

Andaleeb Sehgal and Nick Swan went to Iraq to execute the contract. Nick Swan was a conduit of Aditya Khanna by Justice Pathak's own writing but he is also an employee of Masefield AG. This link has been ignored by Justice Pathak and I am sure that if the Enforcement Department were to open this can of worms, they would reach the truth that Justice Pathak left undone.

*Not Recorded.

The amount of money made by Hamdaan Exports is but a fraction of the amount of money made by Masefield AG by selling the oil in the open market. If the Pathak Report had investigated the link between the Congress Party and Masefield AG for which the conduits are Aditya and Vipin Khanna, who, Mr. Anil Matherani said that he introduced to the Congress President and his son. ... (*Interruptions*)

MR. SPEAKER: Shrimati Maneka Gandhi, please do not bring personal knowledge.

... (*Interruptions*)

MR. SPEAKER: If you do not want any debate, then the whole speech will be expunged. If you do not allow the reply to be given, then the whole speech will be expunged. Please sit down. Give an opportunity for them to reply.

... (Interruptions)

MR. SPEAKER: I am controlling the House. What are you doing?

... (Interruptions)

MR. SPEAKER: Please do not disturb her.

... (Interruptions)

MR. SPEAKER: Nothing will go on record except the speech of Shrimati Maneka Gandhi.

(Interruptions)*

अध्यक्ष महोदय: श्रीमती मेनका गांधी को बोलने दीजिए। मैंने आपकी पार्टी की मैम्बर को बोलने के लिए एलाऊ किया है। आप क्यों डिस्टर्ब कर रहे हैं?

...(व्यवधान)

SHRIMATI MANEKA GANDHI : Sir, I am about to wind up. ... (Interruptions)

MR. SPEAKER: This is very unfortunate.

... (Interruptions)

*Not Recorded.

MR. SPEAKER: Please sit down. Unless each Party allows others to speak, I do not know what will remain of the speech because it is not fair. Allegations are made. If others are not allowed to reply to them, that will not be fair, and that speech cannot remain.

Therefore, Madam, you please continue your speech and conclude as soon as possible.

... (Interruptions)

अध्यक्ष महोदय: आप धीरज से बैठिए। थोड़ा स्पीकर को काम करने दीजिए।

...(व्यवधान)

SHRIMATI MANEKA GANDHI : Sir, what I have said is that Justice Pathak was asked to look into the veracity of the Volcker Report. By ignoring Masefield's role in it, he has potentially left a much bigger can of worms unopened.

MR. SPEAKER: Now, please conclude.

SHRIMATI MANEKA GANDHI : Aniel Matherani -- who is an eyewitness to the business transacted by Natwar Singh, Jagat and Andaleep at Baghdad from where they later got oil vouchers and Amman where they paid kickbacks out of their gains to Saddam, which is what Justice Pathak says himself -- asserts that Natwar Singh and Congress party, and I quote him, were 'one and the

same', in the oil allocation list. He says, it is 'hogwash' that Natwar and Congress did not know that their names figured in the allottees' list.

MR. SPEAKER: Is it in the Report?

SHRIMATI MANEKA GANDHI : Yes, Sir.

SHRI KAPIL SIBAL: No, it is not in the Report.... (*Interruptions*)

MR. SPEAKER: Then, it cannot go like this.

... (*Interruptions*)

PROF. VIJAY KUMAR MALHOTRA : It is Aniel Matherani's statement... (*Interruptions*)

MR. SPEAKER: She cannot refer to somebody's statement.

... (*Interruptions*)

SHRIMATI MANEKA GANDHI: I can, Sir.

MR. SPEKAER: No.

MR. SPEAKER: It is outside the proceedings.

SHRIMATI MANEKA GANDHI :It is not outside the proceedings... (*Interruptions*)

MR. SPEAKER: Manekaji, please come to your next point.

... (*Interruptions*)

SHRIMATI MANEKA GANDHI: Mr. Speaker, Sir, Aniel Matherani is a witness.... (*Interruptions*)

SHRI KAPIL SIBAL: But he has not said so.

प्रो. विजय कुमार मल्होत्रा : मेरे चार्जेज यही हैं कि पाठक ने इग्नोर किया।

MR. SPEAKER: I have already taken it up.

... (*Interruptions*)

MR. SPEAKER: Hon. Members, please sit down. She can look after herself. She is very competent.

... (*Interruptions*)

SHRIMATI MANEKA GANDHI : Aniel Matherani, Sir, was a witness. You can expunge whatever you deem fit. But he was a witness here... (*Interruptions*)

MR. SPEKAER: The only thing is, what he may have said outside, in the newspaper, cannot come here.

SHRIMATI MANEKA GANDHI : No, Sir. That has also figured in this House here...
(Interruptions) I am sorry, Aniel Matherani thing also figured here, and what I am doing today has come before in Parliament, when he gave this report to the *India Today*. He has not denied what he said it.... (Interruptions)

MR. SPEAKER: I do not know. Very well, what he has said in the *India Today* is not relevant here.... (Interruptions)

SHRIMATI MANEKA GANDHI : That is also on Parliament's record... (Interruptions)

PROF. VIJAY KUMAR MALHOTRA : Why can he not be quoted? ... (Interruptions)

अध्यक्ष महोदय : मल्होत्रा साहब क्या बात है? She is competent to look after herself.

SHRI PRIYA RANJAN DASMUNSI : There was a whole conspiracy. should it remain there?...
(Interruptions) Therefore, you cannot cover up your sins. Do not try to bully us... (Interruptions)

MR. SPEAKER: Please sit down. I will see to this.

... (Interruptions)

MR. SPEAKER: I will look into it.

... (Interruptions)

SHRI PRIYA RANJAN DASMUNSI: Thousands of statements have been made against your leader outside. Should they be part of the proceedings?... (Interruptions)

MR. SPEAKER: Do not record it.

(Interruptions)*

MR. SPEAKER: Nothing will go on record except Shrimati Maneka Gandhi's speech.

... (Interruptions)

अध्यक्ष महोदय : आप बोलिये,, नहीं तो किसी और का कमेंट आयेगा।

... (Interruptions)

MR. SPEAKER: Mr. Dushyant Singh, do not be too clever. You are trying to be too clever today. Do not dictate to the Chair.

SHRI PRIYA RANJAN DASMUNSI : Sir, I have only one submission to make. The hon. Member is going to conclude her speech. Then, our speaker would also speak. If there is an attempt not to listen to others, then her entire speech may be expunged... (Interruptions)

MR. SPEAKER: I will decide. It is not for him to decide. Please sit down.

*Not Recorded.

प्रो. विजय कुमार मल्होत्रा : सर, ये लोग हमारे मैम्बर को बोलने नहीं दे रहे हैं।

...(व्यवधान)

अध्यक्ष महोदय : हम तो बोलने दे रहे हैं। अभी आप बैठिये।

... (Interruptions)

MR. SPEAKER: Please sit down, Mr. Ananath Kumr. You are a senior Member. I have to decide whom to allow and not to allow. I have asked her to continue.

... (Interruptions)

प्रो. विजय कुमार मल्होत्रा : यह पूरी स्पीच को एक्सपंज कराने की धमकी दे रहे हैं...(व्यवधान)

अध्यक्ष महोदय : प्लीज आप बैठिये।

... (Interruptions)

MR. SPEAKER: Who is to decide? I have to decide.

As you are sometimes threatening me, he is also threatening me.

Now, let her conclude her speech. Kindly take your seat.

Manekaji, please conclude now. Your time is over. Your time is more than over, rather. I admire your thorough research.

SHRIMATI MANEKA GANDHI : Thank you, Sir.

MR. SPEAKER: But please, remain within the bounds of the Report so that there is no disruption.

SHRIMATI MANEKA GANDHI :I am, Sir. I am remaining within the bounds. So, I have only quoted all the witnesses in that.

MR. SPEAKER: Do not go to *India Today*. मल्होत्रा जी, आप थोड़ा बैठिए। हम उन्हें बोल रहे हैं। आप क्यों उनके बीच में बोल रहे हैं ?

...(व्यवधान)

SHRIMATI MANEKA GANDHI : *India Today* is very relevant to this. As a lawyer, you would know that we have to take materials. ... (Interruptions)

MR. SPEAKER: I have forgotten law after sitting here. आप लोग बैठिए। आप स्पीकर को अपना काम करने दीजिए।

...(व्यवधान)

SHRIMATI MANEKA GANDHI : But I hope you have not because it calls for scanner.

MR. SPEAKER: It is very, very fortunate for us that you never became a lawyer. Otherwise, you should have been finished.

SHRIMATI MANEKA GANDHI : I was hoping that my son would become one. Unfortunately, he is going to politics.

MR. SPEAKER: My best wishes to him. But I am sure such an angry mother would not help him.

... (*Interruptions*)

MR. SPEAKER: Convey my best wishes to him.

SHRIMATI MANEKA GANDHI : I will. ... (*Interruptions*)

SHRIMATI SANGEETA KUMARI SINGH DEO (BOLANGIR): He cannot pass personal comments about her family. ... (*Interruptions*)

MR. SPEAKER: No, nothing will be recorded.

(*Interruptions*)*

MR. SPEAKER: Why are you shouting? Nothing is being recorded.

(*Interruptions*)*

अध्यक्ष महोदय :संगीता जी, आप बैठ जाइए। कोई चेयर को देखता ही नहीं है। You should have a very handsome Speaker. Then you will look at the Chair.

... (*Interruptions*)

अध्यक्ष महोदय : अच्छा दिखता नहीं है, तब भी देखिए। थोड़ा यहां भी देखिए।

...(व्यवधान)

SHRIMATI MANEKA GANDHI : That will not be truly worthy of somebody of Mr. Lalu Prasad's Party.

*Not Recorded.

MR. SPEAKER: Do not do that. That is not to be recorded.

(*Interruptions*)*

अध्यक्ष महोदय : यह क्या हो रहा है ? आप लोग बैठिए।

...(व्यवधान)

श्री राम कृपाल यादव (पटना) : इसीलिए महिला विधेयक नहीं आ पा रहा है। इतनी महिलायें आ जाएंगी कि सदन चल नहीं सकेगा।...(व्यवधान)

अध्यक्ष महोदय : और अच्छा चलेगा।

...(व्यवधान)

MR. SPEAKER: Mrs. Gandhi, though there is sufficient provocation, I would request you that you do not widen the scope.

SHRIMATI MANEKA GANDHI : I am already done. The Pathak Inquiry finds that the former External Affairs Minister, Natwar Singh, and his son Jagat Singh misused their positions. But it holds that no money was transferred to them. Then, what exactly was the motivation for the father-son duo? Why were they exerting themselves going up and down? If they were not making money, if their relatives were not making money and if nobody was making money, were they doing national service for their Party?

MR. SPEAKER: Please conclude.

SHRIMATI MANEKA GANDHI : Instead of being pained that his name is involved in the deal, the former Minister is very happy that he stands 'vindicated'. What is he saying as his vindication? He says: "I have not done anything in Iraq without the knowledge of Sonia Gandhi. Not even a leaf moves in the Congress without Mrs. Gandhi's knowledge." That is what he has said. We have not said this.

MR. SPEAKER: He is not a Member of this House. You cannot deal with it.

... (Interruptions)

*Not Recorded.

SHRIMATI MANEKA GANDHI : He has said this in the Upper House. He has said this to the Press. He has said it in the Upper House as well.

MR. SPEAKER: Do not refer to them.

SHRIMATI MANEKA GANDHI : The amount found to have been ... * by the friends and relative of Natwar Singh is a very small fraction of the money realised from the vouchers.

MR. SPEAKER: That word will not be recorded.

SHRIMATI MANEKA GANDHI : Where did the rest go? Perhaps, did it go to the HSBC Bank in Hong Kong? Or did it go to the bank in Turin that Mr. Fernandes referred to? Maybe, they will know.

... (Interruptions)

MR. SPEAKER : An hon. Minister of your Party is speaking. Why are you disturbing him?

... (Interruptions)

MR. SPEAKER : It is a funny thing.

Shri Kapil Sibal to speak now.

SHRI KAPIL SIBAL : Mr. Speaker, Sir, rise to participate in this debate on the Justice R.S. Pathak Inquiry Authority. I have to say this that for us it is a sad day, a sad day because an individual who still is a member of the Congress Party, was authorised to lead a delegation on a goodwill mission to Iraq. There was a reference by an independent Authority, namely Paul A. Volcker, the ex-Chairman of the Federal Reserve who gave a report on the Iraq Oil-for-food programme and the name of Natwar Singh and the Congress Party appeared in an annexure to the fifth Report. Sir, this is a matter of great concern to us. That is why, I say without much ado, because I remember this was some time in October, 2005 that the revelations were made public and, I think, it was on November 7, 2005 when we decided to set up a Committee. The Report of that Committee now is before us. I

* Not Recorded

think never in the history of this country has a Report been furnished so quickly, without granting a number of extensions. ... (*Interruptions*) Madam, I did not interfere when you were speaking. ... (*Interruptions*)

MR. SPEAKER : If there was unauthorised intervention by Mr. Kapil Sibal, I am sure he is not your idol. Do not follow him.

... (*Interruptions*)

MR. SPEAKER : Shri Kapil Sibal, you carry on.

SHRI KAPIL SIBAL : Sir, I give my solemn assurance to this House that I will try my very best not to move outside the four corners of this Report, not to make any allegations against anybody. But I do request hon. Members to listen to the facts, not figments of somebody else's imagination and then please appreciate the facts as I place them in the context of what the findings of the Pathak Authority are. I would request that I be given that opportunity to do that this evening.

Sir, there are three players in this scenario of the entire Oil-for-food programme in the context of the Pathak Authority Report. The one set of players is Andaleeb Sehgal, Jamil Zaidi and Asad Khan. The other set of players is Aditya Khanna, George Kurmi and Nick Swan. The third set of players is Jagat Singh and Natwar Singh. ... (*Interruptions*)

MR. SPEAKER : Why do you say he is a Congressman or not a Congressman? Your running commentary will not make him.

... (*Interruptions*)

SHRI KAPIL SIBAL : Now, Sir, the whole thing started some time, and that is what the Pathak Authority says, I do not say that, some time in November-December, 2000 in respect of a firm called IndRuss. Incidentally IndRuss stands for short of India and short of Russia. The two players in IndRuss were Andaleep Sehgal and Aditya Khanna. The Pathak Authority finds that they were

partners in IndRuss. This company, IndRuss, was in the business of doing business in Russia. But, apparently, that business venture failed. No business was done and they decided to start doing business in Iraq and their intention was to start doing business in food and things relating to food.

So, the Pathak Authority said that one Jamil Zaidi knew Andaleep Sehgal. They got together. Jamil told Andaleep – “Look, I can actually help you do business in Iraq’. ... (*Interruptions*) And a friend of theirs, Asad Khan, who was known to Andaleep Sehgal got together.

This is not the finding of the Pathak Authority that either Jamil Zaidi is presently a Congressman or Asad Khan is a Congressman. It is not a finding. I will stand corrected if she says so. ... (*Interruptions*)

SHRIMATI MANEKA GANDHI : Mr. Zaidi is a Member of the Congress Party. ... (*Interruptions*)

SHRI KAPIL SIBAL : It is not a finding in the Pathak Authority. ... (*Interruptions*)

MR. SPEAKER : Nothing else will be recorded.

*(Interruptions)**

MR. SPEAKER : Shri Kapil Sibal, do not respond to that. That is not being recorded.

*(Interruptions)**

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM): How can he say that?... (*Interruptions*)

MR. SPEAKER: You just cannot make allegations like this without notice, without following the proper procedure. You are very senior Members.

... (*Interruptions*)

प्रो. विजय कुमार मल्होत्रा : कितने दिनों से हम कह रहे हैं कि पाठक रिपोर्ट कवर-अप है, फ्रॉड है। ... (व्यवधान)

अध्यक्ष महोदय : आप बोलते रहेंगे तो बोलते रहेंगे? नियम-कानून कुछ नहीं है?

... (व्यवधान)

SHRI P. CHIDAMBARAM : You cannot say this in the House. ... (*Interruptions*)

SHRI KAPIL SIBAL: Jamil Zaidi told Andaleeb Sehgal: “Look, I have got good relations with somebody in Delhi and I will introduce you to him and let us start doing business in Iraq.” At that point in time, Andaleeb Sehgal met with Jamil,

met with Asad and they all decided to do that. Aditya Khanna was already a 50 per cent partner in IndRus. So, Andaleeb Sehgal got in touch with Aditya Khanna and told Aditya Khanna ‘we want to do business in Iraq. Now to do business in Iraq, we need actually a company, which is registered under the UN programme with the authorities in the United Nations, who can actually enter into a contract. Do you have any connections in that regard?’ At that point, Aditya Khanna got in touch with George Curmi, who in turn got in touch with Nick Swan. Nick Swan happens to be a representative of Masefield. So, this connection between IndRus and Aditya Khanna and the connection with Masefield is established by the Pathak Authority in the facts that I have recited just now.

Once that happened, they said: “we cannot get allocations. How do we get the allocations?” So, at that point in time, Jamil suggested that they should get in touch with Jagat Singh - that is what the Pathak Authority has said – and maybe use the good offices of his father to get the allocations. ... (*Interruptions*) I am saying nothing beyond the Pathak Authority. That is what happened.

At that point in time, a Delegation was going in January, 2001 to Iraq, which was a goodwill mission sent by the Congress Party. The Pathak Authority says that there were only four members in that Delegation. The finding of the Pathak Authority is that the other two people who accompanied the Delegation were not part of the official delegation. It is the finding of the Pathak Authority. That Delegation was supposed to go to Iraq on January 9, 2001. Unfortunately, that got postponed. So, ultimately, they all reached Amman on January 19, 2001. January 20 was Saturday and January 21 was Sunday. On January 22, 2001, a meeting took place among three persons only. ... (*Interruptions*)

SHRI GURUDAS DASGUPTA (PANSKURA): Sir, can I seek a clarification?

MR. SPEAKER: Unless he yields, I cannot allow.

... (*Interruptions*)

MR. SPEAKER: No, he has not yielded.

... (*Interruptions*)

SHRI KAPIL SIBAL: Shri Dasgupta, I did not interrupt you. There have been said certain things in this House outside the Pathak Authority. The nation must know what the facts are. ... (*Interruptions*)

MR. SPEAKER: Nothing will be recorded. He has not yielded. I will not allow this.

(*Interruptions*)*

SHRI KAPIL SIBAL: I did not deny that, but that is not part of the Pathak Authority Report. ... (*Interruptions*) Pathak Authority Report says that there were only three members present ... (*Interruptions*)

MR. SPEAKER: Hon. Members, nothing is being recorded.

*(Interruptions)**

MR. SPEAKER: Even senior Members of the House have become so impatient that they do not have the patience to hear other hon. Member's speech. The hon. Member who is actually on his legs, unless he yields, you know very well that you cannot just go on putting questions. ... *(Interruptions)*

प्रो. विजय कुमार मल्होत्रा : वे कह रहे हैं कि कवर अप न करें।

अध्यक्ष महोदय : ठीक है, आपने बोला है, बहुत बार बोला है।

...(व्यवधान)

SHRI KAPIL SIBAL: Again, this is part of the Pathak Authority Report, not what I have said. Three members went and met the Oil Minister of Iraq. No member of the Congress Delegation other than Shri Natwar Singh, who was the leader, was there at that meeting on January 22, 2001, which was a Monday. Who were the other two along with Shri Natwar Singh? They were Andaleeb Sehgal and Jagat Singh. Now a meeting took place.

Naturally, we do not know, because the only persons who know what transpired in the meeting were Jagat Singh, Andaleeb Sehgal and Natwar Singh. Unless they tell us what transpired in the meeting, we cannot guess what

*Not Recorded.

happened, but we know the circumstances that happened thereafter. On January 22, when this meeting took place, the very next day – this is very important – Jagat Singh and Andaleeb Sehgal went to the office of SOMO, State Oil Marketing Organisation. On 23rd, something happened between Jagat Singh and Andaleeb Sehgal. There is no member of the Congress Delegation there and they met SOMO.

19.00 hrs.

They met the Director of SOMO, one Saddam Zibu Hassan. They met him, and something transpired. We do not know what transpired, but we do know that on January 24, they came to Amman. On January 25, 2001, they came back to New Delhi. On January 25, 2001, a very interesting thing happens and that is that a Fax was sent by Andaleeb Sehgal to SOMO. That Fax states the following. I will read from page 36 of the Pathak Inquiry Authority Report. It says,

“The Congress delegation and Jagat Singh and Andaleeb Sehgal returned from Amman to India on January 25 (as I have said). Immediately upon their arrival, Sehgal sends a Fax to SOMO wherein he referred to the meeting which was held on January 23 in the office of SOMO regarding allocation of two million barrels of crude oil. In the said letter which was written on the letterhead of Hamadaan Exports, a partnership firm in which Sehgal was a partner, it was stated that Shri Sehgal would be providing SOMO with the following documents.”

Now, the first document is very important; that is at the heart of this controversy. One, an authorisation letter from the leader of the Indian Delegation to Andaleeb Sehgal of Hamadaan Exports to lift or negotiate the allocation from SOMO. So, the condition that was imposed by SOMO in the meeting between Andaleeb Sehgal, Jagat Singh and SOMO on January 23 was ‘that we cannot give you an allocation till you get a letter from the leader of the Delegation.’ ... (*Interruptions*)

SHRIMATI MANEKA GANDHI : From the leader of the Congress Party.

SHRI KAPIL SIBAL: They wanted an authorisation letter from the leader of the Indian Delegation to Shri Andaleeb Sehgal. This is the Fax, Madam. I am not reading outside the report. ... (*Interruptions*)

MR. SPEAKER: Mrs. Gandhi, he is saying that they wanted a letter from the leader of the Indian Delegation.

SHRI KAPIL SIBAL: Now, the moment this happens on January 25, on January 26 ... (*Interruptions*)

SHRI BRAJA KISHORE TRIPATHY (PURI): That was not an Indian Delegation, but that was a Congress Delegation. ... (*Interruptions*)

SHRI KAPIL SIBAL: On January 26, another very interesting event takes place. As I told you, Nick Swan was a representative of Masefield. Nick Swan writes a letter to SOMO just the next day saying ‘please give me a visa because I and Andaleeb Sehgal want to come to Iraq to get the allocation of oil.’

Now, see the events. ... (*Interruptions*)

MR. SPEAKER: What is going on? You cannot dictate what he will read.

SHRIMATI MANEKA GANDHI : He is leaving out words from the so-called report. ... (*Interruptions*)

MR. SPEAKER: Sorry, you cannot dictate. Nothing will be recorded.

*(Interruptions)**

SHRI KAPIL SIBAL: Please tell me which words I have left out. She is getting agitated because she has not told the correct facts to the people of this country. Do not get agitated. ... (*Interruptions*)

MR. SPEAKER: Mrs. Gandhi, this is not fair.

... (Interruptions)

MR. SPEAKER: Nothing will be recorded.

*(Interruptions)**

*Not Recorded.

SHRI KAPIL SIBAL: Andaleeb Sehgal could not have contacted Masefield in one day. If Andaleeb Sehgal sent a Fax to SOMO on 25th, he could not have contacted Masefield. Obviously, this was something that was pre-decided. That is exactly what the Pathak Inquiry Authority Report says that one month earlier when these conversations took place, it was pre-decided as to how the allocation was to come. Therefore, on January 26, Nick Swan writes a letter to SOMO saying ‘please allow me to get a visa so that I can come to Iraq.’

Now, on January 30, very conveniently, Shri Natwar Singh writes a letter consistent with the requirement of SOMO, which was set out on January 25. What does that letter state? ...
(Interruptions)

MR. SPEAKER: Do not note down any running commentaries.

SHRI KAPIL SIBAL: I am reading from page 31 of the Report.

“He was present when I called on you on January 22, 2001 (no member of the Congress Delegation was present) at your office in Baghdad.”

“He is well-known to me (Shri Andaleeb Sehgal is well-known to me) for many years and so is the Company he owns. He enjoys my full support and confidence. I would appreciate you giving him your full assistance and cooperation. May I take this opportunity to thank you for receiving me and giving me so much of your time out of your busy schedule? This was written on January 30th. Why was that written? It was written because a meeting took place on January 22. No Member of the Congress Party was present.... (Interruptions)

अध्यक्ष महोदय : यह क्या बात है ? You cannot go on speaking. You are putting running questions to him. What is all this going on? Please do not do that. Please restrain yourself.

... (Interruptions)

SHRI KAPIL SIBAL: Nobody is going to believe you after I have spoken in the House.

On January 30th this letter was written. The reason why Shri Andaleeb Sehgal along with Shri Jagat Singh was there on January 22 is reflected by Shri Natwar Singh’s letter on April 26, 2001. It is so stated in that letter. I would come to that letter later. Immediately once this letter was written on February 3, Shri Andaleeb Sehgal sent a FAX.

अध्यक्ष महोदय : यहां अगर आपको कोई असुविधा होती है, तो आप बाहर जाइए।

...(व्यवधान)

MR. SPEAKER: I am sorry, no, Shrimati Gandhi, I will not allow you to speak. You have made your point. He is entitled to make his points. I am sorry. You are not here to rectify him in every minute.

... (*Interruptions*)

SHRI KAPIL SIBAL: This letter was ultimately given to SOMO by Shri Andaleeb Sehgal on February 8, 2001 and on February 11, 2001 the contract took place between SOMO and Masefield because by this time the representative of Masefield was in Iraq. So, the whole process starts on January 22 and ends with grant of contract on February 11, 2001. No Member of the Congress delegation other than Shri Natwar Singh was involved. That was the finding of the Pathak Authority and there is not an iota of evidence that in any of these meetings the Congress delegation was there. I stand challenged if anybody in this House says otherwise.

Now, what is the deal? Let me tell you that also. It is very important. The deal is, for what price a barrel of oil could be sold was fixed by the United Nations under the Oil for Food Programme. The barrel at which Iraq could sell its oil – Iraq could sell its oil only to a company registered in the United Nations. It could not sell oil to anybody else. So, Hamdaan Exports could not have purchased the oil and that is why they are called non-contractual beneficiaries. The contractual beneficiary is Masefield. That is why the reference in the United Nations Report of Paul Volcker is that Shri Natwar Singh and the Congress Party are the non-contractual beneficiaries. I am only trying to explain what that means. What that meant was, when the Oil Minister met with Shri Andaleeb Sehgal, obviously the price of the barrel of oil was fixed by the United Nations. He could not sell for more than 18 to 20 dollars but in-betweens have to make money. So, Hamdaan Exports Limited was the company which was incorporated in the British Virgin Island and that company was to get the commission. It is because the contract says that out of every barrel of oil that is sold 30 cents would be given to Hamdaan.

MR. SPEAKER: Paise or cents?

SHRI KAPIL SIBAL: About 30 cents would be given to Hamdaan. This is the finding of the Pathak Authority and not what I am saying. Out of these 30 cents, 25 cents would be the surcharge which would go into an account nominated by SOMO and 5 cents would be the commission that Shri Andaleeb Sehgal and Shri Aditya Khanna would earn. The Pathak Report also says that out of 5 cents, one cent would go to Shri Aditya Khanna and four cents would go to Shri Andaleeb Sehgal. That was the distribution. Congress was not involved there. Nobody has ever said so. Nobody went to the witness box and said so. There is no evidence that says so. There is no document that says so. Of course, Shrimati Maneka Gandhi says so. Only she says so and nobody else. Even Mr. Natwar Singh does not say so. Only Shrimati Maneka Gandhi says so and we must believe her because she said so... (*Interruptions*)

MR. SPEAKER: Only Mr. Sibal's observations are to be recorded.

(*Interruptions*)*

SHRI KAPIL SIBAL: Now what happens is that out of 30 cents, five cents go to Mr. Andaleeb and Mr. Aditya Khanna and 25 cents go for surcharge. But many of these companies including Masefield are not companies that would actually pick up oil because these are companies those are registered under the UN Oil-for-Food Programme. They do not have companies which can pick up the oil because that will be picked up by larger companies. There were five such companies then operating under the Oil-for-Food Programme. One of those companies was called Vitol. Now in turn, Masefield assigned this contract to Vitol and Masefield got

*Not Recorded.

another five cents on top of that. So who was making money? The surcharge goes to Iraq, *i.e.*, 25 cents, five cents go to Mr. Andaleeb and Mr. Aditya Khanna and five cents go to Masefield. Then the oil is picked up and five cents go to Masefield... (*Interruptions*)

MR. SPEAKER: She is entitled to go.

SHRI KAPIL SIBAL: Then the oil is sold in the international market and the price that it was sold at in the international market at that time was around 40 dollars. So what was picked up by Vitol at 20 dollars, people earned a commission in between and the person who made the money was a company like Vitol, which has nothing again to do with the Congress Party. These are again findings of the Pathak Authority. Now Vitol therefore made the money under the first contract.

Now a question arose that Mr. Natwar Singh was mentioned. How was he mentioned? It was because when an allocation is made to Hamdaan Exports, Hamdaan has to give an undertaking to SOMO that they will pay the guaranteed amount of the surcharge. That undertaking was given to SOMO. At that time, SOMO is to receive 10 per cent of the total allocation, that SOMO was to receive within 30 days of the opening of the bill of lading, the balance amount of the surcharge to be paid. All that was done and the total amount that went as a commission to Mr. Aditya Khanna and to Mr. Andaleeb Sehgal which was given to INDRUS under this contract was around 96,000 dollars. Of the 96,000 dollars, 7,000 dollars were sent to Sehgal Consultants in Delhi and 89,000 dollars were transferred from INDRUS to an account in Switzerland called Cobourg. Of that 89,000 dollars which were transferred to Cobourg, 40,000 dollars in one tranche and 3,000 and odd dollars in another tranche were sent to Hamdaan Exports in India and the balance 46,000 dollars remained in the Cobourg account... (*Interruptions*). I am only stating what the Pathak Authority said.

MR. SPEAKER: Mr. Sibal, you address the Chair.

SHRI KAPIL SIBAL: I am saying nothing outside the report. If I do, please correct me. Now that is how 96,000 dollars were dealt with. In the meantime, while this contract was being completed, negotiations under the second contract, *i.e.*, M/9/120 were gone into and under that contract again

the beneficiary is Mr. Andaleeb Sehgal and Mr. Aditya Khanna. Unfortunately, that contract did not fructify but an advance of 65,000 dollars were paid to SOMO as surcharge even under that contract.

Then came the third contract, *i.e.*, M/10/57. In terms of the third contract, the story is even more interesting.

Under the third contract, the negotiations started some time in August. What happened was that sometime in the end of July, Shri Andaleep Saigal wrote to SOMO asking for a date saying that he would like to come to Iraq and that he would like to negotiate the third contract. On July 30, 2001 M/s Masefield wrote to SOMO saying that this time Shri Andaleep Saigal will represent M/s Masefield. Since Shri Andaleep Saigal was representing M/s Masefield somebody had to do the documentation on behalf of M/s Hamdaan Exports. So, Shri Andaleep Saigal took one Asad Khan from India to Iraq. Asad Khan signed on behalf of M/s Hamdaan Exports and Andaleep Saigal signed on behalf of M/s Masefield. The second contract was entered into.

Sir, I would like to point out to you that this contract was entered into on August 21, 2001. It was for one million barrel of Kirkut crude oil. The first contract, that is, M/7/54 was for two million dollars of Basra oil. This was for one million barrel of Kirkut crude oil.

Sir, yet another letter was written on August 16 by Shri Natwar Singh. What did that letter say? I would only like to read the relevant lines of that letter. After line 4 of that letter it read, "I am sending this letter with Shri Andaleep Saigal who has come to Baghdad to continue the co-operation extended by yourself". Again, no member of the Congress Party was involved; no member of the Congress official delegation was involved; no member of the Congress delegation met any of these officials... (*Interruptions*)

SHRI GURUDAS DASGUPTA : Shri Natwar Singh himself belonged to the Congress party... (*Interruptions*)

MR. SPEAKER: Why should he say that? You cannot compel anybody.

... (*Interruptions*)

SHRI KAPIL SIBAL: I am saying other than Shri Natwar Singh. I have already said about Shri Natwar Singh... (*Interruptions*) He was the lynchpin. I have said it. That is why I started by saying that it is a very sad day for the Congress Party. It is a sad day for the Congress Party because he is an individual who had a long association with the Congress Party. It is unfortunate that as a leader of a delegation sent on a goodwill mission used his offices as a leader of the delegation on a goodwill mission... (*Interruptions*)

SHRI GURUDAS DASGUPTA : He misused his offices... (*Interruptions*)

SHRI KAPIL SIBAL: He used it for the purpose of benefiting members of his family and a cousin of his son. That is the whole case. There is nothing short of it; there is nothing more than that. They want to make more out of it because they find the Congress Party behind everything.

Sir, for example, I remember when we saw a gentleman, who was the President of the BJP, take money on camera, I never said Vajpayeeji was involved. I never said so. I did not believe that either. He may have been prosecuted; he may have gone to jail; he may have got bail. But we never accused the BJP of that. They should have been sad about it. We have set up an Inquiry, but they chose not to set up an enquiry, instead they questioned the tapes. Please look at the difference in the way we deal with our people. This is the sad part... (*Interruptions*)

MR. SPEAKER: Nothing, except the speech of Shri Kapil Sibal, will go on record.

*(Interruptions)**

*Not Recorded.

SHRI KAPIL SIBAL: Sir, I want to read out to you another letter dated April 26... (*Interruptions*)

MR. SPEAKER: He has admitted that. He is saying it.

SHRI KAPIL SIBAL: Sir, please turn to page 56 of the Report. This will tell you as to who was present in the January 22 meeting. It is because the letter of 30th January only says that Shri Andaleep Saigal was present. But this letter of April 26 will tell you who else was present. This is at page 56. I am only quoting the relevant portion. It says,

“I am sending this letter with my son Shri Jagat Singh who is the General Secretary of the youth wing of the Congress Party. He and Shri Andaleep Saigal were with me when I called on you about three months ago.”

There were three people involved. In other words, this conversation with SOMO, this deal with SOMO, this political allocation of oil takes place in the knowledge of only three persons, namely, Shri Natwar Singh, Shri Jagat Singh and Shri Andaleeb Sehgal. That is why, Pathak Authority says that there seems to be no other person involved in this political allocation. There is no evidence that is given. After all, why do we have judges and why do we have authorities? Why do we repose confidence in them? It is because if we give it to Members of Parliament, ...**

MR. SPEAKER: No. I have deleted it.

SHRI KAPIL SIBAL: I am sorry. I have taken it back.... (*Interruptions*)

MR. SPEAKER. He has withdrawn it. Leave it. I have expunged it. Then why are you again raising it? Please take your seat.

... (*Interruptions*)

SHRI KAPIL SIBAL: I was only saying that the reason why we have confidence in judges is because they have huge experience.

**Expunged as ordered by the Chair.

MR. SPEAKER: Sometimes, there should be introspection on all sides. It is very easy to throw mud. There should be introspection on what we are doing in the House.

SHRI KAPIL SIBAL: Basically, they have huge experience. He had been a judge of the International Court of Justice and he had been the Chief Justice of India. He has the training to sift facts, to analyse facts and to come to conclusions. That is why, we repose confidence in these authorities. Otherwise, any of us could do that job. But that is not the purpose. The purpose is to give the responsibility of an inquiry to a judicial authority who could apply his judicial mind and come to conclusions. You may or may not agree with the conclusions. That is a separate issue which is why we are debating it here. That is why I am saying from the record here that there is no reason to believe that any member of the Congress Party who was part of the official delegation other than Shri Natwar Singh was involved in these transactions and that is exactly what the Pathak Authority has held.

There was one problem that arose. What was that problem? When the third contract was entered into, that is M/10/57, at the time when the allocation was made on 21st August, the allocation was made ultimately after the documentation was complete. Then the Executive Director of SOMO wrote to the Minister in charge, that is, the Oil Minister, Shri Amir Rasheed. He sought his approval. In the letter of 21st August that the Director wrote to Shri Amir Rasheed, this is what he says. This is why the name of the Congress Party was dragged into this controversy. In page 67, he sought: "It remains to be stated that on 21st August, the Executive Director, SOMO, wrote to Iraqi Oil Minister seeking the approval of one million barrel of Kirkut oil under contract M/10/57 for the benefit of the Indian Congress Party."

Now, the Pathak Authority asks itself a question. Why was the name of the Congress Party mentioned here? Then the Pathak Authority says that there is no document on record to show any involvement of the Congress. There is nothing to show that the Congress Party or any of its delegates were at the meeting of 22nd January. Shri Andaleeb Sehgal does not belong to the Congress Party. Shri Aditya Khanna does not belong to the Congress Party. Shri Asad Khan does not belong to the Congress Party. Shri Jamil Saidi is not a member of the Congress Party.... (*Interruptions*) He was. I am myself saying it. But he is not a member of the Congress Party. So, these people were all doing business. They have set up companies. The Congress Party is not a shareholder in any of these companies. So, Justice Pathak says that obviously the Iraqi authorities were under the impression that as long as you get the letter of recommendation for Shri Natwar Singh, the allocation should be made. So, obviously, this allocation also where the Congress Party is mentioned in the document, that is, the letter of 21st August, was done at the instance of Shri Natwar Singh and the Congress Party is not involved at all in the meeting.

In paragraph 15.9, this is what the Pathak Authority says: "How the name of the Indian Congress Party came to be mentioned in this letter is not known. And rightly so, however, what appears to be the reason is that Shri Natwar Singh and Shri Jagat Singh so projected this that the Iraqi authorities formed an impression that Shri Natwar Singh and Shri Jagat Singh were representatives of the Congress Party."

The Pathak Authority has absolutely no evidence whatsoever to link the Congress Party to the transactions discussed in its Report, except for the fact that Shri Natwar Singh and Shri Jagat Singh belong to the Indian National Congress. There is not a shred of evidence to link the Congress Party to the said transactions. The Inquiry Authority believes, upon examination of all the documents and materials which exist before it, that no wrong doing can be attributed to the Congress Party. I ask this House: Can anybody differ with this conclusion? Can anybody differ with this? Therefore, it is quite clear that the Congress Party is not involved.

Shri Natwar Singh could have said that the Congress Party is involved in. He does not say so. Who is the person who best knows the facts? It is Shri Natwar Singh. ... (*Interruptions*) He gave an affidavit. ... (*Interruptions*) The people who know the facts are three people. The three people who know the facts are Shri Natwar Singh, Shri Jagat Singh and Shri Andaleeb Sehgal. None of them talk of the Congress Party. These are the only three players. There is no fourth player in the scenario. ... (*Interruptions*) Shri Jamil Saidi never went to the meeting of January 22. Shri Jamil Saidi never wrote any of those letters. The letters were all written for Shri Andaleeb Sehgal. Therefore, those who are part of the transactions themselves do not name the Congress Party. Those who are outside the transactions, whether they name the Congress Party or not is irrelevant. Political parties may name the Congress Party for whatever motives they might have. But we are on a Report of an Authority set up by this House for the purposes of ascertaining the facts.

Now, one can say or argue that since Shri Natwar Singh was the leader of the delegation, obviously the Congress Party was also involved. But see what Shri Natwar Singh said to the Justice Pathak Inquiry Authority. When he was shown the letter of January 30, what did he say? First, he said: "No, no letter was written by me." Then he was shown the signatures. Then he said, "Signatures are forged." Then he said, "No, they are genuine. But the contents have not been written by me." Now, what do we do? The man who knows all the facts does not tell us the facts. On the facts that are in existence, he had contradictory versions, in respect of each letter. Before the Justice Pathak Inquiry Authority he said that Shri Andaleeb Sehgal was not his cousin. But unfortunately the facts are staring him in the face. That is why we must go by what the Report says.

Let me go to the other aspect. What has happened to the money trail ? As far as Shri Natwar Singh's contract, that is M/7/54 is concerned, the moneys went to the INDRUS account. I have already shown you where the moneys ultimately went. As far as the second contract is concerned, do you know who actually signed the contract? I am reading at page 67. Who signed the second contract? It is in para 15.7. Contract no. M/10/57 was entered into on August 21 for one million barrel of kirkut oil and was signed by Shri Sehgal on behalf of Masefield AG. It was not on behalf of the Congress Party. The contract itself was signed by Shri Andaleeb Sehgal. Shri Andaleeb Sehgal has nothing to do with the Congress Party. So, how can anybody say that the

Congress Party was the beneficiary of this contract? This is the finding of the Justice Pathak Inquiry Authority. I do not say it myself. Now, where did the money go? What was the amount of money that came under this contract? The amount of money that came under this contract was 50,000 dollars. Where did that amount go? Part of that amount went to Shri Andaleeb Sehgal and part of that amount went to Shri Aditya Khanna. So, the contract was signed by Shri Andaleeb Sehgal and the moneys were received by Shri Aditya Khanna and Shri Andaleeb Sehgal and not by the Congress Party. This is proved by the Inquiry Authority. I am not saying it. ... (*Interruptions*)

MR. SPEAKER: Do not respond to that. Nothing to be recorded.

*(Interruptions)**

SHRI KAPIL SIBAL: I have known of treasurers who have received monies and not given receipt. We know of those treasurers also. We all know of those treasurers. He got bail day before yesterday. ... (*Interruptions*)

MR. SPEAKER: Please address the Chair.

... (Interruptions)

SHRI KAPIL SIBAL: I am addressing. I am only stating a fact that we all know about. Yes, we know of such treasurers also. Now, the fact of the matter is that the Congress Party was also investigated. It is not that the Congress Party was not investigated. If you look at the Justice Pathak Authority, the Congress Party was called, the treasurer of the Congress Party was called as a witness. Please see at page 12 and you will find all the names. People who were in the delegation were called. Shri P. Shiv Shankar was called. Shri A.R. Antulay was called, Shri Randeep Singh Surjewala was called, who had allegedly written that letter and Shri Moti Lal Vohra was called on June 1, 2006. A notice was given to the Congress Party to come and explain. In none of the affidavits and in none of the

*Not Recorded.

documents, the name of the Congress Party was mentioned. So, the obvious and fair inference is that the Congress Party, neither the trail of money, which went under the third contract to Andaleeb Sehgal and Aditya Khanna, nor the signing of the contract, nor the involvement of any Congressman other than Shri Natwar Singh and his son, have been shown to have been proved by the Justice Pathak Authority. That is why, the Pathak Authority says because of the fact that they all got together some time in November-December, 2000 to hatch this particular scheme to make money, ultimately led to the three letters being written, viz., January 30th, April 26th and August 16 by Shri Natwar Singh himself, handed over either to Andaleeb Sehgal or his son for the benefit of the Iraqi Oil Minister to get the political allocations. The other beneficiaries were Masefield which has nothing to do with Congress, Vitol which has nothing to do with Congress, Hamdaan Exports which has nothing to do with Congress, Hamdaan Exports Limited which has nothing to do with Congress,

INDRUS which has nothing to do with Congress. So, no company, no recipient, no beneficiary and no other Congressman was involved.

Now, the question remains that there is an amount of US \$ 32,000 which is with INDRUS which has not been investigated. There is also an amount of US \$ 46,000 which is lying in Cobourg, which is a London Account. Now, we have to find out and I am sure the hon. Minister of Finance will do the needful. ... (*Interruptions*)

MR. SPEAKER: You are responding to them.

... (*Interruptions*)

SHRI KAPIL SIBAL: The Authority finds that. As I said, throughout the course of my intervention, I have not stated any fact outside the findings of the Authority.

Now, this aspect has to be investigated who was the beneficiary of that US \$ 32,000 and who was the beneficiary of the US \$ 46,000 which is the Cobourg amount. Now, that will be investigated and I am sure it is being investigated. Once it is investigated, that also will be revealed to the public at the appropriate stage. So, why should anybody, at this stage, only for getting some headlines in newspapers make allegations? It is unfortunate. We never make allegations like this against anybody.

I, in fact, want to congratulate and I say so on record, the Leader of my Party, Shrimati Sonia Gandhi, who despite the long association with Shri Natwar Singh, rose above that association and directed an inquiry to be held and said, whoever is guilty will be punished. This kind of morality and these kind of ethical standards she has displayed even earlier. But it shows that Party leaders can rise above friendship, can rise above petty politics and do the right thing and that exactly what has happened. I also want to congratulate the hon. Prime Minister of India for having set up this inquiry as quickly as possible. At the end of October, the revelations were made and on 7th November, the inquiry was set up. ... (*Interruptions*) He kept him out of the Office. That shows the standards that the Congress Party adopts when it deals with its own people who may have been involved in some kind of controversy.

There is a famous saying by Faber: 'For right is right, since God is God for right, the day must win, to doubt it would be disloyalty, to falter would be sin'.

Please do not falter. The Pathak Authority has done the right thing. Accept the report. Do not make political capital about an issue which affects the entire polity of this country. We have to see how we should rise above our petty self-interest to serve the larger cause of the public for which we are here. I therefore commend this report to the House.

मोहम्मद सलीम (कलकत्ता-उत्तर पूर्व) : महोदय, इस समय थोड़ा सा शान्तिपूर्ण वातावरण बना है वरना जिस तरह से जस्टिस पाठक रिपोर्ट और उस पर एक्शन टेकेन रिपोर्ट को लेकर पर्सनल चार्ज और काउण्टर चार्ज लग रहे थे, उससे मुझे ऐसा लग रहा था कि हमारे देश में इसके अतिरिक्त दूसरी कोई समस्या ही नहीं है। वोल्कर रिपोर्ट को लेकर हमने विन्टर सेशन में चर्चा की और सरकार ने जांच अथारिटी बनाई और आज हम यह देख रहे हैं कि किस तरह से हम पूरे मुद्दे से हट करके इसको एक नैरो कंसिडरेशन में ले जाते हैं। इराक में अगस्त, 1990 में जो यूएन सैंक्शन लगी हम उसे भूल गए, ऑयल फार फूड का जो प्रोग्राम था उसे हम भूल गए। हमने उस वक्त भी कहा था और आज भी कह रहे हैं कि हमने सरकार से यह मांग की थी कि जब आप जांच आयोग बना रहे हैं, तो जो इण्डियन एण्टिटीज इसमें शामिल हैं, उनकी जांच कीजिए। लेकिन हमें अफसोस है कि मंत्री महोदय के आश्वासन के बाद भी जब जांच आयोग के टर्म्स ऑफ रेफरेंस दिये गये तो उनमें सिर्फ नॉन-कांट्रैक्टुअल बेनिफिशरीज के बारे में, केवल दो एन्ट्रीज - M/09/54 और M/10/57 के बारे में मेंशन किया गया, जबकि अगर जस्टिस पाठक रिपोर्ट में पेज नं0-2 देखिए, तो ऊपर वाली लाइन में टेबल 3 का मेंशन है। यह टेबल 60 पेज की है और मेरे पास पूरे टेबल हैं। इसमें जो एन्ट्रीज 57 और 54 हैं, उनके बारे में हम यह देखते हैं कि जस्टिस पाठक भी पेज दो में कहते हैं कि

“Among them, Table-3 contained the following entries under the head: “Summary of Oil Sales by Non-Contractual Beneficiary”:

जबकि चार एन्ट्रीज हैं, सरकार ने दो एन्ट्रीज के बारे में कहा है और जस्टिस पाठक रिपोर्ट में टेबल 3 की जो पेज नं0 25 उसमें इण्डिया कांग्रेस पार्टी और एन्ट्री M/10/57 का मेंशन है। पेज नं0 50 में जो नटवर सिंह जी, जिनके बारे में M/09/54, जिसे टर्म्स ऑफ रेफरेंस में भी दिया गया है। यहां तक कि M/09/120, जो टर्म्स ऑफ रेफरेंस में नहीं है जिसमें transaction has not taken place, लेकिन पेज नं0 2 में उसे टेबल से निकालकर जस्टिस पाठक उसका उल्लेख श्री एन्ट्रीज कर रहे हैं। मंत्री महोदय, सरकार और जस्टिस पाठक भी पेज 40 से पेज 60 पर चले गए, लेकिन पेज नं0 50 पर नहीं गए। टेबल 3 के पेज 50 में M/09/35, M/10/17 और M/11/25 का जिक्र है जो रिलायंस पेट्रोलियम लिमिटेड से सम्बन्धित है। हमारी परेशानी नटवर सिंह को लेकर नहीं है, न कांग्रेस पार्टी को लेकर है। हमने चाहा था कि टर्म्स ऑफ रेफरेंस में जो भी इण्डियन एण्टिटीज हैं, उनकी इन्क्वायरी हो।

मंत्री जी ने भी आश्वासन दिया था, लेकिन जस्टिस पाठक की रिपोर्ट में केवल दो एण्टिटीज की बात कही गई है, जबकि जस्टिस पाठक ने एम-120 के बारे में भी इस रिपोर्ट में कहा है, जो टर्म्स आफ रेफरेंस में नहीं था, because it is related to the person.

SHRI P. CHIDAMBARAM : You have to relate this with that.

MD. SALIM : Yes. But I am not making any comment. जब टेबल श्री को स्कैन करते हैं, तो हमें कोई मंत्री या जज बनने की जरूरत नहीं होती है। उसमें ये एंटीज हैं। ये कहते हैं कि 15.78 मिलियन बैरल तेल इस कम्पनी ने उठाया। जितनी बात यहां हो रही है, सेंट की, डालर्स की या मिलियन, बिलियन, लैरक्स और थाउजेंड्स की, अगर हम समझते हैं कि इसमें भ्रष्टाचार हुआ है, गलती हुई है, तो यह हमारे देश के लिए धब्बा है, इसे देखना चाहिए। हम सरकार से इस बात का आश्वासन चाहते हैं कि तमाम एंटीज के बारे में जो मैंने कहा है कि एम-35, एम-935, एम-1017, 1125, इन सबकी इन्क्वायरी होनी चाहिए। अफसोस है कि यह मामला उठाने का काम विपक्ष को करना पड़ रहा है, जबकि इसमें इतनी डिटेल् से दिया है। लेकिन भारतीय जनता पार्टी भी उस वक्त से लेकर आज तक खामोश रही, वह इस एंटीज के बारे में नहीं कहती, शायद किसी कम्पनी के ब्रांड के कारण ऐसा हो सकता है। मैं समझता हूं कि अगर गलती हुई है तो हमें सजा सुनानी चाहिए और वह सबके लिए समान होनी चाहिए।... (व्यवधान) हिम्मत नहीं है।... (व्यवधान)

MR. SPEAKER: That is not to be recorded.

(Interruptions)*

मोहम्मद सलीम : यह पकड़ने वाली बात कह रहे हैं।

अध्यक्ष महोदय : आप यह कहेंगे तो ठीक है, लेकिन बीच में कोई दूसरा नहीं बोलेगा।

मोहम्मद सलीम : मैं ज्यादा बात नहीं कहूंगा।

अध्यक्ष महोदय : सभी अच्छा बोलते हैं, आप भी अच्छा बोलते हैं।

मोहम्मद सलीम : ऐसा लगता है कि हमारे पास किसानों की समस्या पर कहने के लिए समय नहीं है। हमारे पास महंगाई पर बात करने के लिए जगह नहीं है, लेकिन इस मामले को इस तरह से लिया जा रहा है कि जैसे यही सबसे बड़ा इश्यू है। हमने शुरू में कहा था कि इसकी जांच होनी चाहिए और सरकार ने जांच करने की हिम्मत दिखाई। इस बात के लिए हम सरकार को बधाई देते हैं कि उसने जांच करने की

*Not Recorded.

हिम्मत दिखाई और उसकी रिपोर्ट यहां रखी, वह भी एटीआर के साथ रखी। अक्सर हम संसद में, जब मैं राज्य सभा में था, तब भी, यह कहते रहते थे, सरकार को खींचना पड़ता था कि हमें रिपोर्ट दो, हमें रिपोर्ट दो, लेकिन सरकार ने इतनी शीघ्रता दिखाई कि रिपोर्ट के साथ एटीआर के बारे में भी बता दिया।

हमारे संसदीय कार्य मंत्री जी ने रो में आकर कहा था, जब मेनका गांधी जी बोल रही थीं, शायद उन्होंने कोई लांछन लगाया था उनके दल पर या नेता पर और कहा था कि हम भी आपके उस समय के मंत्री राम नाईक के बारे में कह सकते हैं। मुझे यह डर लग रहा है कि कहीं दोनों तरफ से कोई ऐसा क्विड-प्रो-को तो नहीं हुआ है, इसीलिए मैं रिलायंस की बात कर रहा हूँ।

SHRI PRIYA RANJAN DASMUNSI : Mr. Speaker, Sir, my statement is on record. There is no *quid pro quo*, there is no understanding between this side and that side. I only made a reference because there was a statement of Shri Ram Naik.

MR. SPEAKER: But there should be understanding for running the House.

मोहम्मद सलीम : मैं सब कार्ड टेबल पर रखकर खेलता हूँ। मंत्री जी यह कहेंगे और मुझे इसकी जरूरत पड़ेगी इसलिए मैंने यह कार्ड निकालकर रखा।

श्री प्रियरंजन दासमुंशी : कार्ड तो सभी निकाल कर खेलते हैं, लेकिन ढंग से कोई-कोई खेलता है।

मोहम्मद सलीम : आप भी खेलेंगे, वह भी खेलेंगे, हम भी खेलेंगे, मैं तो साफ बात कहना चाहता हूँ। मैं इसलिए कह रहा हूँ कि जो हमारे एम्बेसडर इराक में थे, मैं उनको कोट नहीं कर रहा हूँ, इस रिपोर्ट में आया है। उन्होंने कहा कि यह कंप्यूजन हो रहा है। उस समय इराक में सरकार और राजनीतिक दलों की स्थिति में फर्क नहीं था। उन्होंने समझा कि यह सरकारी डेलीगेशन है। उस वक्त सरकार सो रही थी, उस समय एनडीए की सरकार थी। उस वक्त अम्मान या बगदाद कोई जाता था, तो हमारे एम्बेसडर एम.ई.ए. में रिपोर्ट करते थे, जो भी डेलीगेशन जाता था। हम क्यों इंतजार कर रहे थे, क्या हम वोल्कर की रिपोर्ट आएगी, यू.एन. की जांच कमेटी बनेगी और फिर आयोग बनेगा, उसकी इंतजार में थे। आज जो लोग यह कह रहे हैं कि यह कैसे हुआ, कैसे नहीं

हुआ, उस वक्त अगर हम उस रिपोर्ट के आधार पर देखते हैं, तो लगता है कि एनडीए सरकार सो रही थी। आज भी मैं कह रहा हूँ कि राम नाईक जी के नेतृत्व में डेलीगेशन को भेजा गया था, क्योंकि मेनका जी बार-बार कह रही थीं कि गुडविल डेलीगेशन था, वह वहां के ऑयल मिनिस्टर को मिला था। क्यों एनडीए सरकार ने उसे ऑयल मिनिस्टर के पास भेजा और क्या उसके साथ कोई प्राइवेट कम्पनी भी गई थी, हमें यह मालूम होना चाहिए, जिस कारण से आज नटवर सिंह जी दोगी हैं और उस वक्त मंत्री न होते हुए भी, सांसद न होते हुए भी कांग्रेस के डेलीगेशन में गए थे, लेकिन उससे ज्यादा तो यह है कि वह उस समय मंत्री थे।

SHRI BRAJA KISHORE TRIPATHY (PURI): Let it be exposed. ... (*Interruptions*)

MR. SPEAKER: That is not being recorded.

(*Interruptions*)*

MR. SPEAKER: He has not yielded.

... (*Interruptions*)

MR. SPEAKER: Hon. Member, please look at the Chair. Do not look at the other hon. Members.

... (*Interruptions*)

MR. SPEAKER: Do not record it.

(*Interruptions*)*

MR. SPEAKER: This is very unfortunate. Mr. Salim, why are you replying to them? Do not reply to him.

... (*Interruptions*)

मोहम्मद सलीम : इनकी यह आदत है। अगर उनके नाम में आपत्ति है... (व्यवधान)

MR. SPEAKER: You cannot take the name. Mr. Salim, you know that very well.

MD. SALIM : Sir, we want that proper inquiry must be made and the nation should know what the then hon. Minister of Petroleum was doing there in Baghdad and who were accompanying them, who were the beneficiaries and what is the end use of money incurred in this 15.78 million barrels of oil transactions. यह हमें मालूम होना चाहिए। बीजेपी के नेता भी कहते हैं कि हकीकत मालूम होनी चाहिए तो हमें भी हकीकत मालूम होनी चाहिए।

श्री खारबेल स्वाई (बालासोर) : कौन मना करता है?

अध्यक्ष महोदय : आप आपस में क्यों बात करते हैं। This is not the method of debate. Please conclude now.

मोहम्मद सलीम : हमारी पार्टी को पहले भी समझ थी और आज भी है। Shri Natwar Singh went as a member of the delegation of Indian National Congress. Naturally यह कांग्रेस पार्टी का अंदरूनी मामला है और कांग्रेस पार्टी उसके लिए जो-जो कदम उठाती है उसके लिए वह आजाद है। इस मामले में न तो संसद की और न हमारी सरकार की बहुत ज्यादा जवाबदेही थी। उसके बावजूद सरकारी तौर पर जांच आयोग बनाया। लेकिन हम आज भी कहते हैं कि अगर हम अपनी पार्टी का डेलीगेशन भेजते हैं तो उसकी जिम्मेदारी, गलत हुआ या सही हुआ, हमारी पार्टी की होती है। एग्जाम्पल के तौर पर हम पूरे जंगल को ढा रहे हैं और पेड़ को ढूँढ रहे हैं। यह ऑयल फॉर फूड की स्कीम क्यों आई? यह इसलिए आई कि वहां लोगों को परेशानी थी। इस सैंक्शन्स का यूएसए और उसके एलाइज ने इराक को डिस्प्लेस करने के लिए इस्तेमाल किया और इराक बर्बाद हो गया। छह दिन तक सैंक्शन्स लगाईं गयीं। छह दिन मैंने इसलिए कहा कि आज इजराइल लेबनान में दाखिल हो गया लेकिन महीना भर के लिए सैंक्शन्स नहीं लगा। छह रोज के लिए अगस्त 1990 में कूवैत में दाखिल होने के बाद वहां सैंक्शन्स लगायीं गयीं और उन सैंक्शन्स का इस्तेमाल एक पॉलिटिकल इंस्ट्रुमेंट की हैसियत से किया गया।

MR. SPEAKER: We are discussing Pathak Committee Report.

मोहम्मद सलीम : उस हालात में वहां के लोगों को बचाने के लिए, उनके इलाज के लिए, दवा के लिए, फूड के लिए केवल यही प्रोग्राम था। इसलिए हमारी पार्टी का साफ कहना है कि ये लोग जो कहते हैं कि मिसयूज हुआ, वह गलत बात है। ऐसी स्थिति में तीसरी दुनिया के मुल्कों को बड़ी परेशानियां आयेंगी। इसलिए ऐसी स्थिति को इस्तेमाल करके, वह मुल्क, अपनी जनता को दवा पहुंचाए, फूड पहुंचाए, तो गलत नहीं है। वोल्कर कमेटी की रिपोर्ट को, दुनिया कहीं भी गंभीरता से नहीं लिया गया, केवल हमारे देश में लिया गया। हमें आशंका है कि हम हकीकत को भूलकर अपने देश की राजनीति और कूटनीति को उसी जगह ले जा रहे हैं जहां अमरीकन इंटेस्ट सर्व होता है और उस देश के गरीब लोगों का इंटेस्ट सर्व नहीं किया जाता है। इसलिए हमने शुरू में कहा है कि इस टेबल में इतनी एंटीज हैं, उसमें जर्नलिस्ट भी हैं, अखबार भी हैं, लेकिन दुनिया में किसी मुल्क ने इसको गंभीरता से नहीं लिया।

MR. SPEAKER: The discussion will continue tomorrow.

The matters relating to Special Mentions may be laid on the Table of the House.
