

Who are ‘RG’, ‘AP’ and ‘FAM’?

5 APRIL 2019

Rahul Gandhi talks on several subjects with which he does not even have a nodding acquaintance. He makes wild and unsubstantiated allegations against all and sundry. The only subject he refused to speak about or respond is the one on which he alone knows the truth – his own accounts.

When reports have indicated that his own personal ‘capital creation’ programme was on the strength of ‘Sweetheart Deals’ with ‘fly-by-night operators’, he imposed censorship on himself and also on otherwise an outspoken Media Cell of the Congress Party.

My conclusion: When no reply or explanation is given for such a probity related issue, the country is entitled to assume that no reply or explanation could ever have been given. Silence in this case speaks more than any fake explanation.

The AugustaWestland chargesheet disclosures

The chargesheet in the AugustaWestland case has clearly mentioned that in the documents which were recovered by the Swiss Police from the house of the mother of Guido Haschke in Lugano, Switzerland, carried a reference in the English alphabets which identifies the name of certain political leaders/ entities who had influence with the UPA Government. It is relevant that when the Chairman and CEO of AugustaWestland was arrested in February, 2013 in Italy the CBI had registered the initial PE in 2013 itself. It is only after the Government of India succeeded in getting Christian James Michel on 4th December, 2018 and Rajiv Saxena on 30th January, 2019 that investigations made a significant headway. The chargesheet is based on oral and documentary evidence. To whom is the reference of ‘RG’, ‘AP’ and ‘FAM’ being made? Investigators have quoted in the chargesheet the statements of the concerned persons. The documents recovered in Italy corroborate with the oral and documentary evidence collected in India.

Diary as evidence

There is an erroneous belief among Indian politicians that a diary, as in the Jain Hawala Case, is never admissible as an evidence. A diary constitutes an admission in writing and is admissible against the maker of that admission. It is admissible against the other co-

conspirators if it is made when the conspiracy was still being executed and there is other evidence that corroborates the contents of the diary. That is the law laid down by the Privy Council in 'Mirza Akbar's' case and has held grounds throughout. In the Jain's case, there was no corroboration of the Diary. This legal argument is, however, relevant for the purposes of the legal case.

Probity debate

Arguments of probity in the public space demand more answers. Are 'RG', 'AP' and 'FAM' fictional characters or were they in a position to influence the deal? How come every time there is a controversial defence deal and evidence is collected, names close to the Congress Party's first family start appearing?

When the alphabet 'Q' appeared in Martin Ardbo's diary in the Bofors Case with a comment that 'Q' must be protected at all cost, the Party was in denial even then. It is only when the Swiss authorities in 1993 disclosed the names of one of the beneficiaries of the kickbacks of Bofors being paid as Ottavio Quattrocchi, the Narasimha Rao Government facilitated his escape from India in less than 24 hours. This did not wash away the ghost of 'Q' which had scarred the face of the Congress Party nor will 'RG', 'AP' and 'FAM'.

Public neither forgets nor forgives the corrupt. Silence is never an answer to documentary evidence of corruption.

The Right to Silence is available to an accused, not to a Prime Ministerial aspirant.