

'SECULARISM NOW DEFINED CORRECTLY'

# Let us channel Gujarat 'energy' to protect values: PM

NEW DELHI, DEC. 25. Making a strong plea for channelling the "Gujarat energy," the Prime Minister, Atal Behari Vajpayee, has said that the real face of secularism has come out in the open after the recent elections in the State.

The elections would not change the national political scenario but concepts such as secularism were now being defined correctly, Mr. Vajpayee said in an interview to the Hindi daily, *Dainik Bhaskar*, on his 78th birthday today. Secularism had always remained a slogan and its meaning and definition were never really debated, he said adding that the "energy" generated after the Gujarat elections should be used in a balanced manner to help protect the values in life. In an apparent reference to the Congress president, Sonia Gandhi, launching her election campaign in Gujarat after worshipping at the Ambaji temple, Mr. Vajpayee said "we remain hardcore secularists for 364 days in a year and we have no objections if, on the 365th day, an election campaign is launched after praying at a temple."

To a question on some cases of judicial corruption coming to light, he said the Government was contemplating measures to ensure that the judiciary dis-



The Vice-President, Bhairon Singh Shekhawat, offering sweets to the Prime Minister, Atal Behari Vajpayee, on his 78th birthday in New Delhi on Wednesday, as the Deputy Prime Minister, L.K. Advani, looks on. — Photo: Rajeev Bhatt

charged its functions properly. "We always thought that corruption would never enter the judiciary but as some reports in this regard are coming to light, the Government will take necessary steps." If necessary, the Constitution would be amended. Discussions were also under way to set up a national judicial

commission. On disinvestment, the Prime Minister said there were "some problems" but he did not think they were insurmountable. Taking everyone along in a coalition Government made it difficult for the Bharatiya Janata Party-led National Democratic Alliance at the Centre to take "hard deci-

sions." "But, at the same time, the NDA Government has completed three years in office successfully and it has been able to tell its constituents that the future of the country is safe in its hands." On reports of problems being posed to the Government by the BJP's allies and the Sangh Parivar, Mr. Vajpayee said he was "more disturbed about stories on internal squabbles."

See also Page 11

## PM launches rural water scheme

By Our Special Correspondent

NEW DELHI, DEC. 25. The Prime Minister, Atal Behari Vajpayee, today called for a collective, all-party effort towards solving the rural drinking water problem in a time-bound manner.

He was speaking after launching a new initiative in rural drinking water, 'Swajaldhara', here today. To begin with, the project is being launched in four northern States, two eastern and one State each in west and south India on an initial outlay of Rs. 87 crores.

Pointing out that work had been initiated on one of the biggest problems facing the rural masses, Mr. Vajpayee emphasised the need to educate the people on saving water, preventing wastage and maintaining the assets created through the 'Swajaldhara' programme. He also referred to the proposal for linking all the rivers, which could lead to a permanent solution to the problem.

During the ceremony, the Prime Minister held a video-conference with the sarpanchs of Awalpur village in Adilabad, Andhra Pradesh, Malkup village in Ahmednagar district, Maharashtra, and Gohakalan village in Lucknow district, Uttar Pradesh.

The Uttar Pradesh Chief Minister, Mayawati, the Union Minister, Balasaheb Vikhe Patil, and the Andhra Pradesh Rural Development Minister, M. Janardhan Reddy, also spoke to the Prime Minister during the video-conference.

Under the 'Swajaldhara' scheme, 10 per cent of the project and maintenance costs will be borne by the village or the panchayat and the rest by the Union Ministry of Rural Development. Initially, the project is being launched in Andhra Pradesh, West Bengal, Orissa, Maharashtra, Madhya Pradesh, Uttar Pradesh, Haryana and Himachal Pradesh. A total of 882 projects, costing Rs. 87 crores, have been sanctioned under the scheme.

## 'Support till NDA agenda is followed'

NIZAMABAD, DEC. 25. The Andhra Pradesh Chief Minister and Telugu Desam Party chief, N. Chandrababu Naidu, today said that his party's support to the Vajpayee Government would continue as long as the Bharatiya Janata Party followed the agenda of the National Democratic Alliance.

"There will be no change in the TDP's stand as long as the BJP follows the NDA agenda," Mr. Naidu said when asked for his reaction to the BJP's Hindutva agenda. Stating that his party always supported secularism, he said "the BJP has its own policies and ideologies just like the TDP has its own." — PTI

26 DEC 2002

THE HINDU

# SC sears govt for petrol pump order

## 'Cancellation aimed at scuttling probe'

TIMES NEWS NETWORK

**New Delhi:** In the severest ever judicial indictment of the NDA government, the supreme court on Friday struck down the cancellation of 3,760 petrol pump dealerships by Prime Minister Atal Bihari Vajpayee.

Holding that the cancellation order had been aimed at "scuttling the probe" into irregular allotments, the court set up a two-judge panel to inquire into the 413 allotments allegedly made on political or other considerations. "The public in general has a right to know the circumstances under which their elected representatives got the outlets and/or dealerships/distributorships," the court said. Mr Vajpayee's August 9 order cancelling all dealerships will now be effective only for these outlets, it ruled.

"The rotten apples cannot be equated with good apples. To put both categories—the tainted and the rest—at par is wholly unjustified, arbitrary, unconstitutional, being violative of Article 14 of the constitution," a bench comprising Justices Y.K. Sabharwal and H.K. Sema said.

The government should have ordered an independent probe instead of cancelling the allotments, the bench said, adding, "The mere reason that a controversy has been raised by itself cannot clothe the government with the power to pass such a drastic order which has devastating effect on a large number of people.

"How could all those large numbers against whom there was not even insinuation be clubbed with the handful of those who were said to have been allotted these dealerships or distributorships on account of political connection and patronage?" the bench asked.

The cancellation order was a fallout of the public outcry and controversy over the pumps scam exposed by *The In-*

*dian Express*. The bench asked retired supreme court judge S.C. Agrawal and former high court judge P.K. Bahri to submit a report on the irregular allotments.

Castigating the manner in which the country's top leadership took the decision "without any application of mind, visualising the enormity of its impact and without any scrutiny", the bench said the order "looked from any angle, cannot stand the scrutiny of law".

On August 5, Mr Vajpayee, deputy Prime Minister L.K. Advani, petroleum minister Ram Naik and parliamentary affairs minister Pramod Mahajan had discussed the issue in a meeting. On August 5 and 9, the government passed the two orders which resulted in the cancellation of 3,760 dealerships merely because a "controversy" had arisen over the allotment of only ten per cent of the total allotments made since January 2000, the court said.

### Naik seeks to play it down

**New Delhi:** "It is true that the government order has been set aside. It happens in many cases and this is one more addition," petroleum minister Ram Naik said on Friday, reacting to the supreme court order.

"We shall implement the court order," he said, adding that his ministry would abide by the ruling and provide to the two-member committee set up by the court all files relating to the 417 allotments regarding which doubts had been raised.

Asked if the decision to cancel all the 3,760 allotments was taken in haste, Mr Naik said, "The decision was taken after due consideration of all aspects, but the supreme court has not accepted (our opinion)." **PTI**

2 1 DEC 2002

# After triumph, BJP puts Hindutva on ice

Shekhar Iyer/Rathin Das  
New Delhi/Gandhinagar,  
December 16

TILL THE polls, the BJP just couldn't forget Godhra. A day after the landslide victory, the train — and Muslim-bashing — is on the backburner.

"This Government is not only for those who voted BJP," Chief Minister-designate Narendra Modi told a rally at Gandhinagar on Monday, "but also for those who opposed our party."

This was in keeping with signals the BJP central leadership sent out a day after the Gujarat victory — that it would go easy on Hindutva for a while, even at the cost of angering Parivar hardliners. The reason is that a hawkish Hindutva stand can only hurt the party's two immediate objectives.

First, the BJP is looking to remove the allies' fears that it may begin flouting the NDA agenda and try to repeat the Gujarat experiment across the country — including States ruled by the allies. The BJP realises that the NDA must stand united during the serial Assembly polls through the next 12 months.

Second, the party wants to consolidate the Gujarat gains by helping Modi shed his anti-minority image for that of a mature statesman ready to lead all sections of Gujarat's society to prosperity.

Modi was quick to take the cue after he was unan-



## VAJPAYEE'S TWIN TARGETS

**Convincing allies that the Gujarat experiment will not be repeated in States ruled by them**

**Helping Modi gain the stature of a statesman who can lead the whole of Gujarat to prosperity**

imously elected the BJP legislature party leader. As he addressed a large gathering, there was no mention of "Mian Musharraf" or the "Italian" Sonia Gandhi. The theme

was good governance. "The people expect results and please remember, we have to deliver," Modi told the newly elected MLAs and party activists.

The entire BJP brass

joined in the exercise to build Modi's stature, putting off the party's national executive meeting in Delhi by a day so that all top leaders — including Prime Minister Atal Bihari Vajpayee and Deputy Prime Minister LK Advani — can be at Gandhinagar for the Chief Minister's swearing-in on December 22.

Over the next two days at the party's Delhi conclave, the focus will be on soothing allies' nerves. Led by Vajpayee, the entire BJP leadership is expected to make it clear that the party will stick to the NDA agenda and concentrate on governance.

On Monday, in the BJP's first public message after the poll results, party spokesman VK Malhotra asked Muslims to shed their fears of Modi. "The new Government will ensure security and development of all citizens — whether they are Muslims, Christians or Hindus," he promised.

There was a note of caution, however. Muslims can expect justice but not "appeasement", Modi said in Gandhinagar.

In Delhi, Malhotra explained what this means: The Muslims must learn to eschew "fatwa politics" and make their political choices on the issue of development. They must shun parties like the Congress that deliberately play on their "communal sentiments".

Related reports on Page

# Atal pushes tolerance, snubs Modi

STATESMAN NEWS SERVICE

VADODARA, Dec. 7. — The Prime Minister today in a speech loaded with significance for Gujarat, its leadership and the hard line Hindutva campaign, said "*sarvdharm sambhav*" (all religions are equal) is the creed of tolerance to which the country is committed. He stressed: "There should be no dispute on this."

Mr Atal Behari Vajpayee, who joined the BJP poll campaign in Gujarat by addressing an election rally here, kicked off his speech stating that he had come "as an advocate of Narenbhai" but later thought it necessary to tell the 50,000 strong gathering that "it is the legislators you elect who will choose the next chief minister." The Gujarat chief minister, Mr Narendra Modi, was sitting next to him at the time.

Repeatedly reverting to the theme of peace and tolerance in his speech, a line at odds with the Gujarat BJP's Godhra-centric campaign focus, Mr Vajpayee emphasised that the country had adopted the policy of *sarvadharm sambhav* not under pressure, but voluntarily. "*Ishwar Ek Hai*," the Prime

Minister told the gathering, adding: "there may be different paths, but they lead to the same Divine." He referred to the "unfortunate incidents in Gujarat" but added, "now I feel peace and brotherhood has once again being established." He said the bitterness of the poll campaign must be left behind.

Speaking earlier, Mr Narendra Modi, had told the audience that if they voted him to power for the next five years they would be able to sleep peacefully as he would "keep awake and see to their safety". Taking up on this point, Mr Vajpayee, however, added his bit — "even if Modi has told you to

sleep peacefully, I ask you to be alert and keep awake. — "*desh ko jagrukta ki zaroorat hai*." He appealed to the gathering to "keep aside all differences and take the country ahead towards prosperity."

The Prime Minister also touched on terrorism which "has centres" all over the world. He said "our neighbour" was creating hurdles in India's progress. "We want to go ahead and remove poverty and develop the country but our enemy has other plans... (but) our defence services are doing a good job."

Switching his attention to the Congress party, Mr Vajpayee said that it had not taken its opportunities over the past 45 years. "We do what we say," he added, pointing

out that his government had carried out the nuclear tests while the Congress was "under pressure". The Congress party should have linked all the rivers in the country, and given more attention to defence. Had this been done there would be no drought and the country would be safe today, he added.

Stating that his government was committed to a "*s a m a s t h a*

*Bharat, khushal Bharat* (self-sufficient and prosperous India)" the PM spoke in detail about the plans that his government has for linking the country's rivers, and of building roads "from Kanyakumari to Kashmir, and from Dwarka to West Bengal."

Mr Vajpayee asked the people to learn from the "free and fair" elections in Jammu and Kashmir, where people turned up to vote despite threats. Mr Vajpayee urged the crowd — "you do your duty (*kar-tavya*), we will do ours." Centre-state cooperation, coalitions at the Centre — and the possibility that they may be adopted in the states — were also touched upon by the PM.



**Sarvdharm sambhav is the creed of the country; there should be no dispute on this... the next CM will be chosen by the MLAs you elect**

# Sell-off row ends with no clear winner

By Sanjay Dutta  
TIMES NEWS NETWORK

**New Delhi:** Thursday's announcement of a "consensus" on the sale of oil majors HPCL and BPCL may have broken the privatisation deadlock but it has failed to throw up a clear winner in the contentious debate between disinvestment minister Arun Shourie and his critics within the government.

If anything, say politicians and officials familiar with the decision, the keenly fought compromise suggests that the NDA coalition will henceforth be tailoring its financial decisions to meet the requirement of political saleability.

The sugar-coating of the decision to sell the two oil firms—one through bidding and the other through public offering—also indicates a give-and-take flexibility between the Prime Minister's Office and the disinvestment ministry on one side, and the powerful swadeshi lobby in the ruling coalition on the other.

While the precise outcome of Thursday's high-level meeting on disinvestment will be unveiled in Parliament on Monday by Arun Shourie, the anti-selloff lobby appears to have managed to wring a key concession out of Prime Minister Vajpayee: that the more profitable BPCL will be disinvested by offering shares to the public. This method had been supported by oil minister Ram Naik and defence minister George Fernandes on the ground of avoiding creation of private monopolies. A public float also means that BPCL will be off the selloff radar, at least for now.

The proposal to offer the employees of the two oil firms equity at some dis-

count would take care of concerns voiced by the BJP's Murli Manohar Joshi and RSS ideologues S. Gurumurthy and K. Sudarshan.

Mr Shourie will take consolation from the fact that he now has HPCL to sell through the DoD's preferred route and can push through the sale of some other major PSUs like Nalco and ITDC hotels, which were stuck over the oil spill.

But the biggest gain for Mr Shourie is that the go-ahead to the oil selloff will ease the pressure that was sought to be built on him inside parliament by some of the BJP's coalition allies. Any soft-peddalling on the oil selloff now could have been sold by the opposition as an admission of fault lines—both in the disinvestment process and the ruling coalition. If there is any winner, it is ONGC. At the September 7 CCD meeting, Mr Shourie had agreed that PSUs would be allowed to bid in the selloff process on the merit of each case. Political packaging would entail allowing ONGC to bid for HPCL to avoid charges of cartelisation by private players and ensure a fair competition and better deal for the government.

● See Edit: Divested Interests, Page 12

## CCD meet after December 11

TIMES NEWS NETWORK

**New Delhi:** The disinvestment ministry will seek a date for the next meeting of the Cabinet Committee on Disinvestment after December 11.

"The core group of secretaries will meet on December 11. I hope to get an early date for the CCD meeting," disinvestment secretary P. Baijal said.



Arun Shourie

7 DEC 2002

# Atal brokers divestment deal

## OUR SPECIAL CORRESPONDENT

New Delhi, Dec. 5: The government today hammered out a compromise formula on disinvestment at an informal meeting held at the Prime Minister's residence soon after a sitting of the full Cabinet.

The accord came two days before a Cabinet-imposed three-month deadline that put the disinvestment process in the freezer till December 7 to allow tempers to cool over what had become a sharply divisive issue for the Vajpayee-led government.

The main objections to disinvestment had been over what opponents like defence minister George Fernandes saw as a blatant attempt to sell off the family

silver to private companies through the so-called strategic route under which the government concedes management control of a public sector unit to a single private investor.

Today's meeting was chaired by Prime Minister Atal Bihari Vajpayee and attended by his deputy L.K. Advani, the defence minister, finance minister Jaswant Singh, petroleum minister Ram Naik and disinvestment minister Arun Shourie.

The meeting resolved that it would pay heed to Fernandes' objections to a "mindless policy of strategic sales" by conceding that certain "strategic" companies be kept in the government's control and the selloff at a later stage would be done only through public offerings.

However, other PSUs will continue to be sold through the strategic route. The gridlock over the selloff process arose over the sale of the government's stake in two oil companies — Hindustan Petroleum Corporation Ltd and Bharat Petroleum Corporation Ltd.

The meeting is believed to have decided that the 51 per cent stake in HPCL will be sold through the strategic route to a single bidder or a consortium of bidders. BPCL, on the other hand, will be sold through the IPO route to small shareholders. The sale will have strings which will disallow any predatory accumulation of shares at a later stage by any single company.

Although this will turn BPCL into a board-managed company,

the government will remain the single largest shareholder. This was agreed after the detractors of the selloff process pointed out that it was essential that the government had a significant stake in the oil sector, which turns from a normal economic activity into a strategic one during times of war.

Today's meeting was seen as an attempt by the Prime Minister to stamp his authority on decision-making after Advani failed to broker a consensus.

After coming out of the meeting, Shourie said: "A unanimous view was arrived at and reported to the Prime Minister. The Prime Minister directed me to make a statement about it in Parliament." He refused to elaborate as Parliament was in session.

6 DEC 2002

# No show at the WEF

A government has no business to sulk if it is concerned about business

**F**AR too much of avoidable controversy has been generated by the decision of the prime minister to stay away from this year's India Summit of the World Economic Forum (WEF). True, a prime minister need not always make himself available for such events, especially when there are so many business summits and conventions through the year at home and abroad. Merely because prime ministers have addressed past summits of the WEF does not mean that they should do so year in and year out, unless they have a new message to convey. Since it appears that Prime Minister Atal Bihari Vajpayee does not have any new message for investors at home or abroad, he may well have opted to stay away. That is not a big deal.

However, it is the business of key economic ministers in the government that they should try and make use of such opportunities. Hence the decision of finance minister Jaswant Singh to stay away from the summit, especially when he found time to watch a polo match on the weekend, is inexcusable. At a time when there is so much debate on fiscal policies and serious concerns are being expressed about the sustainability of domestic deficits and debt, Jaswant Singh could have reinforced confidence in his leadership at the fisc by making an appearance at the India Summit. More importantly, apart from addressing such negative concerns, he could have taken this opportunity to draw

the attention of the international participants to the many positive steps he and the Reserve Bank of India have taken to move the economy closer to full capital account convertibility. Indeed, the government has a strong case even on such issues as privatisation and the case could have been articulated effectively by a senior functionary like Jaswant Singh. His absence at the WEF is surprising and distressing.

It shows that the government is shying away from using whatever platform is available to communicate a clear message to investors at home and abroad. It can argue, of course, that it prefers alternative fora to the one offered by the WEF, which is after all a private organisation in the business of business summitry. That, however, is not the message so far communicated. Rather, those who have chosen to speak to representatives of the media on behalf of the government to explain away the absence of the PM and the FM from the summit have alluded to petty reasons with respect to protocol and organisational styles. At a time when the government's reformist image has been dented and when a business summit is in fact discussing the policy implications of the government's own Tenth Five Year Plan growth target of 8 per cent per annum, the WEF's India Summit was a good opportunity that a visibly sulking government short-sightedly wasted.

28 NOV 2002

# Tehelka panel chief steps down

*9 Sept Court*  
**R. VENKATARAMAN**

New Delhi, Nov. 23: Justice K. Venkataswami, chairman of the one-man Tehelka inquiry commission, today resigned from the panel as well as a senior government post he was appointed to after an uproar in Parliament over the impropriety of accepting a position while probing the portal exposé.

After the Opposition yesterday charged that his appointment as chairman of advance ruling in the customs and excise department had compromised his position as head of the Tehelka probe, an embarrassed Justice Venkataswami today shot off a letter to the Prime Minister, resigning from the posts. His move has put a question mark on the ongoing inquiry into the defence scam.

Earlier in the day, he had said that the "PMO has to take a decision... they should tell you the exact position".

A retired judge of the Supreme Court, Justice Venkataswami was brought in to the Tehelka inquiry to probe the defence scandal as he was known as a "fair judge", law ministry sources said. The Chief Justice (then Justice S.P. Bharucha) had recommended his name for the customs and excise post in January this year for his "integrity and mastery over law relating to money matters", sources said.

However, the Opposition led by the Congress decided to corner the government on Justice Venkataswami's appointment to the finance ministry post, saying it was an open dole from the government to get a good certificate in the Tehelka exposé.



ADJOURNMENT MOTION DEFEATED

# Gujarat elections must be free and fair: Advani

By Javed M. Ansari

NEW DELHI, NOV. 18. The Deputy Prime Minister, L.K. Advani, today came close to committing himself to the Prime Minister, Atal Behari Vajpayee's line on Gujarat. He agreed that the Assembly elections should be fought on issues such as good governance and development.

Replying to an Opposition-sponsored adjournment motion in the Lok Sabha, which was defeated by a voice vote, Mr. Advani said, "everybody including my party and its allies must ensure that the polls are free and fair and must be able to assure good governance and the safety of people of all religions in the state".

The Deputy Prime Minister's comments came at the end of a six-hour lacklustre debate. For most part, it was a tepid affair, and, barring Praveen Rashtupal of the Congress and P.A. Sangma (NCP), most of the presentations lacked thrust and direction. The indifference was reflected in the poor attendance, and at one point the proceedings were held up because of lack of quorum.

Like the speakers who preceded him, Mr. Advani too broke no new ground, and merely used the occasion to reiterate the points he had been making all these months. He described the Ayodhya movement as "shresht" (excellent), but hastened to add that the demolition on December 6 was wrong and "one of the most painful days of my life".

Mr. Advani said the concept of a religious state was alien to the Indian ethos. "This country will not accept communal violence and pseudo secularism".

Earlier, the Opposition parties took the Government to task for its inability to rein in



hardliners within the "sangh parivar" for their proclivity to play the communal card and for their vituperative outbursts

against the Chief Election Commissioner.

The member who moved the motion, Subodh Roy (CPI-M) said the situation in Gujarat posed a threat to the country and the Constitution. "The rule of law has given way to jungle raj in the State".

## 'Dangerous trend'

Mr. Sangma described the recent criticism of the Chief Election Commissioner, J.M. Lyngdoh, by the Vishwa Hindu Parishad (VHP) as unprecedented and a dangerous trend. "It is an affront and an insult to Meghalaya, the northeast and the tribal people".

Almost all the Opposition MPs too criticised the attack on Mr. Lyngdoh and the language

used against him by the VHP.

Mr. Rashtupal said that while the people of Gujarat were crying out for development, water, electricity, jobs and economic uplift, the BJP and its allies had embarked on a communal agenda merely to capture power. He warned that if they succeeded in Gujarat, the same formula would be applied elsewhere in the country.

The Congress member also urged the Prime Minister and Mr. Advani to direct the Gujarat Chief Minister, Narendra Modi, and the VHP to refrain from using abusive language against the Leader of the Opposition in the Lok Sabha. "If they continue in this vein, something terrible may happen, the responsibility for which will be entirely with the BJP."

The Minister for Civil Aviation, Shahnawaz Hussain, and Hiren Pahthak took up the cudgels on behalf of the Government. The former sought to turn the tables on the Congress by blaming it for all the woes suffered by the minorities. "History will show that we have the most secular Prime Minister and Deputy Prime Minister".

Mr. Pahthak said the discussion would only inflame the passions in Gujarat. "There is little merit in discussing the issue now, as no new incidents had taken place since July when the issue was last taken up in the House. "On December 12, the people of my State will give the verdict. Leave it to them, let them decide," he urged the members.

Prominent among others who took part in the debate were E. Ahamad (IUML), V.K. Malhotra (BJP), Priyaranjan Dasmunshi (Congress), Roopchand Pal (CPI-M), Madhusudhan Mistri (Congress) and Vallabhi Kataria (BJP).

## Godhra will not be a poll issue, says Modi

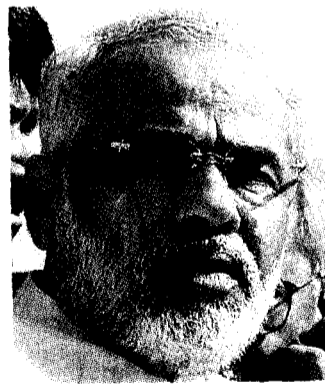
NEW DELHI, NOV. 18. Godhra will not be an election issue. But if it is raised by the Opposition, the BJP will give an "apt reply", the Gujarat Chief Minister, Narendra Modi, has said.

However, the party wanted to seek "positive votes" on its performance in the December 12 Assembly polls.

"The BJP will seek votes on its past performance and Godhra will not be an issue," Mr. Modi told reporters after visiting the Gujarat Pavilion at the Trade Fair in Pragati Maidan here.

He parried a query on which seat he would contest from, saying "any out of the 182 Assembly constituencies, except those which are reserved".

About the reports of possible trouble during the Assembly elections, he said "ask those who are talking about these apprehensions. They said there will be trouble during the cricket match. They said there will be trouble during Jagannath Yatra but nothing happened." — PTI



19.11.2002  
14.11.2002  
GUJARAT GOVT. HAS DONE THE RIGHT THING'

# Honour EC directive: PM

By Harish Khare

NEW DELHI, NOV. 15. Just a day after the Bharatiya Janata Party criticised the Election Commission for its decision to ban the Vishwa Hindu Parishad's proposed "yatras" in Gujarat, the Prime Minister, Atal Behari Vajpayee, has stood by the Commission. "The Government of Gujarat has done the right thing by acting as per the directive of the Election Commission to prohibit religious processions," he said today.

Without naming the VHP, Mr. Vajpayee made it clear that the organisation had no choice but to respect the EC decision. "I appeal to all organisations to honour this directive issued by a constitutional authority and help the State administration in discharging its duty," he said.

Mr. Vajpayee's intervention came in the form of a brief interview to the Hindi television channel, Aaj Tak. The exercise is being described as a "carefully crafted signal" to the VHP and its sympathisers within the BJP. Within minutes of the interview, the Press Information Bureau also released a statement paraphrasing the Prime Minister's formulations. Mr. Vajpayee has virtually distanced himself from the Narendra Modi/Pravin Togadia strategy of over-aggressive Hindutva.

The sum and substance of the Prime Minister's observations was that "Godhra" and the post-Godhra violence need not be invoked as election themes. "If it is done, it will look like

there is no other issue and votes are being played with like a toy," said Mr. Vajpayee when asked about the propriety of the (VHP/BJP) campaign for communal polarisation.

Mr. Vajpayee's remarks are a message to the VHP leadership that it could not conduct itself as being above the law. "It is only through scrupulous obedience of the law that we can enhance the prestige and efficacy of our democracy," he said.

Only a few weeks ago, the VHP brass was gunning for the Prime Minister and his principal aide. Today, Mr. Vajpayee has returned the "compliment."

Not only the VHP, even the Gujarat BJP leadership came in for indirect criticism. In an obvious indictment of the caretaker Chief Minister, Narendra Modi's highly emotional invocation of the "Godhra" massacre, Mr. Vajpayee noted: "I urge all political parties and or-

ganisations to focus their election campaign on issues of development and governance, and not on matters that vitiate the atmosphere."

Mr. Vajpayee had indirect words of disapproval for the BJP's central media managers who have sought to criticise the Election Commission for curbing the majority community's freedom of expression.

The Prime Minister saw the issue differently: "With elections less than a month away, it is natural for political and social organisations to want to go among the people and conduct their campaigns. It is their democratic right. However, it is also the democratic duty of one and all to exercise it in a lawful way. Even protest has to be expressed in a peaceful manner without inflaming passions."

The Prime Minister's forthright statement is also as an encouragement to the bureaucracy — civil and police — in Gujarat to provide level-playing field conditions to all the political parties. It is believed that Mr. Vajpayee's intention is to signal to the State's top bureaucratic leadership — the Chief Secretary, the Additional Chief Secretary (Home) and the Director-General of Police — that the Commission's writ must be respected.

In other words, the bureaucracy should not allow itself to be intimidated by the caretaker Chief Minister.

It is learnt that Mr. Vajpayee has yet to decide on whether to campaign in Gujarat.

## VHP rejects appeal

By Manas Dasgupta

AHMEDABAD, NOV. 15. The Vishwa Hindu Parishad today reaffirmed its decision to take out the controversial "vijay yatra" from Godhra on Sunday and threatened to make use of the train carnage to "arouse Hindutva." Rejecting the Prime Minister, Atal Behari Vajpayee's appeal to call off the yatra, the VHP international general secretary, Pravin Togadia, instead urged him to "protect the religious and fundamental rights of Hindus." He also hoped that Mr. Vajpayee would not succumb to "pressures" from the Congress president, Sonia Gandhi, and other "pseudo-secularist forces."

Meanwhile, the Gujarat Government has started mobilising the security force to implement the Election Commission ban on the yatra. When the Additional Chief Secretary (Home), Ashok Narayan, was asked about the VHP's decision not to relent, said that "appropriate actions" would be taken by the administration "whenever they violate the law." Narsimha Komar, the District Superintendent of Police of Panchamahals, of which Godhra is the district headquarters, said that additional forces summoned would start arriving by tonight for deployment in Godhra. Prohibitory orders had been imposed in the entire Godhra town banning the assembly of more than four persons and for carrying of arms.

Even as the VHP workers were preparing for the meeting and the yatra on Sunday, Mr. Komar said that the police had prevented the VHP from displaying placards and posters in public places inviting the people to attend the "Dharma Sabha" to be addressed by Mr. Togadia and the VHP's volatile speaker, Acharya Dharmendraji Maharaj.

THE HINDU

16 NOV 2002

# PM puts rule of law before parivar

## Atal appeal on VHP deaf ears

### OUR BUREAU

New Delhi/Ahmedabad, Nov. 15: The voice of the Prime Minister rose above the voice of the party leader as Atal Bihari Vajpayee today rallied behind the Election Commission, asking that the ban on the Vishwa Hindu Parishad's proposed Vijay Yatra from Godhra be respected.

"I appeal to all organisations to honour this directive issued by the constitutional authority and help the state administration in discharging its duty," Vajpayee said in a statement.

The VHP was not listening. Its international general secretary, Praveen Togadia, said the yatra would go ahead as planned on Sunday.

"To organise religious yatra is our fundamental right, which has been violated by the Election Commission. We appeal to the Prime Minister to restore our fundamental right, or else we will fight for our rights, irrespective of consequences," he said.

The RSS threw its weight behind Vajpayee. "We expected that the VHP would respond positively to the Prime Minister's advice," spokesman M.G. Vaidya said.

Through his statement, Vajpayee sought to climb above the welter of lawlessness the Gujarat violence symbolised, just as he had after the Babri demolition. "It is only through the

scrupulous obedience of the law that we can enhance the prestige and efficacy of our democracy," he said.

"On the face of it, the decision might look wrong but, given the circumstances in Gujarat, the ban order is correct," he said, doing his trademark tightrope walk of a law-abiding liberal who is trying not to provoke the VHP too much.

But the VHP felt incited enough to hint at going beyond the original plan and following a more provocative path by making evocations of the charred Sabarmati Express coach, in which 58 people were burnt alive on February 27 in Godhra, a part of the yatra.

"Initially, there was no plan to show the S-6 coach of the train. But now we may rethink. There will be pictures of the S-6 coach everywhere. In every Hindu family, women will wear it on their saris, boys will wear T-shirts, even undergarments, with the picture of S-6 printed on it," Togadia said.

Squirring in the dilemma of either having to crack down on the VHP, the Sangh parivar's backbone in Gujarat, or violating the commission's order to not allow the yatra, the Narendra Modi administration did not appear to have a strategy in hand.

Government spokesman and urban development minister I.K. Jadeja said: "I cannot tell you how we are going to handle the

ported his appeal to honour the ban. But he added: "The decision to ban the yatra has apparently been taken under the influence of the Congress."

The VHP made it a point to spotlight the contradictions. Its general secretary, Giriraj Kishore, said: "Two distinct voices have emerged in the BJP. The Prime Minister has appreciated J.M. Lyngdoh's order, while (party) spokesman Arun Jaitley called it destructive and partitioned between the two."

Sources close to Vajpayee, however, contended that there were no differences.

"The Prime Minister is first the Prime Minister of the country and a BJP leader later. Narendra Modi acted like a chief minister (by enforcing the ban), whether out of compulsion or any other reason. As an elected representative, he is first accountable to the people of Gujarat. However, political parties have their own compulsions and are free to react in whatever way they want," these sources said.

Vajpayee praised Modi: "The government of Gujarat has done the right thing by acting as per the directive of the EC."

Kishore was dismissive of Vajpayee, saying he was not a Hindu.

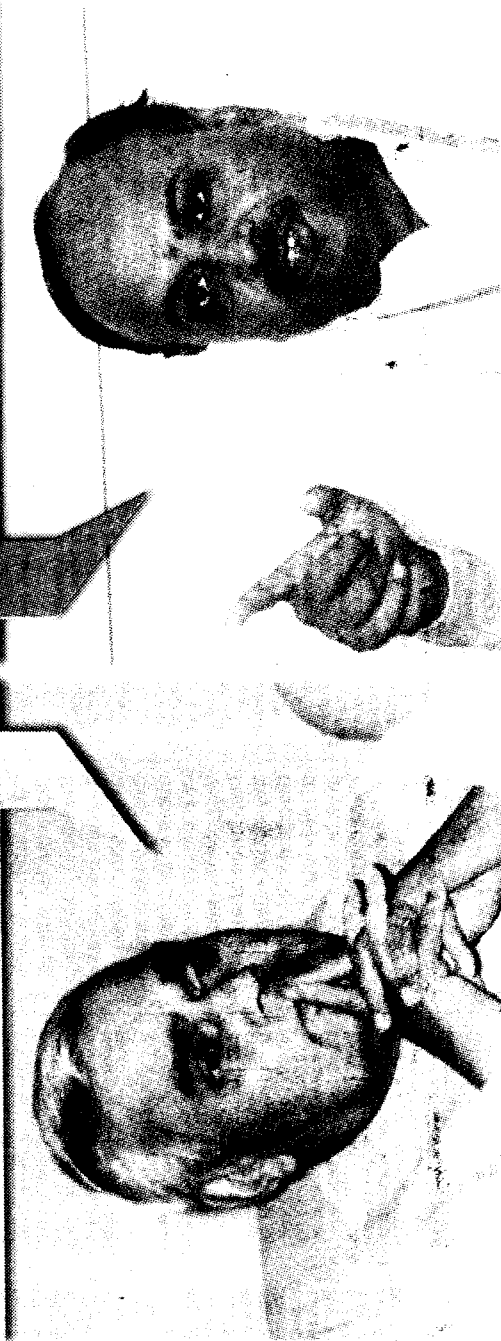
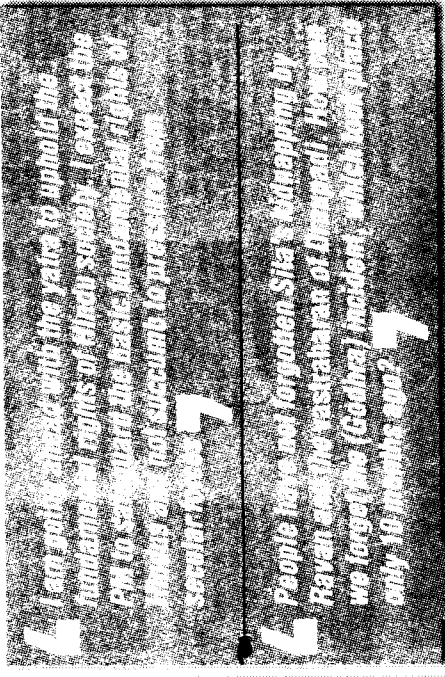
"The Prime Minister does not consider himself a Hindu but a humanist. But even humanists fall into two categories. The *Hindutawadis* are the real humanists, the others are the so-called humanists."

In Ahmedabad, Togadia was tongue-whipping "secularists who want us to forget the Godhra incident, which is like a modern Somnath (referring to the vandalism of the temple by the Ghaznavis)".

## THE CROSSFIRE

**The Gujarat government has done the right thing by acting as per the directive of the Election Commission to prohibit religious processions. I appeal to all organisations to honour this directive**

**Godhra cannot and should not be made an election issue. If it is done, it will look like there is no other issue and votes are being played with like a toy**



Graphic: RAJ

channel that Godhra should not become an issue.

"If it is done, it will look like there is no other issue and votes are being played around with like a toy."

The statement highlighted the differences between him and the party. If earlier BJP presi-

dent M. Venkaiah Naidu had declared that the campaign would revolve around the Godhra carnage, yesterday he described the commission directive as "inappropriate".

Denying differences with Vajpayee, BJP spokesman Mukhtar Abbas Naqvi said the party sup-

porting for political and social organisations to want to campaign. "However, it is also the democratic duty of one and all to exercise it in a lawful way."

His message to the BJP's Gujarat strategists was to focus their campaign on development and governance. He told a TV

situation." Togadia kept alive the possibility of challenging the ban, accusing the commission of "terrorising" the state administration.

Vajpayee conceded that, with elections less than a month away, it was "natural" and "dem-

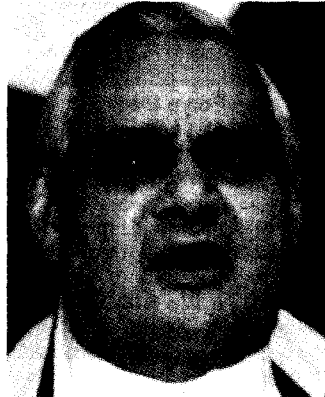
## DISINVESTMENT ISSUE PLAYED DOWN

# PM-Advani push gets Cabinet nod for Tenth Plan

By Alok Mukherjee

NEW DELHI, OCT. 29. The Union Cabinet today approved the Tenth Five-Year Plan with an "ambitious" growth target of eight per cent per annum for the years 2002 to 2007, but only after "adjustments" on controversial issues. There was a last-minute attempt to postpone the approval, but it was put down strongly by the Prime Minister, Atal Behari Vajpayee, and the Deputy Prime Minister, L. K. Advani. At the same time, the controversial public sector disinvestment issue was played down considerably in the presentation made to the Cabinet.

The Tenth Plan, which advocates a strong dose of public sector disinvestment and a high target for attracting foreign direct investment (FDI), became a matter of some controversy in the light of the strong line against disinvestment adopted by a few Cabinet Ministers. While the full Planning Commission meeting, which cleared the Plan earlier this month, had only the Finance Minister, Jaswant Singh, and the External Affairs Minister, Yashwant Sinha,



as participants — apart from the Prime Minister and the Commission members — the Cabinet meeting today included the presence of some of the "dissenting" Ministers.

According to reports, the Human Resource Development Minister, Murli Manohar Joshi, today suggested the postponement of a decision "since not everybody had a chance to go through the bulky documents". At this, Mr. Singh is understood to have said that a meeting for the approval of the Plan had already been postponed once (Monday, last week) and a sec-

ond postponement would "send out negative signals".

Mr Singh's stand was supported by Mr. Vajpayee and Mr. Advani. Even the Defence Minister, George Fernandes — who had earlier gone public opposing disinvestment of the oil sector companies — said a decision was necessary today.

Once the "big four" took that position, most of the expected dissenting voices were not raised and the discussion proceeded on "normal" lines, with some Ministers seeking higher allocations for their charge while others wanted greater em-

phasis for certain sectors such as housing for the poor and generation of employment opportunities.

But the Planning Commission also took note of the "sensibilities" of those opposing disinvestment. While the Plan projects a disinvestment revenue of about Rs. 16,000 crores annually — which would mean selling off the profitable public sector units — the official position adopted later was that the basic question was of mobilising revenue, whether through disinvestment or better tax collections. As such, disinvestment might not be that big an issue if the Finance Minister is able to mobilise resources from other sources was the official stance.

Consequently, the issue of mobilising resources through disinvestment was played down considerably since "it accounted for just two per cent of the total Plan size". With this, the Cabinet gave its clearance for the Tenth, which will now be placed before the National Development Council for approval, possibly next month.

**Hard decisions needed: Page 12**

3 0 00 2007

# Vajpayee finds his voice

RADHIKARAMASESHAN

New Delhi, Oct. 25: A day after reaching a truce of sorts with the RSS, Prime Minister Atal Bihari Vajpayee came into his own, tackling controversial issues and expressing his opinion without mincing words.

"What happened in Gujarat cannot and must not be forgotten. Let us take a pledge that Gujarat will never be repeated," he said, addressing a rally at the Talkatora Stadium to mark three years of his government.

In a clear message to Gujarat chief minister Narendra Modi and VHP leaders who had badmouthed the minorities, Sonia Gandhi and Brajesh Mishra lately, Vajpayee said: "There is no place for violence or abusive language in politics."

"One should not cross the limits of decency and decorum and only civilised language should be used," he said.

Breaking his silence, apparently forced by a bad throat but giving rise to all manner of speculation, the Prime Minister took gentle swipes at members of his political and ideological family, including Haryana chief minister Om Prakash Chautala, former Kashmir chief minister Fa-



**Mountains are being made of molehills. We (Vajpayee and Advani) have worked together and will continue to do so.... We will walk together, speak together and face challenges together**

AB VAJPAYEE

worked together in the past and will do so in the future."

The context for this was the interpretation given to cancellation of a news conference in his constituency last Sunday. "I called off my Lucknow press conference because of a bad throat. But I did address a meeting later because it was pre-arranged. But when I opened the paper's next day, what did I see? 'Atal Bihari Vajpayee flees Lucknow!' Why should I flee Lucknow? It's my constituency, a place where I threw stones and had stones thrown at me. The press is free to write what it wants but I may not relish a headline like Lal Krishna Advani refuses to speak."

rooq Abdullah and Karnataka chief minister S.M. Krishna.

But it was the reference to deputy Prime Minister L.K. Advani at the end of his speech which assured the gathering that the recent "illness" had not dulled Vajpayee's eloquence. Advani refused to speak despite being listed as a speaker and despite repeated requests from BJP president M. Venkaiah Naidu and NDA convener George Fernandes.

Vajpayee said: "I was advised to speak less and I wanted Advani to speak. But he did not and that I am sure will make big news with headlines like *Vajpayee aur Advani ke beech sangharsh* (war between Vajpayee and Advani). But we have



The most credible explanation for Advani not speaking today was that he had already said all that he had wanted to on October 18, on the government's third anniversary, when the Prime Minister was out of the country.

"Big goals cannot be attained with small hearts. Everybody should work together to meet the challenges ahead," Vajpayee said, leaving it open to interpretation whose "heart" he was speaking of.

There was no direct reference to the bickering within the Sangh, apart from the statement (again, this could have been addressed to anyone): "Criticism has its place but working in unison for the

country is more important." The Haryana chief minister was not as lucky. Speaking on the recent lynching of Dalits in Jharkhand, he looked at Chautala and said: "Pardon me for saying so Mr Chautala, you have ordered a probe into the incident, but don't Dalits have the right to life?"

Describing Gujarat and Jharkhand as "not big challenges", Vajpayee added: "Nonetheless, they are central to the character of our society and polity."

Even Abdullah, who tried to sound more "nationalist" than the BJP today, was not out of Vajpayee's radar of rebuke. Labelling the Jammu and Kashmir elections a "turning point in the nation's history", he said: "Parrooq Abdullah and his party had a big role to play in the free and fair conduct of elections. A change was possible with everyone's cooperation. But the people of Jammu, Leh-Ladakh and the Valley were not happy with the ruling party's policies. Those in power should try and please all sections. That didn't happen in Jammu and Kashmir."

Vajpayee listed among his government's achievements the killing of the terrorists who had attacked Parliament and the Akshardham temple as important ones.

# Vocal PM not sore with Advani

Statesman News Service

NEW DELHI, Oct. 25. — Mr Atal Behari Vajpayee today appeared to have completely recovered from the problem of sore throat. He loudly appealed to all to participate in national policies, asserted there was no place for violence in a civilised society, and said Pakistan was being transformed into a terrorist state.

Addressing a rally to celebrate completion of three years of NDA rule, the Prime Minister said: "Barring a few incidents, we have succeeded in maintaining peace and harmony."

Interestingly, Mr LK Advani refused to speak at the rally "so that the Prime Minister could speak more". Mr Vajpayee in response said with a smile that he hoped this 'refusal' would not be interpreted as a sign of any difference between them. At this, both of them had a hearty laugh, and the Prime Minister said: "We

have worked together and we will work together."

NDA leaders present at the rally included Mr George Fernandes, Mr LK Advani, Dr Farooq Abdullah, Mr OP Chautala and Mr Prakash Singh Badal.

Mr Vajpayee said he "enjoyed" the speculation in the media over his "sore throat" that resulted in the cancellation of his press conference in Lucknow last week. "I will not run away from Lucknow ... Lucknow is my wrestling ground. I defeated others there and got defeated as well".

"Gujarat cannot be forgotten but we have to take a pledge that it will not be repeated," Mr Vajpayee said, while referring to the killings there. On the Dalit killings in Jhajjar, he wondered: "If Dalits had no right to live and if women cannot be ensured safety and security?" He turned to Haryana chief minister Mr Chautala and told him to ensure that the guilty were punished immediately.

He criticised the VHP leader, Mr Pravin Togadia, for calling Mrs Sonja Gandhi an "Italian dog". Without naming Mr Togadia, the Prime Minister said: "Foul language has no place in a democracy and a limit needs to be maintained." Having met the Congress demand that senior BJP leaders should condemn Mr Togadia's statement, he exhorted all parties to join the national endeavour despite differences.

Referring to Pakistan and its role in fomenting terrorism, he said: "Our neighbour is getting transformed into a terrorist state. But the world is yet not ready to make a distinction between terrorism and a terrorist state."

Describing Pakistan as the source of terrorism, he said: "*Is rakshas ko samapt karna hoga* (the demon will have to be finished). We are fighting and we will fight... They (Pakistan) are using terrorism as a weapon to challenge human existence."

25 OCT 2002



# India to withdraw troops from Pak border

## Fernandes Rules Out Talks Possibility With Pakistan

Our Political Bureau  
NEW DELHI 16 OCTOBER

**I**n a major step aimed at de-escalating tensions with Pakistan, India on Wednesday announced that it would withdraw its troops from the Indo-Pak border. The CCS, after deliberation upon and examination of all aspects of continued deployment of our security forces along the border, has decided that as the armed forces have achieved the objective assigned to them... they now be asked to be redeployed from positions on the international border with Pakistan without impairing their capacity to respond decisively to any emergency," defence minister George Fernandes said in a statement after the CCS meeting which was chaired by Prime Minister Atal Behari Vajpayee on Wednesday evening.

Mr Fernandes, however, ruled out the possibility of resuming dialogue with Pakistan "unless cross-border terrorism stops completely." The crucial CCS meet was preceded by a meeting earlier in the day of the National Security Advisory Board (NSAB). While maintaining the

"security grid" in J&K and keeping up diplomatic pressure on Pakistan, the NSAB had recommended a "calibrated" withdrawal of troops from the international border.

The recommendations were arrived at a meeting of the advisory board presided over by the Prime Minister Atal Behari Vajpayee. The CCS meeting went a step beyond the NSAB's recommendations. The government, according to sources, had little difficulty in accepting the proposals because they exactly mirrored the government's thinking on the subject. The National Security Advisory Board and National Security Council recommended that diplomatic, political and economic pressures be maintained on Pakistan to ensure it dismantles the infrastructure of terrorism. Later, an NSAB release said members of the board reviewed the national security situation in view of cross-border terrorism, the recent elections in Pakistan and the conclusion of Jammu & Kashmir elections.

On the issue of withdrawal, the 2.5-lakh troops in J&K will remain though because of the winter, some of the freezing

heights may be abandoned. The special operations groups and the para military in the state will also remain where they are. This will ensure the government commitment to maintain the "security ring" along the LOC.

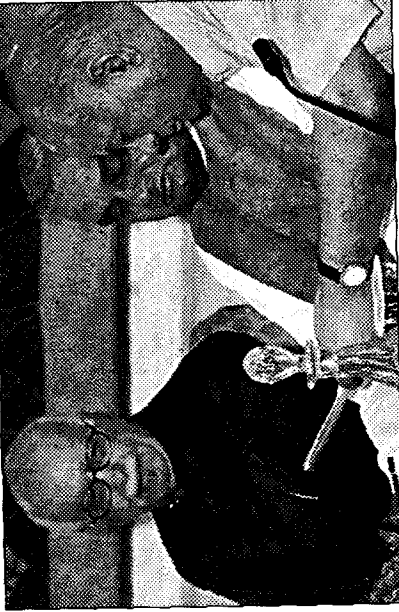
This provision, the government expects, will cushion it against criticism from both Opposition and allies, that the mobilisation had been a knee-jerk reaction in the first place. But also that after one year on high alert at a massive cost, India is yet to show success on either of the two demands made of Pakistan: that the infrastructure of terrorist networks be dismantled and infiltra-

## Pak reserves reaction

Islamabad  
16 OCTOBER

THE Pakistani government on Wednesday declined to react to India's decision to withdraw troops from the international border. Pakistan said it will prefer to wait till it gets all details.

"India started announcing the details only now. We will react on Thursday after going through the details," foreign office spokesman said. —PTI



**IN DEFENCE:** Brajesh Mishra (right) talks to Prime Minister Vajpayee as Advani looks on during a meeting in New Delhi on Wednesday. — AFP

## US welcomes India move

Washington  
16 OCTOBER

THE United States on Wednesday welcomed India's decision to withdraw troops from the international border with Pakistan and redeploy them to peace time positions.

"We certainly have been calling for quite some time for lessening of (Indo-Pak) tensions and standing down of military forces." —PTI



**ON YOUR MARCH**

tion stopped and extradition of the list of 20 terrorists from Pakistan. In fact, looked at prima facie, Pakistan's demand of demobilisation will finally take place.

Apart from Opposition parties, NDA allies like the Shiv Sena would be against withdrawal of troops from the border. The acceptability of the withdrawal recommendation is therefore higher coming from an apolitical group like the National Security Advisory Board. According to defence sources, three strike corps may be the first to be moved back from the international border, the strongest sign that India was demobilising. The 700,000 troops will also pull back to peacetime positions, though for the past few months, soldiers have been allowed to go on leave. Combat aircraft from the western and southern commands will also return to base. The aircraft from eastern command had moved back some time ago, as had the ships.

While Pakistan reduced infiltration into J&K for a few weeks in summer, intelligence and defence sources maintain that they have gone right back up. However, international spotlight and pressure on Pakistan ensured that no major terrorist incident marred the state elections, apart from the killing of Abdul Ghani Lone of the Hurriyat Conference and Mushtaq Lone of the routed

Abdullah government.

What the government reckons is that with the successful execution of the state elections this month, a political momentum has been created that could rob the militancy of its political goal. That, in its view, is the greatest success of these polls. Nobody really expects that Pakistan will stop sending its jihadi troops across the LOC, and after the religious groups won handsomely in the Pakistan elections, the possibility has only increased. But the militancy has lost a political end. It was one of the reasons given for the de-mobilisation.

Whether this is a prelude to a diplomatic thaw is yet unclear, but the government is plainly unwilling to resist dialogue with Pakistan. Standing up to international persuasion, the government had privately kept the J&K elections as the pre-condition for melting the freeze.

With the elections successfully completed, the most likely step the government might take could be to send back the high commissioner, Harsh Bhasin, to Islamabad.

The government had announced his name earlier, but stopped short of sending his agreement for approval in Islamabad. The NSAB meeting, chaired by Mr Vajpayee, discussed several issues.

'SHOCK THERAPY APPROACH NOT POSSIBLE'

# Our economic reform has a human face: PM

By Amit Baruah

**COPENHAGEN (DENMARK), OCT. 9.** The Prime Minister, Atal Behari Vajpayee, today said that a democratically-elected government could not adopt a "shock therapy approach" to economic reform and had to be sensitive to the "vast disparities in incomes and living conditions".

Addressing the Third India-European Union Business Summit soon after his arrival in Copenhagen from Cyprus this afternoon, Mr. Vajpayee said India had to be guided by the principles of public accountability and a social conscience in its approach to economic reforms. "To borrow a metaphor from an earlier era and a different political context, what we are trying to implement is economic liberalisation with a human face," the Prime Minister told the business gathering.

## India, attractive market

Responding to critical comments on the pace of the reforms, the Prime Minister asked business leaders to remember that the same "sub-continental size and population, which makes India an attractive market, also accommodates a diversity of perspectives, interests and needs". Of the countries which liberalised their economies in the early 1990s, India alone moved to a higher growth trajectory without an interim period of recession.

Mr. Vajpayee hoped that the European Union would address the "development deficit" by dismantling high agricultural subsidies, which harmed the

prospects of developing countries. "We have a serious problem with non-tariff barriers against developing country products on ostensible environmental or social concerns."

Mr. Vajpayee stated that India's growth rate of six per cent was no "mean achievement" in the uncertain post-September 11 environment. "It has been achieved also in the face of a relentless and sustained terrorism in parts of our country — masterminded from across the borders and designed to create political turbulence, economic disruption and social disharmony," the Prime Minister, who did not name Pakistan, said.

## 'When the elephant moves, the forest shakes'

It had become the fashion to liken economies to real and mythical creatures like elephants, tigers and dragons. "The Indian economy is often identified with the elephant. I have no problem with this analogy. Elephants may take time to get all parts of their vast bodies moving forward in unison. But once they actually start moving, the momentum is very difficult to divert, slow down, stop or reverse. And when they move, the forest shakes," he said.

There were "some shortcomings" which disappointed India's overseas business partners. "We are building a national consensus on labour reforms, heeding the needs of both business and labour. High-priority infrastructure projects are being given special attention. We know that foreign investors are often vexed by an

excess of procedure, paperwork and bureaucracy... We are trying to tackle it with a national programme involving e-governance."

India was enacting a new intellectual property rights regime in the country affording protection to the foreign technology exporter, fully in line with WTO commitments. Europe had taken an epoch-making step by adopting a single currency. "It ((E.U.) soon goes in for enlargement. We hope these steps will act as a stimulus for Europe's economic growth. We also hope that the consequent spurt in intra-Europe economic activity will synergise opportunities for its non-European partners."

On the global economy, Mr. Vajpayee said it was facing a prolonged slowdown. "This is not merely because of the cyclical nature of business. Its roots run deeper into the structural imbalances of the global economy. It is widely accepted that the most reliable stimulus for sustainable growth of the developed economies is their constructive engagement with the developing countries. This economic engagement has to be consistent with the preservation of their environmental resources, social values and cultural identities."

Mr. Vajpayee said a basic symmetry in the circumstances and core values underpinned the Indo-E.U. partnership. "We are both global actors in a multi-polar world. We are large multi-cultural and multi-lingual federal entities with strong regional identities. We value democracy..."



Plan panel mulls divestment options in oil PSUs

# PM gets tough on reforms, George softens

SANJAY SINGH & MOHAN SAHAY  
STATESMAN NEWS SERVICE

NEW DELHI, Oct. 5. — The Prime Minister toughened his stand on reforms and Mr Fernandes reportedly softened his opposition to them in a day that saw the political balance shift somewhat towards liberalisers.

Government sources said that the Prime Minister's opening address at the Planning Commission meet, which identified both disinvestment and foreign investment as keys to achieving an eight per cent growth rate, was a "major signal" on the government's commitment on reforms.

Parallely, the anti-disinvestment ministerial cabal, of which Mr George Fernandes is the leading member, is said to have "accepted" some suggestions on compromise. Sources said that three compromise formulae are being worked on for disinvesting the oil PSUs of BPCL and HPCL.

First, that one PSU be sold via the strategic sale route and the other via open sale in the stock markets. Second, that a consortium of other oil PSUs, ONGC and GAIL, be allowed to buy the two on the disinvestment list. Third, that a private strategic partner be given management control with minority stakes being held by ONGC and/or GAIL. However, the "problem" with this, sources said, is that the private party "will be putting even less money than in the Shourie formula for sale".

Mr Fernandes and other ministers

had been opposed to Mr Arun Shourie's outright strategic sale route. These alternative formulae, sources said, will be considered as soon as the Prime Minister is back from his foreign tour on October 14.

The Cabinet won't wait till the end of the three-month period, i.e. end-December, that it had agreed on in early September; Mr Fernandes said he won't like the issue to be dragged on for so long. BJP leaders also say waiting till December will allow the Opposition to "hijack the issue and embarrass the government".

Mr Vajpayee's pre-departure speech today at the Planning Commission laid out a blueprint for eight per cent growth in the Tenth Plan. He said Rs 78,000 crore of disinvestment and \$7.5 billion in investment inflow will have to be achieved. The country has no choice, Mr Vajpayee said. "The issue before us is not whether we can achieve significantly higher growth, rather, it is if we can afford not to do so." He noted with regret the slow pace of power sector reforms.

Mr KC Pant, commission deputy chairman, did not attach much importance to the debate: "Even assuming strategic sectors are spared, the Rs 78,000 crore target is still achievable."

Mr NK Singh, Planning Commission member, said: "...we've been able to off-load only about 2 per cent government equity in the PSUs. Even without privatising some strategic companies, the target can easily be achieved."

5 OCT 2002

THE STATESMAN

# Joshi seeks to upstage Advani on PSU sell-offs

By Smita Gupta  
TIMES NEWS NETWORK

New Delhi: When L.K. Advani was made deputy Prime Minister earlier this year, it looked as though the issue of who would succeed Atal Behari Vajpayee had been settled. But with human resource development minister Murli Manohar Joshi calling for a review of the manner in which disinvestment is being done, especially in strategic sectors like oil, it appears that he has thrown his hat into the ring, say BJP sources.

The issue that Mr Joshi has brought to the fore has wide acceptance not just in the BJP and the sangh parivar—including key organisa-

tions like the Swadeshi Jagran Manch and the Bharatiya Mazdoor Sangh—but also among other NDA partners.

Moreover, with the BJP in election mode, looking not just at the slew of assembly elections next year but also general elections in 2004, Mr Joshi has clearly touched a sensitive chord in his party and parivar. As one BJP leader put it, "MPs and MLAs seeking re-election over the next two years are discovering that the issue raised by Mr Joshi covers many of the concerns of their constituencies."

Although Mr Joshi's following in the party or the parivar is still nowhere near that of Mr Advani, the HRD minister is considered by the RSS to be one of the government's few successful ministers, having effectively pushed the Hin-

ditva agenda. His highlighting of an RSS demand—the need to look more carefully at the disinvestment of the oil sector because of 'security' concerns—has added to his acceptability.

Mr Advani, on the other hand, BJP sources say, must share the "blame" for the lack of success in effectively tackling terrorism. This issue has been highlighted by VHP chief Ashok Singhal, currently considered the most influential and powerful leader in the parivar.

It is against the backdrop of the 'succession struggle' that Mr Advani's shar-

ing of a platform with Uttar Pradesh chief minister Mayawati in Lucknow recently is being viewed. After all, it was Mr Joshi, who is seen as her origi-

nal "rakhi bhai", who first mooted the idea of a BJP-BSP tie-up. So, while Mr Advani having addressed a BSP rally has not gone down well with the BJP's rank and file, it apparently has "upset" Mr Joshi as well, sources close to him say.

Ms Mayawati's invitation was originally to the Prime Minister, who decided against accepting it as he knew it would not be popular with his own party. But when she invited Mr Advani, he readily accepted the offer. The Joshi camp says that while Ms Mayawati invited the deputy Prime Minister because of his growing importance, Mr Advani accepted the invitation to "make inroads" into what Mr Joshi regards as his own territory. Mr Advani has begun to feel just a little insecure, they say.



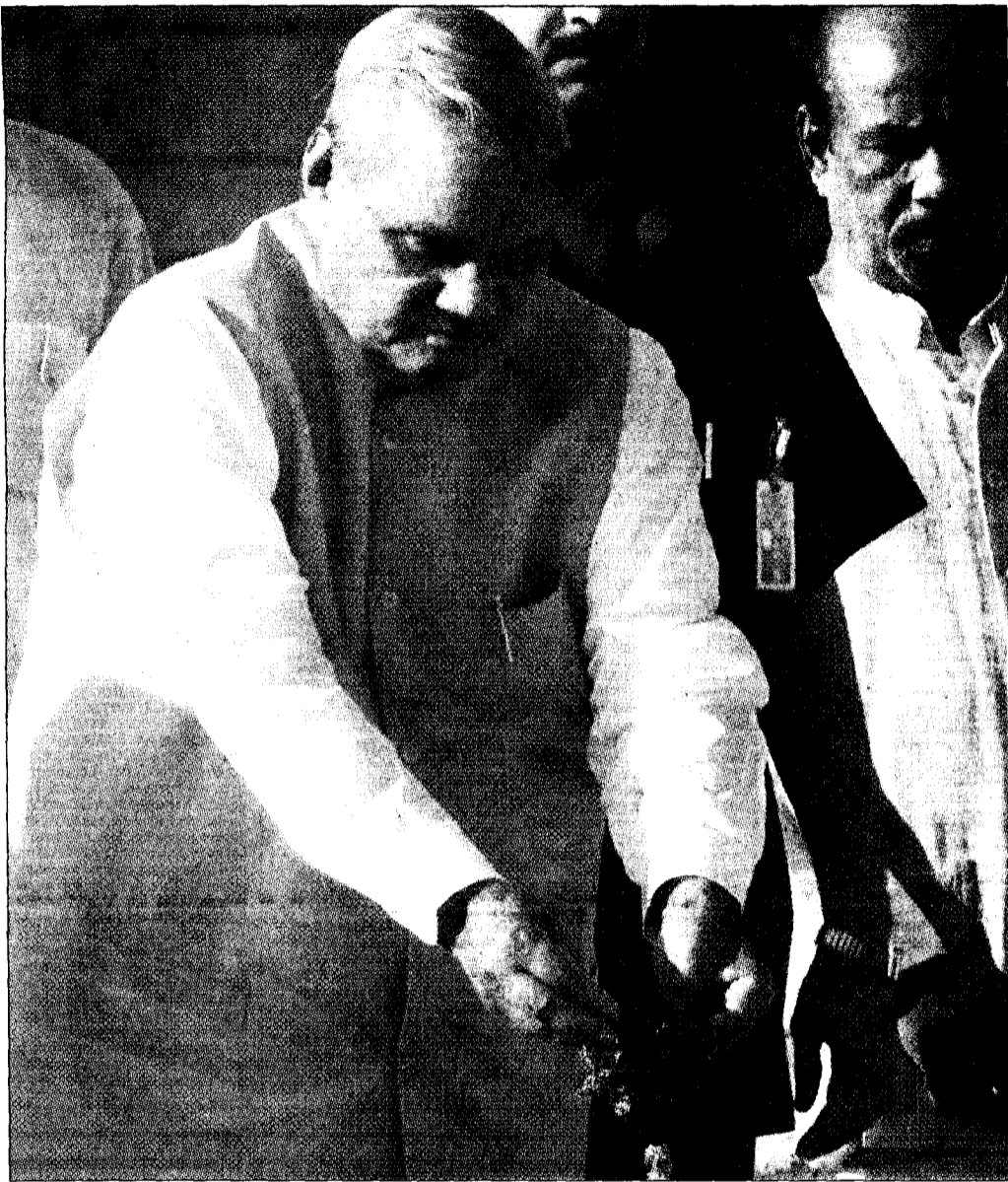
A.B. Vajpayee

L.K. Advani

M.M. Joshi

# Atal stamps his authority

## FLOWERS FOR GANDHI, FAITH IN REFORM



Prime Minister AB Vajpayee pays homage to Mahatma Gandhi at Rajghat on the birth anniversary of the Father of the Nation. (Reuters)

RADHIKA RAMASESHAN

New Delhi, Oct. 2: Atal Bihari Vajpayee burst out of his recently-woven cocoon of aloofness today to reaffirm his leadership of the government and commitment to economic reform.

On a day three senior Cabinet members held a private anti-divestment conclave and RSS chief K.S. Sudarshan celebrated his return to the capital after a two-year sabbatical with a bitter attack on western economic concepts, an animated Vajpayee made a robust intervention in support of his government's policy.

It came with a warning that appeared aimed at the group of three — George Fernandes, Murli Manohar Joshi and Ram Naik — which had recently torpedoed oil sector divestment, that it was crossing the limit of his tolerance of differences within the government.

Vajpayee admitted that there was nothing wrong for members of the government to hold separate meetings — a reference to the hour-long huddle of the trio earlier in the day — “but there should be a limit to that”.

After their morning meeting, the three ministers demanded a mid-course review of the divestment policy with focus on whether profit-making public sector units should be sold and whether the oil sector should be included among strategic areas along with the railways, defence and atomic energy. (See **Business Telegraph**)

Vajpayee fired a spirited reply. “There is a campaign to give the impression as though my government is out to sell everything, including the country. India is not so cheap that I will put it on sale. *Mere hote huye,*

*kaun sa mayee ka lal hai jo Bharat ko khareed sakta hai? (That person hasn't been born who will dare to buy India so long as I am around.)”*

If an impression had been gaining ground of late — since the anointment of L.K. Advani as deputy Prime Minister — that Vajpayee's role in the government and party was waning, a feeling the Prime Minister has done nothing in public to dispel, today's statement (mark the words: “so long as I am around”) makes it clear who's boss and who sets policy.

The Prime Minister could not have divined what Sudarshan would say at a Sangh gathering — the two spoke around the same time — but his speech answered the criticism the RSS *sarsanghchalak* voiced.

Sudarshan declared that those in the government who thought “global” and subscribed to the view that there should be “100 per cent foreign direct investment in all sectors” should be immediately thrown out and only swadeshi votaries retained.

The statement was construed as an attack on disinvestment minister Arun Shourie, who had found himself outwitted at a recent Cabinet meeting on selling government equity in two oil companies, resulting in a postponement of decision-making.

Vajpayee defended divestment and, by implication, Shourie to the hilt, though the Prime Minister had not blocked the stop-selloff brigade at that Cabinet meeting. It is possible Vajpayee may have fathomed the damage the decision to defer a decision on Hindustan Petroleum and Bharat Petroleum had done to his government's image — there has been a downgrading of the country's credit rating also — only after a volley of criti-

cism hit him in the face.

“No policy is static and every policy responds to the need of the hour and can be revised. But even before we have reached a consensus on this, I find an impression has gone around that my government has abandoned the divestment policy. This is misplaced,” he said.

At a ceremony organised by the labour ministry, he made it clear that divestment would go on and indicated that labour reforms were on the anvil. He said it was not right to create an anti-reform atmosphere.

“It will not help the cause of our workforce because their welfare too will have to be looked into in the long run. It is wrong to think reforms will demolish and destroy the country. When I was abroad recently, everybody was praising our achievements on the reform front. But when I came back, I saw there was so much confusion and anxiety.”

Sources close to Vajpayee said he had a one-to-one meeting with Advani before speaking out for divestment. After he convinced himself that Advani and he were on the same wavelength, the Prime Minister went ahead and answered the critics.

Sudarshan used the Gandhian concept of self-reliance and making the village the focus of economic development — on the Mahatma's birth anniversary — to bolster his case against globalisation and liberalisation.

Linking swadeshi to the quest for India's “self-pride and self-reliance”, Sudarshan said while the western economy is “centralised, urban-based, high energy consumptive, capital intensive, labour displacing and ecologically destructive”, Gandhi talked of a model that is decentralised, rural-based, low capital intensive and ecology-friendly.

3 OCT 2002

THE TELEGRAPH

9:25 am  
2009/09/29

# Singhal's remarks upset Vajpayee

2009 ✓

2  
By Neena Vyas

**NEW DELHI, SEPT. 29.** The top Bharatiya Janata Party leadership is understood to be "extremely unhappy" with the kind of statements emanating from the Sangh Parivar leaders, especially the Vishwa Hindu Parishad and the Bajrang Dal.

Those close to the top echelons of the Government suggest that the matter is likely to be taken up at the leadership level of the Rashtriya Swayamsevak Sangh. The effort would be to "silence" criticism of the Government by the Sangh organisations.

Some VHP leaders have made not only highly irresponsible and indefensible communal statements relating to Gujarat, but also disparaging remarks against the Prime Minister, Atal Behari Vajpayee.

It seems Mr. Vajpayee has taken strong exception to remarks attributed to the VHP leader, Ashok Singhal, who was reported to have said in Lucknow yesterday that the Prime Minister had lost the "trust" of the Sangh Parivar as he had failed to take any firm steps to deal with terrorism. Nor had he done anything concrete in favour

of removing the hurdles in the way of constructing a Ram temple at the disputed site in Ayodhya.

Mr. Singhal apparently charged the BJP leadership with taking decisions, or not taking decisions, under the influence of western powers.

He was also reported to have been very critical about the lack of BJP support to the nationwide "bandh" call given by the VHP after the Akshardham incident.

It has been suggested that Mr. Vajpayee may not broach the subject directly with the RSS Sarsanghchalak, K.S. Sudershan, but would certainly convey to him that he will not tolerate the kind of remarks attributed to Mr. Singhal.

After the standoff between the VHP and the Prime Minister on the "shila puja" programme of the VHP in Ayodhya last year and the fiasco (from the VHP's point of view) due to the Supreme Court's refusal to allow the VHP programme, Mr. Singhal and Giriraj Kishore, both senior VHP leaders, are hardly on talking terms with the Prime Minister.

Now after a personal attack on the Prime Minister by Mr. Singhal matters could come to a head.

THE HINDU

30 SEP 2002

# Govt under attack from within

RADHIKARAMASESHAN

New Delhi, Sept. 26: Younger BJP leaders today peppered elder statesmen L.K. Advani and Murli Manohar Joshi with uncomfortable questions at a meeting of the party's national executive called to discuss the fallout of the temple killings.

Party sources said neither Advani nor Joshi acquitted themselves with any degree of conviction or confidence. Prime Minister Atal Bihari Vajpayee was fortunate enough to escape the ire of the national executive as he was preoccupied with official engagements finalised much before party president M. Venkatesh Naidu last evening convened the meeting.

If the top leadership came under attack from within, voices in the larger parivar, such as Shiv Sena leader Bal Thackeray and the VHP, also accused it of being ineffective. "We will prefer to quit the government rather than sit and watch the country being insulted," agencies quoted Thackeray as saying.

The VHP angry with the BJP for staying away from its Bharat bandh call, said the party had "isolated itself from popular sentiments and would have to pay the price for it".

Advani shared details of the attack inside the Akshardham temple with the executive and was quoted by Naidu as saying: "Our enemies have a perverse attitude because they are disappointed that nothing happened like what followed the Godhra incident."

"The incident is part of the proxy war going on against India and that war has to be won," he added. But Advani had to contend



A boy talks to a policeman on guard outside a closed shop in Vadodara on Thursday. (Reuters)

with a volley of questions from ministers like Arun Shourie, Shah Nawaz Hussain and Rajiv Pratap Rudy. They asked:

- What is the use of constantly talking about an "aar paar ki ladayi" (battle to the finish) when India did nothing after major strikes like the December 13 attack on Parliament, the Kaluchak massacre in Jammu and the bomb blast at the Jammu railway station?

"Either we cross the LoC and attack them or stop making such statements," a member said.

- How much longer is India going to act at the US' bidding?
- What has the home ministry done about issuing multi-purpose identity cards and the citizens' registration scheme it has been talking about for four years?
- What is the point of trumpeting how the NSG commandos

did such a "good" job when it was a question of dealing with only two militants who, in any case, managed to kill one commander and two Gujarat policemen and scores of devotees before they were shot dead?

- Why doesn't India train and prepare *fidayeen* (suicide attackers) and send them to Pakistan instead of being at the receiving end all the time?

Members emphasised that

"There was a lot of anger in people and if that was not channelled properly, the consequences would be dangerous for the country and the BJP", the sources said.

Asked if the executive would have been as stormy if Vajpayee was present, a senior member declared: "Yes, because it is high time we stopped being defensive and told our leaders exactly what people think of them."

## Burdwan bucks bandh trend

Sept. 26: Left-ruled Bengal remained largely unaffected by the bandh called by the VHP, but state leaders were hard pressed to explain the impact in Burdwan town, district headquarters of the Red bastion.

Not a single shop was open in the town and all establishments and education institutions were closed. Buses and rickshaws remained off the roads, while long-distance bus services were suspended, leaving thousands stranded.

Apart from Burdwan town, the bandh was total in several areas of Katwa and Kahna subdivision.

CPM leader Anil Biswas denied that the bandh was responsible for shutting down Burdwan town and put the blame on a defective railway track. He said authorities this morning had detected the fault at Golsi near Burdwan and stopped rail traffic. "As a result, people could not reach Burdwan. We have no information that shops and establishments were closed. The bandh did not have any impact in the state," he said. (See Page 8)

Advani told the meeting that based on available information, the two suicide attackers were between 20 and 25, were not local Gujaratis and came prepared to hold devotees hostage for a fairly long period as dry fruits and chocolates were recovered from their bodies. He said the Urdu leaflets that were found mentioned "Gujarat Hind", which referred to the settlement of Gujarati migrants in Karachi.

# SC stamp on Joshi school text

## Study of religion not against secularism, rules court

HT Correspondent  
New Delhi September 12

THE SUPREME Court today cleared the decks for the implementation of Murli Manohar Joshi's controversial National Curriculum Framework for School Education (NCFSE) with a ruling that the study of religion, as introduced in the curriculum, was not against the concept of secularism.

The court said education of religions could be imparted even in 'educational institutions' fully maintained with Government funds.

In a unanimous decision, a three-judge Bench of Justice MB Shah, Justice DM Dharmadhikari and Justice HK Sema dismissed a PIL alleging attempts by the BJP-led NDA Government to 'saffronise' school education.

The PIL filed by social activist Aruna Roy, columnist George Verghese and sociologist Meena Radhakrishna Tyabji had also charged the Government with revising the syllabi for school education to promote a particular political and religious ideology.

Justice Shah said: "The NCFSE nowhere talks of imparting religious instructions as prohibited under Article 28 (of the Constitution). What is sought is to have value-based education and for religion it is stated that students be given the awareness that the essence of every religion is common."

However, the judge said the education policy should not aim at teaching dogmas and superstitions in the name of religious education. He rejected the petitioners' submission about introducing Sanskrit, Vedic astrology, mathematics and Hindu festivals in the curriculum. "The submission does not deserve any consideration," the court said.

In his own judgment, Justice Dharmadhikari said: "What is needed in education is that the children of this country should acknowledge the vast range and complexity of differences apparent in the phenomenology of religion while at the same time they should understand the major streams of religious experience...."

He said the study of religions was not forbidden by the Constitution. "Study of religions, therefore, in school education cannot be held to be an attempt against the secular philosophy of the Constitution."

### THE FALLOUT



CBSE students of classes IX (in Hindi and Social Studies) and XI (History), who could have to change course mid-way through academic year

NCERT: New textbooks will be out in three weeks; CBSE: Efforts will be made to introduce them this academic year

Students of classes X and XII this year, who are not covered by the new syllabus

Justice Dharmadhikari said secularism could be practised by adopting a completely neutral approach towards religions or by a positive approach by making one section of religious people to understand and respect religion and faith of another section of the people.

"Based on such mutual understanding and respect for each other's religious faith, mutual distrust and intolerance can gradually be eliminated," the judge added.

He said academics should undertake the task of examining whether textbooks contained the country's secular values. "The members of NCERT should be open to any such dialogue with the academics. On the basis of general consensus, suitable curriculum, which accords with secularism as understood in wide and benevolent sense, has to be evolved," he added.

Both judges rejected the petitioners' contention that the curriculum could not be enforced on the ground that the Government had not consulted the Central Advisory Board on Education (CABE), an apex body on education policy.

They said it was not mandatory for the Government to consult CABE since it was not a statutory body.

Related report on Page 6

THE HINDUSTAN TIMES

13 SEP 2002

# Advani derails Nitish theory

OUR SPECIAL CORRESPONDENT

**New Delhi, Sept. 11:** Nitish Kumar's missing fishplates theory is fast being buried. First, L.K. Advani does not like it; and second, rail officials feel that heavy rain could have eroded the soil and stone chips below the track and damaged them.

Advani today stepped in to end speculation on the cause of Monday night's Rajdhani crash, directing rail minister Kumar to hold his comments till the commissioner of railway safety gives his report. The report is expected within 90 days.

Following the directive, Rail Bhavan clammed up, but officials who visited the accident site said: "Rains had lashed the area a few days ago. At a few places, the rains had eroded the soil

under the rails and the fish plates could consequently have been displaced when the goods train had passed."

According to the standard operating procedure (SOP) followed by the railway, special checks are made on bridges between June and September (rainy season) and tracks inspected up to 50 metres on either side. The scheduled check of the bridge over the river Dhawi was not carried out.

M.S. Ekbote, additional member, civil engineering, Railway Board — who was present at a news conference held by Kumar — conceded that the tracks had not been inspected after a goods train ran passed over them minutes before the Rajdhani.

"The staff was supposed to undertake the check but had not reached the site. However, that

cannot be the reason (for the accident)," he said.

Ekbote also admitted that "the monsoon inspection was not undertaken on all bridges, only on a few bridges that are flood-prone, where station staff monitor the rise and fall of rain water. On other tracks, we undertake regular checks."

Railway Board chairman I.I.M.S. Rana had said yesterday that prima facie the crash looked like sabotage since fishplates were found removed.

Kumar today retorted angrily when asked if railway staff could have planted broken fishplates. "If such a thing has been done, then the railway should be closed down." He also warned that heads would roll if the commissioner's safety report found rail staff at fault.

Ashok Bhatnagar, former

chairman of the Railway Board, said: "It is difficult to accept that there were no gangmen in that area. Normally during the monsoon season (June-September), we deploy special staff (gangmen assisted by engineers) to watch over embankments. Sometimes, rainwater goes up suddenly on to tracks and that can be dangerous."

He added: "Even if an argument is accepted that fishplates were removed at about 30 metres from the bridge, and it takes only 20 minutes to remove the rail or fishplates as has been claimed, then where were the gangmen? In Andhra Pradesh, they are threatened by the People's War Group and the staff run away from the scene. Did they run away here? There are several questions that will have to be answered."

MID-TERM REVIEW OF POLICY LIKELY

# Disinvestment of oil sector put off by three months

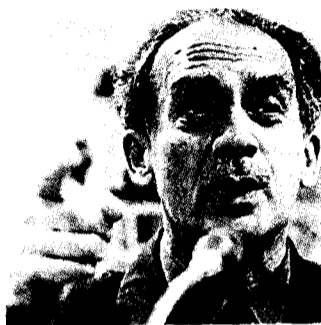
By Sushma Ramachandran

**NEW DELHI, SEPT. 7.** The Cabinet Committee on Disinvestment (CCD) tonight decided to defer the controversial privatisation plans for the Hindustan Petroleum Corporation Limited (HPCL) and the Bharat Petroleum Corporation Limited (BPCL) for three months, paving the way for a probable review of the Government's disinvestment policy.

The CCD's decision was an endorsement of the deferment proposal made at an informal meeting presided over by the Prime Minister, Atal Behari Vajpayee, earlier in the day with various warring factions in the battle over oil sector disinvestment. Apart from the HPCL and the BPCL, it has also been decided to keep divestment of government equity stake in the Indian Oil Corporation, the Gas Authority of India Limited, the Oil and Natural Gas Corpora-

tion and the National Thermal Power Corporation in abeyance. Sources here indicated that the three-month hiatus in decision-making on the oil sector could ultimately lead to a mid-term review of the disinvestment policy as has been sought by the Defence Minister, George Fernandes. With a large segment of the Cabinet as well as the RSS and even Opposition parties opposed to the policy of strategic sales, especially in the case of cash-rich profit making companies, it appears that the disinvestment process may ultimately grind to a halt.

The Disinvestment Minister, Arun Shourie, conceded after the CCD meeting that the budgetary target for revenue mobilisation through disinvestment was not likely to be achieved. In addition, it would not be possible to meet the time-frame for disinvestment of various companies for which a road-map had earlier this year been clear-



ed by the CCD.

Briefing newsmen in the evening, he said the CCD was also attended by Mr. Fernandes and the Human Resource Development Minister, Murli Manohar Joshi. Mr. Shourie merely smiled when asked whether the Ministers opposed to disinvestment would regularly be invited for the CCD meetings. Though he was his usual polite self at the press conference, he had earlier in the day snapped at reporters seeking a briefing about the informal meeting convened

by the Prime Minister.

Mr. Shourie who has been able to carry out strategic sales despite considerable controversy in a large number of major public sector companies like the Bharat Aluminium Corporation Limited, appears to have hit a roadblock. Though he insisted that the disinvestment in other companies would continue as in the case of the Shipping Corporation of India, the National Fertilisers Limited and the National Aluminium Corporation, it is clear that the vocal protests by the administrative ministries concerned have had their impact.

The informal meeting convened earlier in the day by the Prime Minister to resolve the contentious debate was attended by the Deputy Prime Minister, L.K. Advani, the Finance Minister, Jaswant Singh, the Petroleum Minister, Ram Naik, Mr. Joshi, Mr. Fernandes and Mr. Shourie.



RSS FEARS PRIVATE MONOPOLIES

# Sangh lends support to George, Naik

Statesman News Service

NEW DELHI, Sept. 6. — The RSS today put some posers before the government on disinvestment, including its "apprehension" of the creation of private monopolies. It said it wanted oil companies to be placed in strategic sector categorisation where the government alone has a role to play.

A day before the crucial meeting of the Cabinet Committee on Disinvestment, RSS spokesperson Mr MG Vaidya said the BJP and the Sangh differed on disinvestment policy, thus throwing the RSS' weight behind Mr George Fernandes and Mr Ram Naik.

Mr Vaidya asked five questions which he wanted the government to address immediately. He asked "why profit making industries need to be disinvested to private parties and why there is diversion of public money to private coffers".

His other questions: "By privatising, are we careful that private monopoly is not being created", "can we ensure that selling of 25 per cent of a public enterprise will not enable a private company to control the entire management", "are we taking workers' interests into confidence and fixing of reserve prices" and "is it sufficient to take

note of the share value only or also the market value of a company."

While another Sangh



Parivar Mr George Fernandes outfit, the Swadeshi Jagran Manch, has voiced concern on disinvestment policy and has also put across its views to the government, the parent outfit, by Mr Vaidya's own admission, has raised the issue publicly for the first time.

**The RSS says defence production, railways and oil are of strategic importance for the country and the government should not disinvest its stake in these sectors**

Mr Vaidya said defence production, railways and oil are of strategic importance for the country and the government should not disinvest its stake in these sectors. "It (oil) is a strategic sector. It should be in government control."

Mr Vaidya said what the defence minister was saying now had been the original views of the Sangh. While the RSS will not form a common front with any party, it may come together with the Swadeshi Jagran Manch on opposing disinvestment in the oil sector.

Mr Vaidya, however, clarified that in principle the RSS was not against disinvestment.

GEORGE REFUSES TO BUDGE

# Divestment deadlock continues

Statesman News Service

NEW DELHI, Sept. 3. — The meeting of four heavyweights — the Prime Minister, the Deputy PM and the finance and defence ministers — could not break the deadlock on disinvestment today.

Another meeting may be held on 6 September, a day before the Cabinet Committee on Disinvestment is scheduled to meet to resolve the issue. Petroleum minister Mr Ram Naik, who is now abroad, too would attend the meeting.

"At today's meeting chaired by Mr Vajpayee, defence minister Mr George Fernandes, who had questioned the disinvestment policy on public sector units, including oil sector giants HPCL and BPCL, could be persuaded by Mr LK Advani and Mr Jaswant Singh to change his position," an official said.

They sought to convince Mr Fernandes that the disinvestment policy had yielded dividends, and a review now would create an unnecessary controversy. Mr Fernandes should accept that there's no alternative to that, they said.

But Mr Fernandes refused to budge. He reportedly said he wasn't against the disinvestment process but was seeking a review of policy details. The government should consider wider issues. "We should examine how far down the road we have reached ... whether disinvestment is proceeding in the right direction or whether any course correction is needed. These are questions any political party wants answers to and they need to be answered."

Will the 7 September CCD meeting could see a consensus on divestment of HPCL and BPCL? Mr Jaswant Singh said it would be unfair to guess the outcome of the meeting.

Mr Advani held talks with disinvestment minister Mr Arun Shourie for more than half-an-hour before he attended the meeting. Mr Shourie was not part of the top-level meeting attended by the "big four".

Within a day of the BJP defending disinvestment in PSUs through strategic sales, some party leaders said that off-loading shares in the market was not a bad option, for it would save the government the embarrassment of facing difficult questions.

Some of these leaders were in favour of strategic sales. "What the defence minister has suggested is welcome and there should be a mid-term review on the issue of oil sector disinvestment," a senior leader said.

A senior BJP leader said in the case of market off-loading, the government would have to grant complete autonomy to the PSUs to hire private professionals and run the units without government control. This line had earlier been dumped for strategic sales, as the latter was considered an easier option, he opined.

Officially, the BJP is maintaining that there has never been any ambiguity in the disinvestment policy.

Individual cases were to be decided by the government in consultation with the administrative ministries.

Mr Fernandes is reportedly not against the disinvestment process but is seeking a review of policy details, and wants the government to consider wider issues

# Fernandes adds oil to PSUs sell-off fire

## George tries to win RSS support

By Smita Gupta  
TIMES NEWS NETWORK

New Delhi: Defence minister George Fernandes' letter to the Prime Minister, reportedly asking for a meeting of "key" ministers to thoroughly review the government's disinvestment policy to guard against the "rich getting richer" and prevent private monopolies, and his request that he be allowed to attend the next meeting of the Cabinet Committee on Disinvestment, of which he is not a member, is being read in government circles as an attempt to ingratiate himself with the RSS.

The RSS, too, is unhappy with the way disinvestment, particularly of the oil PSUs, is being carried out.

With the Venkataswami commission, which is investigating the Tehelka sting operation, nearing the end of its inquiry, Mr Fernandes needs all the help he can get.

Mr Fernandes' call for a review also comes at a time when the RSS, after first targeting former finance minister Yashwant Sinha, has begun to turn its attention to the activities of disinvestment minister Arun Shourie's ministry.

But RSS sources said, "Our target is not Mr Shourie now, it is the government policy on disinvestment, which he happens to be implementing. In fact, we do not believe that there can be a policy on disinvestment, only a strategy for raising finances for social sector programmes."

"If the rest of the oil PSUs go under the hammer the way IPCL did, the RSS will have to do a rethink. It may begin to criticise not just the government but also the person overseeing disinvestment. Disinvestment should not lead to a monopoly," they added.

Mr Shourie is clearly aware of the forces working against him. And so, on August 24, in a bid to remove apprehensions within the BJP on the government's ongoing privatisation process, he briefed the party's think-tank on its merits, saying there was a "consensus in practice".

## Focus shifts to country's security

By Sanjay Dutta  
TIMES NEWS NETWORK

New Delhi: When disinvestment minister Arun Shourie was named Business Leader of the Year by 'The Economic Times' earlier this month, petroleum minister Ram Naik congratulated him by saying in a lighter vein, "Mr Shourie, I deserve half of that award as 50 per cent of your sell-off proceeds has been contributed by oil PSUs."

With defence minister George Fernandes virtually taking the oil minister's side in the debate over the Bharat Petroleum and Hindustan Petroleum sell-off, Mr Naik might well demand a larger chunk of credit for Mr Shourie's award. So far, the debate has been over the oil ministry's preference for a public float and the sell-off department's wish for selling out to a strategic partner. With Mr Fernandes stepping in, the focus will shift to the oil sector's link with the country's security. This will be a key issue in the oil ministry's presentation to the Cabinet Committee on Disinvestment.

Foreign oil companies were nationalised following their reluctance to chip in during the 1971 Pakistan war and their reluctance to cooperate with the government after the 1974 oil shock.

"The present situation is worse than in 1971. The oil companies were asked to tank up in view of the troop mobilisation on the Pakistan border. A fortnight's extra stock means an extra Rs 500 crore. Will the new owners do it? If they do, the public will have to pay for it. No private firm will bear this expenditure for the country's interest," an oil ministry official said.

That's why the ministry wants ONGC to bid for BPCL and HPCL. The disinvestment department is opposed to this as one state-owned firm buying another will not be privatisation and will dampen private bidders. Those against this argument say that keeping ONGC out will mean practically handing over the companies to the only two private suitors—Reliance and Shell—and at a lower value.



G. Fernandes

**Fernandes' call for a review also comes at a time when the RSS, after first targeting former FM Yashwant Sinha, has begun to turn its attention to the activities of Arun Shourie's disinvestment ministry**



A. Shourie

7 SEP 2002

## Backlash-wary BJP heaves sigh of relief

# SC keeps pumps running

OUR LEGAL  
CORRESPONDENT

**New Delhi, Aug. 28:** The Supreme Court today ordered *status quo ante* in the petroleum dealership scam, directing that all allotments cancelled by the Centre's order will continue without being affected by it.

The court, however, did not stay the August 9 cancellation order. Its legality will be argued at further hearings, the last of which is slated for November 12.

The ruling, which looked like a setback to the government at first glance, sent a wave of relief among many BJP leaders, who were fearing a backlash from supporters whose licences are on the hit-list.

Officially, the BJP declined comment, saying the matter was still in court, but many leaders said in private that the Prime Minister has already proved a point by cancelling the licences.

But the Congress kept up the pressure, saying the government suppressed key facts before the court to ensure a breather for the allottees.

Petroleum minister Ram Naik, too, was beaming, secure in the realisation that he has gained time.

The immediate cancellation of the licences — the government's stated objective — would have meant an operational night-

mare for his ministry.

A bench of Chief Justice B.N. Kirpal and Justices K.G. Balakrishnan and Arijit Passayat also transferred a batch of petitions to the apex court to pre-empt chances of conflicting decisions by high courts.

The apex court had earlier refused to vacate the stay order of high courts. The interim order will supersede all interim orders of high courts and subordinate courts in the country.

The order will apply to dealers and retailers numbering between 2,248 and 3,546. A Central government lawyer said the number was variable because there were "genuine cases" like allotments to war widows, ex-service men and the handicapped.

The apex court clarified that its order will not apply in cases where only letters of intent had been issued and actual commissioning was yet to be done.

Congress spokesman Jaipal Reddy said the government wanted to deflect the heat by cancelling the allotments, but simultaneously "it had planned to get relief for the beneficiaries".

"The government's motive was exposed when it did not disclose to the court the details of statements by various dealership selection board chairpersons admitting irregularities," Reddy said.

■ See Business Telegraph

29 AUG 2002

## Goal for Uma Bharti in reshuffle

By Our Special Correspondent

10-1  
2-18  
NEW DELHI, AUG. 26. Undertaking a limited Cabinet reshuffle today, the Prime Minister, Atal Bihari Vajpayee, in a surprise move inducted a senior BJP leader from Madhya Pradesh, Vikram Verma, into the Union Council of Ministers, along with the Shiv Sena's Anant Geete and Anandrao Adsul.

The President, A. P. J. Abdul Kalam, administered the oath of office and secrecy to the new Ministers at a brief ceremony here.

The Vice President, Bhairon Singh Shekhawat, Mr. Vajpayee, the Deputy Prime Minister, L.K. Advani, and several members of the Union Council of Ministers were present. Suresh Prabhu of the Shiv Sena, whose resignation as the Power Minister prompted the current exercise, also attended the function.

For what was initially termed a Sena-centric reshuffle, Mr. Vajpayee brought in Mr. Verma, Rajya Sabha MP and chief of the BJP Madhya Pradesh unit. Mr. Verma's induction comes several months after the former Chief Minister, Sunderlal Patwa, had resigned on health grounds.

With Mr. Verma's entry the representation for Madhya Pradesh in the Union Cabinet has risen

9. Vm SVK  
to three -- Satyanarayan Jatiya and Uma Bharti being the other two. This has also resulted in a minor reshuffle of portfolios. Mr. Verma would be the Minister for Youth Affairs and Sports in the place of Uma Bharti, who has been given charge of the Ministry of Coal and Mines which was held by Mr. Advani.

After the exit of the Lok Janshakti Party chief, Ram Vilas Paswan, the Coal Ministry was earmarked for the Trinamool Congress chief, Mamata Banerjee, but her party's decision to keep a distance from the NDA Government till the issue of Eastern Railway bifurcation is sorted out, may have settled the matter for now. Mr. Geete, who was the Minister of State for Finance, has been elevated to Cabinet rank. He replaces Mr. Prabhu. Anandrao Vithoba Adsul, a Dalit leader from Buldhana, fills in the Sena share in the NDA Government. He is the Minister of State for Finance.

### PMK plea

It is understood that the Pattali Makkal Katchi leader, S. Ramadoss, who is here now, was pressing for a change in the portfolio of the party nominee, N.T. Shanmugham, from Food Processing to Coal, a portfolio he held earlier.

27 AUG 2002

# Cabinet ignores Kalam's query

## Forces President to sign poll reforms order

By Mahendra Ved  
TIMES NEWS NETWORK

**New Delhi:** The Union cabinet on Saturday declined to make any changes in the ordinance on electoral reforms—which President A.P.J. Abdul Kalam had earlier returned for clarification—and decided to send it back to him “as it is”. The decision leaves the President with no option but to give his assent to the ordinance.

While political leaders were supportive of the government's action and critical of the President, views differed on the wisdom of the government going through with electoral reforms in the manner it has chosen without adequate debate.

The cabinet considered the suggestions made by Mr Kalam, who returned the ordinance on the ground that it had overlooked the recent SC directive enforced by the Election Commission requiring candidates to give details about their criminal convictions and assets.

Senior lawyer P.P. Rao called the ordinance “very unfortunate” and said that it was likely to be challenged in the supreme court and there was the “possibility of (its) being struck down”.

Emphasising that it was the “fundamental right of the people to know the antecedents of their candidate”, Mr Rao said, “It is unfortunate that the ruling party, like all other parties, cannot resist the temptation of hiding people who have questionable records.”

There appeared to be some doubt about whether Mr Kalam had merely sought clarifications on the ordinance's contents or had actually returned it—an act he is empowered to carry out once. But the way the government took formal note of his action, considered it at the cabinet level and chose to announce it formally clearly meant that the ordinance had been returned—or that the government had taken it that way—thus exhausting the President's solitary option of returning a legislation. Given this, the President can now be expected to sign the ordinance. Any further clarifications sought by the President would have to be informal, said Devendra Nath Dwivedi, a for-

mer additional solicitor general of India.

Citing the supreme court verdict in the ‘Shamsher Singh v State of Punjab’ case, Mr Dwivedi said the constitution did not envisage the President to be a revisional authority, or to sit in judgment over the government's decision. Fali S. Nariman, a former attorney general, said, “The government's view has to prevail.” But it should have been “well thought out. It should have been debated. It is unfortunate that there was no debate in parliament”.

In Mr Nariman's view, there would



A.P.J. Kalam



A.B. Vajpayee

### President's checklist

- ❖ No option but to sign—he is constitutionally obligated
- ❖ He can delay a decision, since there is no time bar for his assent
- ❖ Any further clarification sought by the President would have to be informal

have been no scope for confusion and criticism had the government stuck to the SC's May 2 directives.

The government is understood to have decided to convince the President that the issues that he has raised could be taken up at the time of legislating the ordinance in parliament. It was also at pains to make it clear that there was no question of confrontation with the President on the issue.

Attorney General Soli J. Sorabjee and additional solicitor general Kirit Raval were also present at the meeting to render their advice to the cabinet.

25 AUG 2002

# Govt's order on poll reforms may hit rough weather

१० वी १०३

By Akshaya Mukul  
TIMES NEWS NETWORK

११-१ २३/८

**New Delhi:** The government's controversial ordinance on electoral reforms might face rough weather as President A.P.J. Abdul Kalam is believed to have raised certain queries about it. "The ordinance also came up for discussion when Prime Minister A.B. Vajpayee met Mr Kalam early this week," a senior official told The Times of India. According to him, the issue will be taken up by the cabinet on Saturday.

Minister of state for law Ravi Shankar Prasad denied any knowledge of the queries from Rashtrapati Bhavan but reiterated the government's resolve to promulgate the ordinance.

The ordinance was drafted by the law ministry to replace an Election Commission order making it mandatory for candidates to disclose their criminal record, if any, as well as their assets and liabilities on their nomination forms. However, as it stands, the ordinance will provide voters with much less information about their candidates than the supreme court had demanded in its directive to the EC on May 2.

Sources point out that one reason behind Mr Kalam's ap-

parent reticence in promulgating the ordinance emanates from the representations that he has received on electoral reforms from different civil society groups. Last Friday, a 24-member delegation of the National Campaign for Electoral Reforms met Mr Kalam and emphasised that the proposed amendments to the Representation of the People Act, 1951 went against the letter and spirit of the supreme court order as well as the constitution.

The NCER, in fact, had urged the President to take the unusual—and dramatic—step of referring the ordinance to the supreme court since the court had begun the entire process of poll reforms through its May 2 order.

The NCER representation had specifically objected to the insertion of a new section, 33A, in the draft bil, which says that notwithstanding any judgments, decree or order of any court or the EC, no candidate shall be liable to disclose or furnish any further information in respect of his election. The NCER said this section undermines the SC order which holds that the voter's right to know the antecedents of poll candidates is a fundamental right.

१ १ AUG 2002

# Thackeray gets Prabhhu to resign

J. Vajpayee HT 21/8

HT Correspondent  
New Delhi, August 20

**POWER MINISTER** Suresh Prabhhu today put in his papers on a directive from his leader and Shiv Sena Chief Bal Thackeray, who needs him for "organisational work".

Sena sources said Thackeray found Prabhhu unable to "deliver" in terms of the "requirements" of the party, plagued by a serious dearth of resources. Besides, the Sena chief's son, Uddhav, had felt Prabhhu was "too distant" in terms of interactions with the party's rank and file. Prabhhu, a chartered accountant by profession, had succeeded in impressing Vajpayee by his efforts to promote power



**Suresh Prabhhu**  
*Under attack*

sector reforms. He is known to enjoy excellent equations with the Prime Minister.

Unlike on two previous occasions, Vajpayee this time had little option but to relieve him be-

cause of Thackeray's mood, though there is no official word yet that Prabhhu's resignation has been accepted. The BJP said, "It was an internal matter of the Sena."

Thackeray wants Union Minister of State for Finance Anant Geete to be elevated as Cabinet Minister in charge of Power. Anandrao Adsul, the Sena's Dalit MP from Buldhana in the Vidarbha region, is likely to replace Geete in the Finance Ministry. Prabhhu is understood to have tendered his resignation to the PM on August 14, after cancelling an appointment with Maharashtra Chief Minister Vajpayee.

Vajpayee told him not to do anything in haste and that he

would speak to the Sena chief. Thackeray, however, told the Prime Minister on August 16 that he wanted Prabhhu replaced by Geete.

Prabhhu left for his constituency of Rajapur in Maharashtra yesterday after he realised that Thackeray was in no mood to change his decision. He has since refused to respond to media queries.

Apparently, Thackeray's son, Uddhav, had spoken to him on August 12 to inform him that "Balasaheb" wanted him to resign. Prabhhu, however, rang up Thackeray the next day, only to be told that the "party high command" had decided that he should leave the Government.

**Related report on Page 6**



# Vajpayee walks Gujarat middle path with hawks

OUR SPECIAL  
CORRESPONDENT

**New Delhi, Aug. 19:** The Prime Minister went half-way to please BJP hardliners in deciding to invoke the President's power to consult the Supreme Court on the Election Commission's stand against early polls in Gujarat, party sources said.

The BJP was keen to contest the commission's decision in a court of law, the sources said, but Atal Bihari Vajpayee was not interested in a confrontation.

Sources said the commission's report was discussed threadbare at a late-night meeting at Vajpayee's residence on Saturday. Deputy Prime Minister L.K. Advani, BJP chief M. Venkaiah Naidu and parliamentary affairs minister Pramod Mahajan attended the meeting where the "consensus" was on taking a "middle path".

"This way, the views of the Prime Minister and the hardliners were accommodated. We could not ignore the sentiments

of our Gujarat cadre who were worked up at the Election Commission's decision. On the one hand, it was felt that openly taking on the commission may not show the government in a good light. On the other, if the Cabinet straightaway recommended Central rule, it would have looked like it was acting at the commission's behest," a source said.

The poll panel had suggested the use of Article 356 to avert a constitutional crisis that could arise if a legislature was not in place in Gujarat by October 6. The last sitting of the Assembly was on April 6 and, according to Article 174 of the Constitution, the gap between two sittings should not exceed six months.

Caretaker chief minister Narendra Modi had hinted at moving court. BJP sources claimed that there was a "groundswell of opinion" in Gujarat, particularly among the business community, against the "postponement" of the election.

"There is all-round uncertainty as a result of which trade and business are getting badly affected. Major decisions are not being taken," the source said.

The BJP maintains that it would have little option but to accept the court's opinion — even if it endorsed the commission's decision. However, the hardliners are still against Central rule.

The BJP has also begun a campaign against chief election commissioner J.M. Lyngdoh, insinuating that he is not only "pseudo-secular" but also a "pseudo-democrat".

BJP spokesman Mukhtar Abbas Naqvi alleged that the "campaign" to defer polls in certain states was "detrimental to democratic values".

"It is a dangerous conspiracy and the nation is witnessing how pseudo-secularists have turned into pseudo-democrats by saying elections must not be held only to uphold what they claim to be a secular democracy," Naqvi said.

■ See Page 8

20 AUG 2002

'NO IMPOSITION OF GOVERNOR'S RULE'

# J&K polls will not be postponed, says Advani

By Our New Delhi Bureau

NEW DELHI, AUG. 19. The NDA Government today made it clear that it did not favour either deferring the Assembly elections in Jammu and Kashmir or bringing the State under Governor's rule.

Talking to mediapersons here, the Deputy Prime Minister, L.K. Advani, questioned the demand for postponing the polls and suggested that it was being made by elements under some kind of influence from Pakistan. "Our focus and attention is that Assembly elections in the State should be free and fair. The Government is keen that not only should the elections be free and fair, but they should al-

so be seen to be free and fair. The elements who are not participating in the polls are those who have a soft corner for Pakistan and have been working under directives from across the border." Referring to the suggestion in some quarters that Jammu and Kashmir be brought under Governor's rule before and during the polls, Mr. Advani said the Centre would not like to impose anything on the State. "This matter rests with the State Government. We do not want to impose anything on it."

A suggestion for postponing the elections was made by the Kashmir Committee headed by the former Union Law Minister, Ram Jethmalani, after its interaction with several political parties and organisations during its three-day visit to the State.

Mr. Advani said the suggestions of the Kashmir Committee meant very little at a time when the election schedule had already been announced. The Government was keen to see the participation of the Hurriyat Conference in the polls.

Mr. Advani's comments came a day after the Cabinet Committee on Security held an informal meeting and took the view that the Government would not go out of its way to appease the "separatist" elements. It also decided to adhere to the election schedule in the State and do nothing to disturb the Farooq Abdullah dispensation there.

On the political front, the Bharatiya Janata Party launched a scathing attack on those demanding postponement of the elections, criticising it as being "undemocratic". While the party would have welcomed the participation in the election by all those who had faith in the Constitution, it was not for appeasing and cajoling those who did not and might, in fact, have more than a lurking sympathy for Pakistan.

This was made amply clear by the party general secretary, Mukhtar Abbas Naqvi, who said: "We respect the Jethmalani Committee but we do not agree with the demand for delaying elections."

At this juncture, the party was totally opposed to the idea of any postponement of the announced Assembly elections in the State, where the first phase of polling would take place on September 16.

Mr. Naqvi said all "nationalist parties" must carry on a sustained campaign against the gun culture pervading in the State. It is presumed that the "nationalist parties" would include the National Conference, the Congress and the Left parties. He hoped that the electors would isolate those who were unwilling to participate in the democratic process and vote in large numbers.

'Not on collision course with EC': Page 11

## WE ARE READY, SAYS LYNGDOH

By Shujaat Bukhari

SRINAGAR, AUG. 19. The Chief Election Commissioner, J.M. Lyngdoh, today ruled out postponement of the Assembly elections in Jammu and Kashmir and said the Commission was ready for the elections to be held from September 16. On the Gujarat issue, he said "politicians are free to do whatever they want".

Before leaving for Jammu, Mr. Lyngdoh said: "We are ready for the polls and the first notification will be issued on August 22." Asked what if the Centre recommended postponement of the polls, he said, "then legislation has to be brought". In Jammu, the CEC showed a mild reaction to the Centre's decision to refer

the EC decision on the Gujarat polls to President and said "politicians are free to do whatever they want".

Earlier, Mr. Lyngdoh, along with the two Election Commissioners, T.S. Krishnamurthy and B.B. Tandon, held a detailed meeting with all the eight Deputy Commissioners of Kashmir division. He reviewed the poll preparedness and sought reports from all the DCs who also are the District Election Officers.

The Chief Electoral Officer, Pramod Jain, said the first notification for the elections would be issued on August 22 followed by another on August 29. For about 7000 polling stations in the State, around 5000 officers are being brought from Uttar Pradesh, Punjab and Bihar.

20 AUG 2002

# Govt opts for Presidential reference on Gujarat

Stateaman News Service

NEW DELHI, Aug. 18. - The Vajpayee government today decided to seek the Supreme Court's "advice", through a Presidential reference under Article 143, on "the constitutional issues" arising out of the Election Commission's decision on Gujarat elections.

"The issues are not merely related to Gujarat but has far-reaching consequences," the Union information and broadcasting minister, Mrs Sushma Swaraj, said.

A formal request to the President, Dr APJ Abdul Kalam, is likely tomorrow, Mrs Swaraj said after an emergency cabinet meeting convened to discuss the EC decision.

Article 143 envisages that "if at any time

it appears to the President that a question of law or fact has arisen, or is likely to arise, which is of such a nature and of such public importance, that it is expedient to obtain the opinion of the Supreme Court upon it, he may refer the question to that court for consideration and the court may, after such hearing as it thinks fit, report to the President its opinion thereon."

The government has sought the Supreme Court's opinion on three issues: (1) whether article 174 (1) of the Constitution, that provides that not more than six months should elapse between two sittings of contiguous sessions of the Assembly, is mandatory; (2) whether "the provision of 174 (1) can yield to Article 324" that authorises the EC to supervise and conduct elections and (3) whether the Commission's suggestion or a situa-

tion created due to the Commission's order can be the valid ground for imposition of Article 356.

The Solicitor-General, Mr Harish Salve, and Additional Solicitor-General, Mr Kirit Raval, attended the cabinet meeting as special invitees.

Although the EC decision is not binding on the government, it acts as a moral force and it is difficult to defy.

The BJP's arguments that "riots cannot form the basis for not holding elections" thus have drowned in the din over the constitutional question: "Whether the Commission can hold that Article 174(1), read with Article 324 of the Constitution, loses its mandatory effect and the way to resolve the crisis was imposition of President's rule."

Turn to page 6

# Beleaguered BJP in treble trouble

## Mahajan accused in Shivani murder case, but not to resign

Statesman News Service

NEW DELHI, Aug. 16. — Mr Pramod Mahajan was yesterday accused of complicity in the murder of journalist Shivani Bhatnagar, but the BJP leadership rallied behind him today and ruled out his resignation.

The allegation was made by Mrs Madhu Sharma, wife of the main accused and former I-G (prisons), Haryana.

Already under flak over irregularities in allotments of petrol pumps and land, senior party leaders appeared worried at the damaging outcome of the allegation against the parliamentary affairs minister. Contrary to practice, the BJP today publicly suggested that Mr Mahajan file a criminal defamation case against Mrs Sharma for making the allegations.

Mr Mahajan described the allegation as "absurd" and said he was ready to face any inquiry. The charges are "a sad attempt by a woman to save her husband who has been refused bail by every court and is hiding from police... I knew Mrs Bhatnagar in her professional capacity."

Mr LK Advani defended Mr Mahajan, describing the allegations as "malicious" and intended to derail the probe. The Deputy Prime Minister said: "I wish to very seriously condemn the malicious campaign against my colleague in the government Mr Pramod Mahajan. It is all baseless, coming as it does from a suspect who is absconding... a malicious campaign unleashed by vested interests to derail the probe which is on the right path".

Delhi Police had reportedly investigated, from all possible angles, whether Mr Mahajan, whose name surfaced in official circles after the murder in January 1999, was involved in the crime. Police took action against the accused only after probes "cleared" Mr Mahajan.

A senior home ministry official said sleuths had an almost foolproof case against the accused. The fingerprints obtained by the forensic department from the scene of crime have matched those of the two accused, now in police custody. There are other evidence against them which also "clearly implicate RK Sharma's close complicity in the crime".

Mr Mahajan reportedly met Mr Advani a few days ago to discuss the matter and said he was willing to cooperate with the investigating agencies if accused in the sensational case.

Apparently shaken by a series of fax messages sent by Mrs Madhu Sharma to various newspaper offices and other people in Delhi, Mr Mahajan even said



Mr Pramod Mahajan: In the eye of an unusual storm sleuths could probe the much talked-about phone call he made to Shivani the day she was killed.

Home ministry officials ruled out the case being transferred to CBI for an "impartial probe", for the three-and-a-half-year probe had been thorough.

### Land scam

NEW DELHI, Aug. 16. — Faced with trouble on three fronts, the Centre today sought to defend the allotment of institutional land to organisations affiliated to the Sangh Parivar.

Reacting to charges, former urban development minister Mr Jagmohan said procedures had been followed in the allotments and, questioned if RSS members were "untouchables". He said only three or four registered societies, allegedly having RSS leaders as members, were allotted land. Allotments were made to other societies, too, that fulfilled norms. — SNS

Details on page 6

BJP leader and would not resign. **Cong demand:** The Congress has demanded "dismissal" of Mr Mahajan. "The BJP has been talking... of freeing politics from crime and corruption," spokesman Mr S Chaturvedi said. And this is what it ends in.

Statesman News Service

NEW DELHI, Aug. 16. — The Election Commission today ruled out early elections in Gujarat, rejecting the BJP's demand to elicit a political mandate from the people of a state yet to recover from communal riots.

The prevailing conditions are not conducive to a free and fair election, the poll panel said. The sanctity of an election is most important, the EC said. No constitutional crisis will be created if a new Assembly is not elected six months after the last one was dissolved. The provisions of Article 174 could not be read in isolation from Article 324.

The poll panel issued directives to prepare the ground for fair elections. After reviewing the implementation of these orders in November-December, it would consider announcing the poll schedule, it said in a 40-page order issued this evening.

The Assembly's term was due to run till 18 March 2003, but Mr Narendra Modi's government dissolved it on 19 July, seeking an early election.

The Opposition said the poll panel's decision had upheld human rights. But the BJP expressed dissatisfaction. The party, however, said the decision would not harm its prospects.

The poll panel said dates for elections would be announced in November-December if a summary revision of electoral rolls was conducted, law and order situation was restored and the government was able to instill confidence in the people by October end.

Normally, elections are held 35 to 40 days after the announcement of poll schedule. Polls in Gujarat are now expected to be held in December or January.

The poll panel made a detailed analysis of the constitutional provisions. Rejecting arguments that provisions of Article 174(1) necessitated early polls, the EC said it was not obliged to hold elections within six months of the last sitting of the last Assembly.

Article 174(1) of the Constitution has to be read along with other relevant provisions,



TOUGH TIME FOR TROUBLE-SHOOTERS: Mr Atal Behari Vajpayee and Mr LK Advani and his wife after the Prime Minister addressed the nation on Independence Day on Thursday. — PTI

particularly Article 324 of the Constitution, the poll panel said. "Article 324, which is not subject to the provisions of any other Article of the Constitution including Article 174 (1), vests the superintendence, direction and control, inter alia, of the preparation of electoral rolls, for and conduct of, elections to Parliament and State Legislatures in the Election Commission," the order said.

Turn to page 6

## Why elections shouldn't be held now

Statesman News Service

NEW DELHI, Aug 16. — There are several key reasons for the Election Commission's decision to put off polls in Gujarat, the most important of them being the absence of law and order.

In a 40-page exposition of why it is opposed to early elections in Gujarat, the EC speaks of the incomplete status of electoral rolls, the "basic document for the con-

duct of any election", and the contradictory nature of some information furnished by the state government. These include information on extent of riots and the government's decision to put off panchayat and taluka elections.

The full commission, comprising Mr JM Lyngdoh, Mr TS Krishnamurthy and Mr BB Tandon were unanimous that the law and order situation in Gujarat was not fit for early polls. The EC

report cites government figures to make its point. "Statistics presented by the government giving the comparative crime chart for June 2002 and June 2001 show a decline in the overall crime rate, but in the category of rioting, there is an increase of 13.66 per cent." Of a total of 4208 FIRs filed as on 31 July 2002, chargesheets have been filed in "only 1360 cases".

On security for the rath yatra and claims of normalcy by the

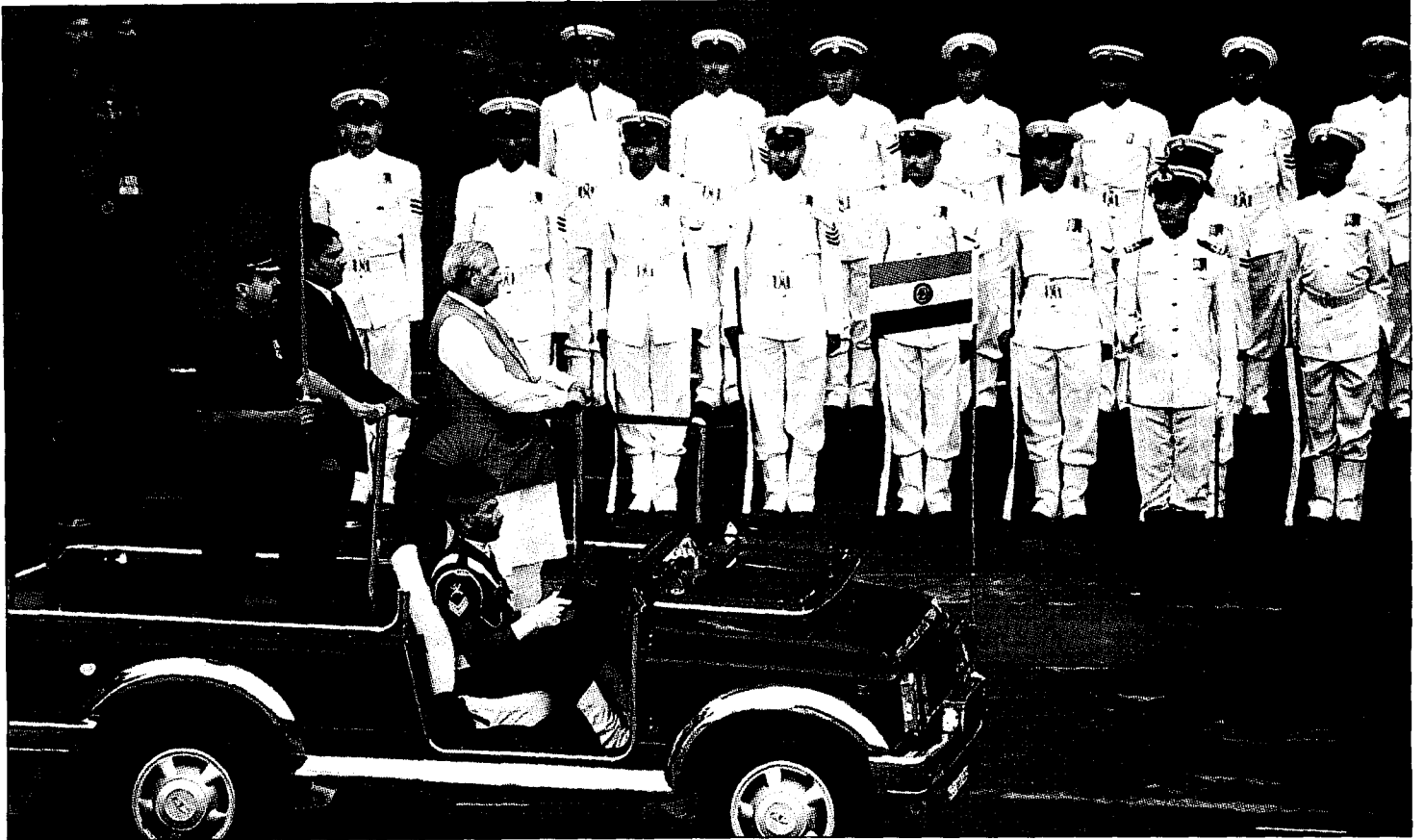
government, the EC report said: "The government's claims do not reveal the situation on the ground where fear, anxiety and apprehension among the affected persons continue to exist". Widespread displacement of persons in riot-hit areas and slow relief and rehabilitation work had affected the fidelity of existing electoral rolls, the EC said. "A substantial majority of the electorate forced to flee... have not yet returned..."

# Forget past mistakes, PM tells J&K

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Sanjay Sekhri



**THE I-FIVES:** Prime Minister A.B. Vajpayee inspects the guard of honour during the 55th I-Day celebrations at Red Fort in New Delhi on Thursday.

**TIMES NEWS NETWORK**

**New Delhi:** Addressing the nation for the fifth consecutive time from the ramparts of Red Fort, Prime Minister Atal Behari Vajpayee on Thursday offered to engage in a fresh dialogue with the elected representatives of the Jammu and Kashmir assembly on the devolution of powers and to rectify the mistakes of the past.

He urged the people of the state as well as political parties to participate in large numbers in the coming assembly elections—which he promised would be free and fair—to create a new future for J&K, even as he hoped that Kashmiri Pandits, displaced from the Valley, would be able to return to their homes after the polls.

If Kashmir was at the top of the PM's mind, Gujarat was not too far away. He emphasised that the "horrific" explosion of communal violence in the state was one unfortunate example of how casteism and communalism had divided the people.

"There can be no place for such violence in a civilised society," he said, adding, "it is the responsibility of the government and society

alike to provide security and equal opportunities for the minorities".

Holding out hope for Kashmir, the strong condemnation of violence in Gujarat and the criticism of the Modi government—even if oblique—along with the appeal to the opposition to support economic reforms sent out a positive message, offering consensus on key issues.

The measured tone in which Mr Vajpayee associated Kashmiriyat, the spirit of Kashmir, with secularism that holds India together was meant as much for the international community as for the nation and it was intended to present the picture of a man in command.

The PM's constructive mood was underlined by the manner in which he took on the Pakistan Independence Day message of Gen Pervez Musharraf—who had described the elections in Kashmir as farcical—in measured rather than inshrill tones, the latter pitch often being struck by the BJP. He said, "Those who call the forthcoming elections in the state farcical should not give us lectures on democracy. Let them look at their own track record."

In his 25-minute speech, one of

## Atalspeak

- ① "Those who call the forthcoming elections in J&K farcical should not give us lectures on democracy. Let them look at their own track record."
- ② "Kashmir is not a piece of land, it is a test case for Sarva Dharma Samabhava. India has always stood the test of a secular nation. J&K is a living example of this. And this itself is Kashmiriyat."
- ③ "There can be no place for such violence (in Gujarat) in a civilised society, it is the responsibility of the government and society alike to provide security and equal opportunities to the minorities."

it is a test case of sarva dharma sambhava, secularism. And India has always stood the test of a secular nation. J&K is a living example of this. And this itself is Kashmiriyat," he added. Mr Vajpayee also emphasised the need for a political consensus on economic reforms, especially in the key power sector and electoral arena.

He also announced several short and long-term measures to tackle the drought in different parts of the country. A new initiative, the Pradhan Mantri Gramin Jal Samvardhan Yojana, for conservation of water, would be launched soon. One lakh hand-pumps would be installed in areas where water was scarce and a similar number of primary schools in rural areas would be provided with drinking water facilities, he said, adding that one lakh traditional sources of drinking water would be revived.

"I appeal to you," Mr Vajpayee said, "to display the same emotional unity on the issue of national development as you always do on the issue of national security. Come, let us make development a powerful people's movement."

the shortest by any PM on the occasion, Mr Vajpayee said India wanted "all issues to be resolved peacefully and through negotiations", but that all this would be possible if a conducive environment was created.

"Kashmir is not a piece of land,

● Identity cards for citizens, Page 7

PM'S SPEECH / RELIEF FOR WEAVERS, HELP FOR DISABLED

# Social security scheme soon

By Our Special Correspondent

NEW DELHI, AUG. 15. On the 55th anniversary of Independence Day, the Government today announced as many as 15 new socio-economic initiatives — including a scheme to be shortly announced which will take care of the "life-time concerns of the poor and the middle class."

The Prime Minister, Atal Behari Vajpayee, made a mention of the decisions during his address to the nation from the ramparts of the Red Fort, but said the details would be announced separately.

Among the 15 new initiatives is the proposal for a comprehensive and participative scheme of social security, which will seek to address the life-time concerns of the poor and the middle class. This scheme flows directly from the Government's realisation that social security has become a major concern for most citizens" with the fall in interest rates on deposits and the difficulties faced by some financial institutions."

The scheme will have provisions for income-enhancing education and the needs of the girl child, emergency healthcare, economic security in old age and protection to families in the event of the untimely deaths of the breadwinner.

Alleviation of hunger among the most vulnerable sections of society — old people, widows and disabled persons without family or societal support — will be an important component of the initiative on life-time concerns. Consequently, the Government has decided to operationalise a major food-based social security programme for the destitute by taking advan-

tage of the surplus food stocks and extension of the scope of the Antyodaya Anna Yojana.

For the farmers, efforts would be made to expand the base of about 2.5 crore Kisan Credit Cards to cover the entire population of eligible farmers under this scheme within the next two years. Besides, the public sector general insurance companies would promote a new initiative to expand and improve the provisions of the crop insurance schemes. The Ministry of Consumer Affairs will set up a National Commodities Exchange to streamline commodity futures trading in the country.

For handloom weavers, the Textiles Ministry will earmark Rs. 100 crores for a one-time rebate on handloom fabrics to kick-start this employment-intensive industry and revive the production cycle. An additional Rs. 125 crores would be spent for skill upgrading of one lakh handloom weavers. Also, a special contributory insurance scheme for one million weavers and artisans, which will combine the Jan Shree Bima Yojana with group insurance, will be launched.

The Ministry of Social Justice and Empowerment will launch a scheme to provide national scholarships to disabled persons for pursuing higher technical education. The scheme will be implemented under the National Fund for People with disabilities.

The Human Resource Development Ministry will formulate a National Plan of Action for Children, which will contain development targets relating to India's children in the next decade.

Also, a National Charter for Children will be adopted and the National Nutrition Mis-

sion will be fully operationalised. The Integrated Child Development Services will be universalised in all the 5,652 blocks in the country.

The Government also plans to amalgamate all different schemes for the liberation and rehabilitation of scavengers. Besides, the Valmiki Ambedkar Awas Yojana will support the construction of one lakh slum houses in the current year with an allocation of Rs. 256 crores. The scope of construction of community toilets in slum areas, under the Nirmal Bharat Abhiyan will be further expanded.

The Defence Ministry had finalised a scheme for medical care of ex-servicemen and their dependents. It would be launched within three months.

Among the new initiatives is also the plan to introduce a Model Municipal Law to facilitate participation of the private sector in urban infrastructure, especially in water supply and sanitation.

The Government will also operationalise the "City Challenge Fund" this year to promote urban sector reform.

Similarly, the Ministry of Culture will launch a National Mission for Manuscripts to preserve and unlock the precious treasure house of scientific, intellectual, literary and spiritual knowledge in different Indian languages contained in different kinds of material.

Finally, the Home Ministry will prepare a plan to issue multi-purpose machine readable Identity Cards for all citizens.

For this, a pilot project will be launched in October this year to cover select districts in eight States.

16 AUG 2002

# Centre moves SC on petrol pump petitions

15 & TIMES NEWS NETWORK 9/1

**New Delhi:** The supreme court on Wednesday issued notices to those petrol pump and gas agency allottees who had challenged the Centre's recent cancellation of the allotments made since January 2000. It also fixed August 26 for hearing the matter.

Earlier in the day, the Centre had sought the transfer of the issue to the apex court or to one high court as several aggrieved allottees had moved different high courts.

Solicitor-general Harish N. Salve mentioned the matter before a bench headed by Chief Justice B.N. Kirpal. He said: "With a view to avoiding inconsistent decisions of the different high courts and district courts, it would be in the interest of justice that the supreme court may transfer the said cases to itself and dispose them or, in the alternative, transfer all such cases to one high court."

The Centre's petition said: "A serious controversy has arisen as to the credibility of this system of selection. In order to maintain confidence in the system, a policy decision was taken to cancel all the allotments

made since January 2000." 9/1 9/1

It said that in respect of the allotments pertaining to the government oil companies, various writ petitions had been filed in the high courts at Jodhpur, Jaipur, Chandigarh, Ahmedabad, Goa, Hyderabad, Allahabad, Chennai, Kolkata and Delhi.

The bench issued notices to the aggrieved allottees as the Centre said certain high courts had restrained it from going ahead with its decision to cancel the allotments.

On August 9, Prime Minister A.B. Vajpayee had ordered the cancellation of nearly 3,700 allotments of petrol pumps and dealerships in LPG and kerosene in the wake of allegations of favouritism shown to BJP functionaries and their relatives. The government had also decided that all the annulled petrol pumps and dealerships "may be auctioned on the basis of competitive bidding".

Meanwhile, the petroleum ministry said it was establishing a separate four-member cell chaired by a joint secretary to coordinate all legal responses to the petitions challenging the cancellation. It also advised the three state-owned oil firms to do likewise.

# Centre to move SC for transfer of all petrol pump cases

By Neena Vyas and J. Venkatesan

NEW DELHI, AUG. 13. With several High Courts staying the cancellation of individual petrol pump and gas dealership allotments, the Centre is contemplating filing a petition in the Supreme Court for transfer of all the cases to the apex court.

The development has been described by the Opposition leaders as vindication of their stand that the Government's so-called cancellation orders had no legal force and was an attempt to hoodwink the public.

The Opposition has been insisting on a CBI inquiry to establish undue favouritism (and perhaps payment of bribes) to expose the scandal before going on to cancel the allotments. In fact, even the Treasury benches had admitted that the cancellation order might be legally unsound without the backing of some legislation.

After the petrol pump scandal broke out and the Opposition made it a major issue in Parliament, the Prime Minister ordered cancellation of all petrol pump and gas agency allotments. The Centre issued a no-

tification on August 9 cancelling about 3,700 allotments made since January 2000.

A number of petitions have been filed — and hundreds more are expected to be filed in the next few weeks — in various High Courts challenging the order. And already the High Courts of Rajasthan and Delhi have stayed the cancellation orders in about 100 petitions and the Madras High

Dealership issue figures in  
consultative committee meet: Page 11

Court has issued notice to the Centre and the oil companies. The Madhya Pradesh High Court is to take up the matter tomorrow. Authoritative sources said that the Centre would approach the Supreme Court for the consolidation of all the cases to obtain an authoritative pronouncement on this common issue. The transfer to apex court would also avoid the possibility of the High Courts giving different orders while interpreting the August 9 omnibus notification.

It seems that the Government's strategy

would be to try and argue the cases in the realm of "public law" in defence of cancellation, while pointing out that the new policy of allotment through auction was intended to ensure transparency and prevent political influence. However, it is also being conceded that if the courts were to decide that the matter falls under the category of "private contractual law" then the allottees may have a stronger case.

Citing the decision of the Supreme Court in the BALCO disinvestment case, in which it was held that courts could not go into issues relating to policy matters, sources said public interest behind the cancellation would outweigh private or individual interest. At the same time, the Government was also aware that the cancellation could not be made without payment of adequate compensation to those allottees, who might have suffered financially as a result of the cancellation. The Government may come out with a proposal — and this could be placed before the courts — that when the pumps and agencies are auctioned, the existing allottees would be compensated.



# Ram's mission breaks Hurriyat ice

## TALKS | International pressure works but Hurriyat repeats no-polls, involve-Pak stand

MUZAMIL JALEEL

SRINAGAR, AUGUST 12

**F**ORMER Law Minister Ram Jethmalani's Mission Kashmir got its first breakthrough today with the Hurriyat Conference formally accepting its dialogue offer—with its usual disclaimers.

That it won't take part in the coming elections; that the wishes of the people, the "future of the Kashmir dispute" and the involvement of Pakistan need to be factored in any dialogue process. But significantly, the Hurriyat stopped short of call-

ing for a boycott of the polls.

Jethmalani said the first round of talks will be held in Srinagar, the tentative dates for which are August 16, 17 and 18.

Describing the Hurriyat's decision as "a step forward", Jethmalani said his efforts during the discussions would be to secure the participation of the separatist outfit in the forthcoming elections.

"We will ask them what exactly their notion of free and fair elections is. And we will tell them that if their conditions are met and they still don't participate, then they will have missed the bus (for finding a



solution to the Kashmir problem),” the former Law Minister stated.

However, this decision was taken after a Hurriyat general council meeting. “We are ready to talk

on a principle and for a cause,” Hurriyat chairman Abdul Gani Bhat said. “They (Jethmalani's Kashmir Committee) have made a

beginning and have invited us for talks, we should never shy away,” he said. “Talking is not bad. Talking should happen but with a purpose and for a cause.”

He added: “Jethmalani and his team will visit Kashmir soon and we will tell them that progress is possible only when we take into account ground realities, the wishes and aspirations of the people. We will tell them that unless we involve Pakistan, we can't move forward”.

Bhat said that there is “no shade of doubt that any dialogue will be acceptable only and only if the

CONTINUED ON PAGE 2

# Ram's Mission Kashmir breaks Hurriyat ice

agenda is future dispensation of the Kashmir dispute". He said, "We don't know what is in their mind, let them come and let us talk. All depends on how they talk—with an open mind or not and that will determine the future of this process."

On polls, Bhat said: "As for as elections are concerned, that chapter is over for us... We will not contest the polls and people know what that means."

Given that there are a clutch of interlocutors, what's different about this new team? "Jethmalani

has chosen to create a consensus in New Delhi and has been holding talks with major political parties in and outside the Government with an aim to garner support for his mission," Bhat said. "And the indications we are getting suggest that he and his team intend to talk politics," Bhat said. "Mr Pant came here. His agenda was afforestation, education, computerisation, ecological balance, Dal Lake... He never wanted to discuss the real issue that is why we did not agree to talk to him."

Sources said another reason

could be how Jethmalani's personal efforts have helped him make friends in the conglomerate. In fact, the JKLFF openly admits that its leader Yasin Malik was shifted from the harsh conditions of Jammu jail to the All India Institute of Medical Sciences for a check-up at Jethmalani's behest.

However, the buzz here is that although this new initiative may not bear much fruit, rejecting the offer would have been suicidal for the Hurriyat. "Times have changed since Pant's offer. There has been a tremendous interna-

tional pressure especially from Americans, British and even the European Union to contest polls and prove our faith in democratic traditions," a senior Hurriyat leader said. "When the yardstick of the international community is to judge your faith in a peaceful resolution of disputes, a no to the dialogue process would have added fuel to the fire," he said.

He said participating in talks will help ease pressure on the Hurriyat sending a message that it's not "entirely against" democratic means.

■ SITUATION VACANT

■ TENDED NOTICE

# Shekhawat wins by huge margin

By K.V. Prasad

NEW DELHI, AUG. 12. The National Democratic Alliance candidate, Bhairon Singh Shekhawat, was today elected the country's 12th Vice-President with a resounding margin. He defeated the joint Opposition candidate, Sushil Kumar Shinde, by 149 votes.

Mr. Shekhawat, senior BJP leader and former Rajasthan Chief Minister, polled 454 of the 766 votes cast by the Members of Parliament earlier in the day. Mr. Shinde got 305 votes, which apparently fell short of the expectation of the Opposition campaign managers.

The Lok Sabha general-secretary, G.C. Malhotra, who was the returning officer for the election, announced the result here this evening.

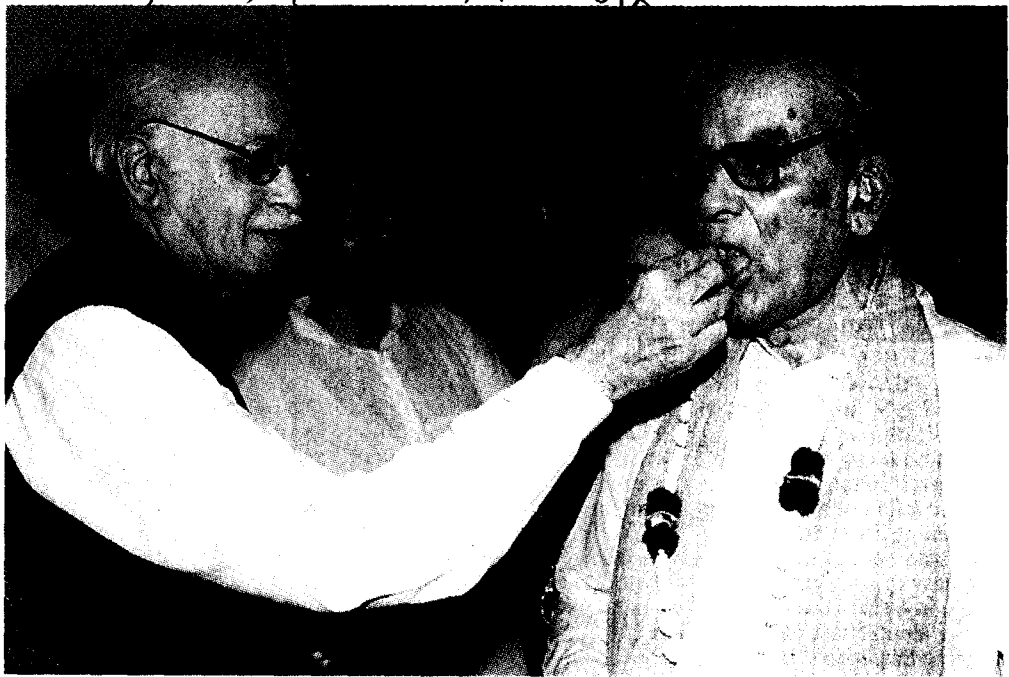
He said that of the 788 — electoral college consisting of MPs of both the Rajya Sabha (245) and Lok Sabha (543), 766 cast their votes, and of these 7 were declared invalid. Mr. Malhotra said that as per the requirement he would send a copy of the result to the Election Commission and the Law Ministry.

Mr. Shekhawat's victory surpassed earlier calculations of NDA poll managers. I

It appears that Mr. Shekhawat's campaign to woo the "Thakur" members has had its impact although it could not be ascertained immediately which section among the Opposition had broken ranks in this whipless election.

The senior Congress leader, Suresh Pachauri, maintained that his party votes went according to script.

Of the 22 MPs who did not



The Deputy Prime Minister, L.K. Advani, offering sweets to Bhairon Singh Shekhawat on his election as Vice-President in New Delhi on Monday. — Photo: R.V. Moorthy

vote, nine belonged to the Trinamool Congress who decided to stay away in protest against the Eastern Railway bifurcation issue. However, the Trinamool MP, Ajit Kumar Panja, exercised his franchise.

The arrival of the jailed MDMK leader, Vaiko, created considerable movement inside the Parliament House complex. Mr. Vaiko came to Parliament House in the afternoon with the Parliamentary Affairs Minister, Pramod Mahajan.

He left the complex immediately after casting the vote amid tight security.

Even though correspondents made efforts to engage him in a

conversation, Mr. Mahajan reminded them that the High Court had asked Mr. Vaiko not to address the press while he was allowed to take part in the Vice-Presidential election.

The victory of Mr. Shekhawat was a foregone conclusion given the NDA arithmetic in Parliament with more support coming from the AIADMK, the Telugu Desam Party and the Bahujan Samaj Party.

Unlike the Presidential poll, where the NDA preferred the consensus route, in the case of the Vice-President, the BJP had from the beginning insisted that it would have 'its own man' for the post — which it did.

He is expected to take the oath of office on August 19.

## Defeat expected: Shinde

PTI reports:

Mr. Shinde said his defeat was "expected" as he knew that there was a large gap of votes between the ruling combine and the Opposition. Congratulating Mr. Shekhawat, he said he had contested the election for upholding secularism.

The Parliamentary Affairs Minister, Pramod Mahajan, drove to Mr. Shinde's house after the result was announced and spent half an hour with him.

Pictures on Page 12

DEPUTY PM CLARIFIES STATEMENT

# Poll date EC's job: Advani

Statesman News Service

NEW DELHI, Aug. 11. — Mr LK Advani today clarified that it was the Election Commission's constitutional prerogative to decide on the date of initiating the poll process in Gujarat.

At a party programme yesterday, the Deputy Prime Minister was quoted as having said that the state government and the home ministry were the right authorities to decide whether the situation was conducive to holding polls.

Mr Advani denied having made any such statement and said holding elections and finalising the poll dates were under the constitutional ambit of the Election Commission. The commission will duly consider "all aspects concerned" and the government will put forward its assessment of the situation when asked to do so, he said.

Nonetheless, the BJP has not taken lightly some observations made by the Chief Election Commissioner on relief and rehabilitation work in Gujarat. The BJP chief, Mr M Venkaiah Naidu, said in Bangalore that the CEC should concentrate on elections, not relief work.

Mr Arun Jaitley, BJP general secretary, said the Election Commission should try to hold elections in Gujarat before October to uphold the constitutional provisions under Article 174. "I hope the EC is able to announce the poll dates at the earliest." It is not the CEC's job to comment on relief and rehabilitation of riot victims. "In some areas,

relief and rehabilitation may still be required and it must be expeditiously done. The Relief Commissioners will do their job and the Election Commission should do its."

On the CEC's reported adverse remarks on relief work in the state, Mr Jaitley said most of the riot victims had returned home and trade, business, political and educational institutions were functioning normally. "It would be a bad precedent to suggest that elections can be deferred."

**Poll decision:** The EC team — Mr Lyngdoh, Mr TS Krishnamurthy and Mr BB Tandon

— returned to the capital today after a three-day visit to Gujarat.

The CEC, Mr JM Lyngdoh, said a decision on Assembly elections in Gujarat would be taken in a couple of days.

Mr Lyngdoh had rapped Vadodara district officials yesterday for giving him inaccurate information about the riots in the district.

"The decision will be taken in a couple of days," the CEC said. But he refused to divulge details of the team's Gujarat visit. According to agency reports from Baroda, Mr Lyngdoh said international experts were free to visit the state during the elections. "They (international experts) can come in their individual capacity and visit the state. The EC will not invite them."

On his strong remarks made to the Vadodara district collector, Mr Lyngdoh said: "Such type of utterances take place between professionals. Giving a tongue-lashing to the authorities and chiding them for not giving proper information on the riots was an internal matter."

Arun Jaitley says it's not EC's business to comment on relief work which is the relief commissioners' responsibility

17 AUG 2002

STATEMENT BY THE DEPUTY PM

# Advani accuses EC of double standards

By Smita Gupta  
TIMES NEWS NETWORK

**New Delhi:** A confrontation between the BJP-led government and the Election Commission over the Gujarat elections appears to be on the cards. On Saturday, at a closed-door meeting of the BJP's opinion-makers, deputy Prime Minister L.K. Advani reportedly took a swipe at the EC's detailed scrutiny of the situation in the riot-ravaged state. BJP sources said Mr Advani, answering a question from a party member on the EC's "nega-

tive" attitude to the Gujarat government, said "different yardsticks" were being applied to holding elections in different parts of the country. Mr Advani is said to have stressed that even though the situation in Jammu and Kashmir was difficult, the EC had announced polls there.

He also recalled an election in Assam in which only two to three per cent of the electorate had cast their votes—an indirect reference to the EC checking whether all those in the refugee camps in Gujarat had election cards or not. He added that the decision to

hold elections in a state or not should be based on the information given by the state government and the Union home ministry.

These comments come in the wake of reports that the Gujarat government is extremely unhappy with "the behaviour of chief election commissioner J.M. Lyndgoh" during their current visit.

The controversy over President A.P.J. Abdul Kalam's visit to Gujarat also figured at the meeting, with Mr Advani describing the President as a "balanced person", who was well aware of his "constitutional responsibilities".

# Govt backs Jethmalani peace bid

HT Correspondent  
New Delhi, August 9

IN WHAT appears to be a boost to former Law Minister Ram Jethmalani's independent initiative on Kashmir, Deputy Prime Minister L K Advani has apparently authorised the Kashmir Committee to invite separatist leaders, including representatives of the Hurriyat Conference for a dialogue process on "relevant issues."

The Deputy PM made the offer during a 40-minute interaction with members of the Kashmir Committee which Jethmalani floated as part of an independent initiative to usher in peace in J&K.

"Advani authorised and re-

quested the Committee to declare publicly that he would welcome anyone from the State who has any relevant issues to discuss with him and that no one need wait for a formal invitation," Jethmalani said in a statement.

According to the statement, Advani said that the open invitation could be communicated to Hurriyat leaders as well Jammu and Kashmir People's Democratic Freedom Party leader Shabir Shah. The Committee, which also comprised of Times of India editor Dilip Padgaonkar and advocate Ashok Bhan, conveyed to Advani the "disappointment among some political leaders in the State about the non-com-

mencement of the dialogue which Advani had promised in a recent Rajya Sabha speech.

Describing the Deputy PM's response as "extremely constructive", the Committee said that Advani expressed his happiness over the independent efforts being made by Jethmalani and others to begin a dialogue with separatist groups in J&K.

Advani said talks had started with his Rajya Sabha speech in which he promised free and fair elections with maximum possible participation and sincere negotiations after the elections identified the real representatives of the people and wishes and expectations.

GOVT UNDECIDED ON COMPETITIVE BIDDING BILL

# PM's petro-order runs into a hitch

10/8  
Sudesh K Verma in New Delhi

Aug. 9. — Even as oil companies were ordered today to implement the Prime Minister's decision on cancelling petrol/LPG/kerosene dealerships, the plan has run into trouble on two fronts.

The government is undecided whether it'll bring legislation to back the order on competitive bidding. And, some BJP and other NDA leaders are grumbling about an action being taken "without thinking about the consequences". Some ministers are in this disaffected group.

Petroleum minister Mr Ram Naik, today asked oil companies to start the process of cancellation and competitive bidding. They were also asked to look at the question of using bidding receipts for compensating those whose dealerships have been cancelled.

Mr Naik said the government "will faithfully try to implement the order". But he was non-committal on the issue of legislation or an ordinance to give legal teeth to the Mr Atal Behari Vajpayee's decision. Among the worries, a source said, is "the possibility that such a legislation may get successfully challenged in court".

Law ministry officials said the petroleum ministry had been in touch with them since the petrol pump scam broke out and, together, there is an effort to devise guidelines to ensure a tighter control over allotments. The guidelines could be executive or statutory (meaning a legislation).

Either way, there's an agreement that there should be institutional mechanisms to regulate such awards. The views of the petroleum ministry officials have been sought about possible protective

9-वज्रपात्र श्री  
measures to be devised to ensure there is no "scam." But no decision has been taken.

Before Mr Naik issued orders to oil companies, he had an hour-long consultation with the former law minister, Mr Arun Jaitley. Mr Naik reportedly said that about 2000 caveats have been filed by oil companies. Apparently, government leaders want to see how some of the likely courtroom battles go and also the extent of political opposition before they consider enacting a law.

Some leaders of the allies, too, have taken exception to the cancellations on the ground that the Prime Minister should have consulted them before taking the decision. The decision, NDA leaders said, was "taken in a huff". Ordering an inquiry would have been more appropriate, an NDA leader said.

Even within the BJP there's opposition to the cancellation order. Some MPs said that if allotments weren't wrong, as the government has been saying, the cancellation didn't make any sense. The party seems to be coming round to the view that making the legislation apply retrospectively from 1983, as opposed to Mr Vajpayee's deadline of 2000, may backfire. "Too dangerous," was one leader's assessment.

Mr Arun Jaitley today stressed that the Congress should ask its leaders to "voluntarily surrender dealerships allotted "through political patronage".

**Another list:** The BJP's Karnataka unit today released another list of Congress leaders whose relatives were allotted petrol stations and gas agencies, PTI adds from Bangalore. Forty-six alleged beneficiaries and 12 ministers figure on the list.

## Shoe's on the other foot

Statesman News Service

JAIPUR, Aug. 9. — The Rajasthan Congress doesn't know how to deal with the call for a nationwide agitation against the petrol pump scam planned by the party's top leadership. The reason: Both the state Congress president, Ms Girja Vyas, and the head of the Youth Congress, Kuldeep Indora, were beneficiaries.

Those opposed to Ms Vyas and Mr Indora now want them to step down. They say the agitation can't be launched in the state as long as the two remain in office. Ms Vyas and Mr Indora were allotted petrol pumps last year; both claim their applications had merit.

# PMK cornered petrol stations to fuel LTTE

**Sam Rajappa in Chennai**

Aug. 8. — The "spoils system" allotted for petrol stations being responsible for those close to the BJP may have been exploited by the PMK, an NDA partner, to arrange the much-needed fuel for the banned LTTE.

The Pattali Makkal Katchi had reportedly managed to corner 75 petroleum products' dealerships for its members and associates. Of those, 34 are for petrol pumps, 38 for LPG and three for kerosene dealerships.

Some of the petrol stations cornered by

the PMK, as a share of being a ruling coalition partner, are in Tamil Nadu's coastal districts. Petrol is in short supply in Sri Lanka's Tamil-dominated northern and eastern provinces and is routinely smuggled from Tamil Nadu's coastal region to the Liberation Tigers of Tamil Eelam. The Navy and Coast Guard have for long conceded that petrol smuggling is rampant on this route which they have found difficult to stop despite their best efforts.

PMK men's alleged involvement came to light when a tanker carrying petrol to be smuggled across the Palk Straits was

intercepted by police near Kumbakonam. Two years ago, when the DMK was in power in Tamil Nadu. Cases were registered against four persons: two PMK leaders and two members. But though an FIR was lodged, investigations were not pursued, officials said.

The AIADMK government of Miss J Jayalalitha, officials said, is looking into this and other such incidents closely to try and corner the PMK.

Though Mr E Ponnusamy, a Dalit in the Vanniyar party, was made the minister of state for petroleum in the Vajpayee government, political circles believed all

ministry decisions were taken by Dr S Ramadoss, PMK's founder-leader, and his son and heir apparent, Mr R Anbumani.

When the PMK took a short leave from the NDA, just before the 2001 election to the Tamil Nadu Assembly to team up with the AIADMK, Mr Ponnusamy resigned as minister. While in office he had often Atal Behari Vajpayee, that he was not assigned any work by the petroleum minister, Mr Ram Naik, now in the eye of a political storm for allegedly having promoted the politics of patronage.

After the PMK returned to the NDA, Mr Ponnusamy was not re-nominated by Dr Ramadoss for a portfolio. Instead, Mr AK Moorthy was, and he has been made the minister of state for railways. His wife, Mrs Padmini Moorthy, was allotted a petrol pump in Chennai city in November 2000, when Mr Ponnusamy was the minister of state for petroleum.

The PMK and the MDMK (another NDA constituent whose leader Mr Vaiko has been detained under Prevention of Terrorism Act by the Tamil Nadu government) have been openly, and vocally, supporting the LTTE.



# Vajpayee slips on petrol spill

NEW DELHI, Aug. 6. — The Prime Minister may have cancelled petrol pump, LPG and kerosene dealerships now. But early this year, his government was convinced that the system was "transparent, uniform, fair and fast". Not only that, it felt the Ram Naik-devised guidelines were "increasing transparency" too.

The assertions came before the parliamentary standing committee on petroleum and chemicals in February and March 2002. Questions by the committee show that the oil ministry had clearly indicated that the choice of former judges for heading dealer selection boards (DSBs) was entirely Mr Ram Naik's prerogative.

The minister could dismiss any former judge, heading the DSBs, without assigning any reason.

An additional secretary, representing the oil ministry before the committee, had said the aim of the new procedure is "to provide transparent, uniform, fair and faster procedure for selection of suitable candidates as dealers/distributors".

Asked about the ministry's assessment on realisation of the objectives, he said: "If I

could submit frankly, I feel the transparency has gone up. That's my feeling."

On the selection of former judges to the DSBs, he said: "Chairmen of the DSBs are appointed with an approval of the minister of petroleum and natural gas. The government does not call for panels from Chief Justices of the high courts."

The committee was told by the oil ministry that services of 13 DSB chairmen were terminated within a year of their appointment.

MPs in the parliamentary committee criticised the system, saying that removal of DSB chairmen without ascribing any reason makes the system "arbitrary".

They had recommended that high court judges be consulted to form panels from which DSB chairmen could be selected. The oil ministry turned down the recommendation.

MPs criticised the ministry's decision to weigh the decision-making in favour of the DSB chairman.

The chairman was given 200 points while the other two members were given 100 marks each. This meant that in case of a difference of opinion between the chairman and the other two members, there could be a tie, theoretically. But, as the committee observed, the discrepancy "becomes more crit-

ical when one out of two members of the oil companies on the DSBs does not join the selection process." The committee said it happened in 62 cases.

Even the chief justices in division benches do not have disproportionate decision-making powers compared to other judges, the committee had said, while pointing out the lacunae in Mr Naik's system.

The parliamentary standing committee, headed by Mr Mulayam Singh Yadav, had members from the ruling coalition too.

In Kolkata, Mr Anil Biswas, CPI-M state secretary, demanded Mr Naik's resignation for the petrol pump scam.

Mr Atal Behari Vajpayee, he said, has merely cancelled the improper allotments while retaining the Union petroleum minister without whose complicity "a scam of such magnitude" could not have taken place. The BJP's mask is being daily ripped off, yet the "NDA is desperate to cling to power at any cost."

The only way to save the country from the economic fraud and social and communal destabilisation by the BJP-led government at the Centre is to remove it from power, Mr Biswas said.

More reports on page 6

# PM in firefight gear, cuts off fuel supply

TIMES NEWS NETWORK

New Delhi: Prime Minister Atal Behari Vajpayee on Monday ordered the cancellation of allotments of all petrol pumps as well as cooking gas and kerosene agencies made after January 2000 and announced that henceforth, all pumps/agencies would be auctioned on the basis of competitive bidding. However, the allotments made to families of Kargil martyrs were exempted.

This followed the publication of statewise lists of BJP beneficiaries of the petroleum ministry's largesse in a national daily. The last straw for the PM, according to sources, was the Uttar Pradesh list that appeared on Monday. The first name was that of Aparna Mishra, wife of one Raj Mishra, who also happens to be Mr Vajpayee's nephew. Not just that, the address given by the Mishras was the house in Lucknow which is listed in government records as the official address of the MP from Lucknow, Mr Vajpayee.

The PM took this decision after a meeting of his informal crisis management group. The group met shortly after both houses of parliament were adjourned for the day following opposition MPs demanding the resigna-



A.B. Vajpayee Ram Naik

tion of petroleum minister Ram Naik.

The meeting was attended, among others, by Mr Naik—who told a press conference later in the day that he would not resign as he had done no wrong—deputy PM L.K. Advani, parliamentary affairs minister Pramod Mahajan, parliamentary spokesperson V.K. Malhotra, BJP president M. Venkaiah Naidu and BJP spokesperson Arun Jaitley.

The consensus at the meeting was that the only way to prevent an inquiry, which would cause further embarrassment, would be to cancel all allotments.

The line that an embarrassed government, and the BJP, is taking is that there has been nothing illegal in the way the allotments were made as they had been "done on the recommendations of dealership selection boards, which were headed by retired judges. However, since a controversy has arisen with regard to these allotments", the PM has directed the pe-

troleum ministry to cancel all allotments made from January 2000 and to auction all these agencies/pumps.

Mr Malhotra, who had headed parliament's Committee on Public Undertakings (Copu), pointed out that the panel had advised the government in December 2000 itself that such allotments should be made through competitive bidding at auctions to avoid the stigma of nepotism. Mr Jaitley said the government must be prepared for litigation since those who had been allotted pumps/agencies could go to court.

Mr Malhotra later said all the allotments were done legally because the system of discretionary quotas had been stopped before January 2000. Asked whether the cancellation did not amount to an admission of guilt, he said, "No, it is an indication that we are taking the high moral ground."

Asked how so many pumps/agencies had gone to persons with BJP connections, he said that in the list of 4,000-odd beneficiaries, barely ten per cent comprised those with political connections. Asked why the government did not make the entire list public, he said there was no need to do so as all the allotments had been cancelled.

25/8/78  
CROP LOANS TO BE RESCHEDULED ✓

# Centre announces second instalment of drought relief 5/8

By Vinay Kumar HD 1

**NEW DELHI, AUG. 4.** The Government today announced a second instalment of Rs. 714.20 crores to the 12 drought-affected States under the Calamity Relief Fund, even as the Chief Ministers of six of them, ruled by the Congress, demanded more Central assistance. "A further amount of Rs. 714.20 crores towards the second instalment will be released now to the 12 States," the Prime Minister's Office said in a press release. This would be in addition to Rs. 483.56 crores already released.

The recently-constituted task force, headed by the Deputy Prime Minister, L. K. Advani, to tackle the problems arising out of the monsoon failure also released Rs. 538 crores to cope with the drinking water scar-

city in the 12 States, which are required to allot a matching share. The statement said Rs. 111.75 crores had been released for meeting natural calamities and emergent situations. For dealing with fodder scarcity, the cost of transporting fodder would be met from the CRF. On debt relief for farmers, the RBI would ask the banks to follow instructions regarding rescheduling of crop loans.

Similarly, instructions would also be issued by NABARD to cooperative banks and rural banks. Subsidy for agricultural inputs would be provided for small and marginal farmers under the CRF.

The Bharatiya Janata Party MPs and MLAs from Andhra Pradesh, meanwhile, urged the Centre to provide liberal assistance to the State reeling under a severe

drought. In a memorandum to Mr. Advani, they said that only 31 per cent of the cropped area had been covered in the State, rendering 60 lakh farm labourers jobless. The immediate need was drinking water for the villages and towns, and fodder for cattle, they said.

PTI reports:

The PMO press release said the Government would take all necessary steps to provide quick relief for the initial two-month period of August-September this year, since the full impact of the monsoon deficiency would be known by August 15.

To tackle the problem of employment loss in rural areas, the Ministry of Rural Development had already released the first instalment of Sampoorna Gramin Rozgar Yojana (SGRY) to the States.

5 AUG 2000

THE HINDU

# Uproar over

By Our Special Correspondent

**NEW DELHI, AUG. 2.** Parliament witnessed tumultuous scenes today over a report that the Petroleum Ministry had favoured the supporters of the Bharatiya Janata Party in allotting petrol pumps and gas agencies.

While the demand for the suspension of question hour was turned down in both the Houses, the Rajya Sabha was adjourned soon after, with the entire Opposition waving copies of a news report that listed the names of those who were allotted the agencies and linked them to the BJP leaders.

Though the Lok Sabha Speaker, Manohar Joshi, allowed the matter to be raised during zero hour, the entire Opposition walked out an hour-and-a-quarter later expressing dissatisfaction with the statement of the Union Minister of State for Petroleum and

# allotment of petrol pumps

Natural Gas, Santosh Gangwar. The issue dominated the early part of zero hour — which went on for well over two hours with the Bihar MPs insisting on a discussion of the flood situation in the State — and accusations flew thick and fast as the Congress and the BJP traded charges and the other NDA partners watched the battle of words.

Though Mr. Gangwar expressed willingness to conduct an enquiry into the allocation of petrol pumps, his bid to blame the Congress — that the allocations were made on the basis of applications made in 1994 and 1995 — kicked up a fresh row, leading to the walkout. The chief whip of the Congress, Priyaranjan Dasgupta, articulated the demands of the Opposition, which were later echoed by other party leaders outside Parliament. In the Rajya Sabha, the Congress MP, Suresh Pachauri, said the Gov-

ernment was favouring its "own people."

Speaking to correspondents later, the Samajwadi Party MP, Amar Singh, demanded a thorough inquiry, preferably by the CBI, into the issue, and the resignation of the Petroleum Minister, Ram Naik. The CPI (M) Parliamentary Party leader, Somnath Chatterjee, at a separate press conference, demanded that all such allotments be kept in abeyance till a high-level inquiry was conducted and strong action taken against those behind them. However, the allotments could not have taken place without the knowledge of the top leadership in the Government and the party, he alleged.

The BJP spokesman, V. K. Malhotra, meanwhile, maintained that the Government had nothing to do with the allotment of petrol pumps, as it was done by independent boards.

'ELECTIONS WILL BE FREE AND FAIR'

# Advani rejects role for international observers in J&K

By Our Special Correspondent

NEW DELHI, AUG. 1. The Deputy Prime Minister, L. K. Advani, today rejected any role for international observers in the Jammu and Kashmir Assembly elections. Cross-border terrorism was the only issue that could be of concern to the world.

Dismissing suggestions by the U.S. Secretary of State, Colin Powell, that international observers be allowed to monitor the coming elections to the Jammu and Kashmir Assembly, Mr. Advani told the Rajya Sabha that the State was an integral part of India and that issues such as development and devolution of powers were its internal problems.

Mr. Advani said intrusion across the Line of Control in Jammu was continuing and "nobody should have any doubt about it." Referring to an encounter between a joint team of the Army and the security forces and terrorists near Rajouri last night, in which four militants and an Army Captain were killed, he said "our assessment of infiltration varies with that of the U.S. and other nations."

During his 40-minute reply to the two-day discussion on the latest situation in Jammu and Kashmir, Mr. Advani stoutly defended New Delhi's position on Kashmir. He talked at length about conducting free and fair elections in the State, disagreed with the Rashtriya Swayamsevak Sangh's suggestion of trifurcation and gave his perception of the different standpoints of India and the U.S. on Pakistan's support to cross-border terrorism. He declared that Islamabad would have to dismantle the infrastructure that bred terrorism, and abandon the use of terrorism as an instrument of state policy.

Responding to members' queries on the conduct of free and fair polls in Jammu and Kashmir, Mr. Advani said that he had spoken to the Chief Minister, Farooq Abdullah, who had said that as far as the State Government was concerned, any citizen of India, as well as ambassadors and NGOs, could come and see the elections for themselves. He would also ask the Election Commission to do whatever it could to ensure that the

Assembly polls were not only free and fair but also "appeared to be so," Mr. Advani said. However, he ruled out any role for foreign observers. "No certification (is needed) because we consider Jammu and Kashmir our problem."

Drawing on history, Mr. Advani quoted from Jawaharlal Nehru's speech at an AICC session in which he had argued that Jammu and Kashmir was considered special because it was a symbol that negated Pakistan's two-nation theory.

Taking on Pakistan's oft-repeated stance of "right of self-determination," Mr. Advani said that eight years ago, he had asked in an international forum why Pakistan did not think of giving similar right to the people of Sind or Baluchistan, where strong movements were on.

He traced the genesis of the current problem of terrorism to Pakistan's inability to come to terms with the Indian state and its defeat in three direct wars between 1947 and 1971, after which it had unleashed a proxy war since 1980.

On the RSS demand for trifurcation of the State, Mr. Advani said the Government had disagreed with it. The BJP's forerunner — the Bharatiya Jana Sangh founder, Shyama Prasad Mookerjee — had waged a struggle for the integration of the State with the Indian Union.

The people of Jammu and Ladakh had always complained of neglect and devolution of powers would mean that its benefit would reach other parts of the State, and not just flow between Delhi and the State capital. The Government was sincere in holding talks with the people of the State. The proof of its sincerity could be gauged from the progress in its talks with the various Bodo outfits and the National Socialist Council of Nagaland (Isaak-Muivah).

Hoping that the talks of the Centre's representative, Arun Jaitley, on devolution of powers in Jammu and Kashmir would bring "good results," Mr. Advani reiterated that the Union Cabinet had rejected the June 2000 autonomy resolution of the State Assembly as it had not specified the areas in which such powers were sought nor was the pre-1953 status acceptable to it.