

DO YOU KNOW YOUR SONIA ?

**Subramanian Swamy
President, Janata Party**

A-77 Nizamuddin East

New Delhi-110013, India

Tel: +91 98101 94279

e-mail: swamy@post.harvard.edu

Do You Know Your Sonia ?
Subramanian Swamy

I

Patriotic Indians should thank the President of India for having the courage in citing a legal hitch to dissuade Ms. Sonia Gandhi from staking her claim to form the government in May this year. She therefore did not, as expected on May 17th, become the Prime Minister of 1 billion plus people of India. It can now be said that Bharat Mata has been saved from a monumental, devastating, and permanent injury to her national interest and to the patriotic psyche of Indians.

Therefore, it should be the resolve of every Indian to make any and every effort that can be made in a democracy, to ensure that Ms. Sonia Gandhi is kept permanently out of reckoning for any public office. For those who instinctively understand that imperative, this Note has been written to explain the factual basis for it, and suggest what patriotic Indians can do now to achieve that democratic and patriotic goal.

My opposition to Ms. Sonia Gandhi is not merely because she is Italian--born. In other democratic countries, including in Italy, such an issue [of foreign-born aspiring to be head of government] would not even arise at all because the issue has already been settled by law, that a person cannot hold the highest public office unless he or she is native born.

In India there is no such law but the President, according my knowledge, has correctly acted on a proviso to Section 5 of the Indian Citizenship Act[1955] which requires the Union Home Ministry to lay down conditions to Indian citizenship acquired by foreigners by registration, condition based on the principle of reciprocity. In Ms Gandhi's case, such of those conditions that apply to Indians on becoming citizens of Italy would apply to her.

The President reportedly had communicated to Ms. Gandhi on the afternoon of May 17, 2004, that if she insisted on being invited to form the government, he would want first to clarify, on a reference to the Supreme Court, whether in view of this proviso her appointment as PM could be successfully challenged in the court.

It is fair to assume that this report of the President's decision is correct, since the President had before him my petition dated May 15, 2004 [see Annexures A1 to A4] making just that point--- that Ms. Gandhi's citizenship is conditional, and in particular she cannot be the PM legally.

The President had also given me an appointment at 12.45 PM on May 17, 2004 to explain my submissions in person, which I did. I also told him that I would challenge such a unconstitutional appointment in the Supreme Court just as I had in 2001 when Ms Jayalalitha was illegally sworn in as Chief Minister by the Tamil Nadu Governor.

In that case, the Supreme Court had after hearing me and many other constitutional luminaries, upheld my contention that mere majority in the House is insufficient for being sworn in to a constitutional office, and that the constitutional appointing authority must ensure that there are no disqualifications as well. Ms. Jayalalitha had therefore to step down because she had been disqualified by her conviction in a trial court in the TANSI corruption case [filed by me as a private complaint] She was subsequently acquitted by the Madras High Court, and hence became eligible the following year.

I also cited to the President a 1962 Allahabad High Court case which held that this proviso in the Citizenship Act was binding and lawful.

The nation by the stalling of Sonia becoming Prime Minister of India, has thus got an unexpected but temporary reprieve, a

reprieve received not only because her citizenship of India by registration is not equal to one by birth even by Indian law, but a reprieve more because of the national security risk that was averted. To comprehend that risk, we must first understand who Sonia Gandhi really is and what kind of danger she, her family and her friends in Italy, hold for India's national security. Very little is known about the Mainos' murky past, and the little that we are told about Sonia are lies.

Even for an Indian born citizen, we find it difficult to know a person's true background, but for a foreign-born it is extremely hard because of the remoteness of the place and language barrier access for most people, in this case---Italian.

This note is an aide d'memoir of certain verifiable facts that taken together constitute the danger that Sonia Gandhi represents for the nation.

II

Ms. Sonia Gandhi's background as publicized by her and her Congress Party is based on three lies in order to hide the ugly reality of her life.

First, her real name is Antonia not Sonia. This was revealed by the Italian Ambassador in New Delhi in a letter dated April 27, 1983 to the Union Home Ministry which letter has not been made public. Antonia is Sonia's real name as stated in her birth certificate.

Sonia is the name given to her subsequently by her father, Stefano Maino [now deceased]. He had been a prisoner of war in Russia during World War II. Stefano had joined the Nazi army as a volunteer, as many Italian fascists had done. Sonia is a Russian not Italian name. While spending two years in a Russian jail,

Sonia's father had become quite pro-Soviet, especially after the liberating US army in Italy had confiscated all fascists' properties including his.

Second, Sonia was not born in Orbassano as she claims in her bio data submitted to Parliament on becoming MP, but in Luciana as stated in her birth certificate. She perhaps would like to hide the place of her birth because of her father's connection with the Nazis and Mussolini's Fascists, and her family's continuing connections with the Nazi-Fascists underground that is still surviving in Italy since the end of the War. Luciana is where Nazi-Fascist network is headquartered, and is on the Italian-Swiss border. There can be no other explanation for this otherwise meaningless lie.

Third, Sonia Gandhi has not studied beyond High School. She has falsely claimed in her sworn affidavit filed as a contesting candidate before the Rae Bareilly Returning Officer in the 2004 Lok Sabha elections, that she qualified and got a diploma in English from the prestigious University of Cambridge, UK [see Annexure A10 to A16].

The truth is that Ms. Gandhi has never studied in any college anywhere. She did go to a Catholic nun--run seminary school called Maria Ausiliatrice in Giaveno [15 kms from her adopted home town of Orbassano]. Poverty those days had forced young Italian girls to go to such missionaries and then in their teens go to UK to get jobs as cleaning maids, waitresses and au pair. The Mainos were poor those days. Sonia's father was a mason and mother a share cropper.

Sonia thus went to the town of Cambridge and first learnt some English in a teaching shop called Lennox School[which has since 1990 been wound up]. That is her "education"---enough English language to get domestic help jobs. But in Indian society education is highly valued. Thus, to fool the Indian public, Sonia Gandhi willfully fibbed about her qualifications in Parliamentary records [which is a Breach of Ethics Rules] and in a sworn

affidavit [which is criminal offence under IPC, severe enough to disqualify her from being MP]. In popular idiom in India, this bluff is called 420 or 10 “numberi” [not to be confused with 10 Janpath].

These three lies indicate that Ms. Sonia Gandhi has something to hide, or has a hidden agenda for India to fool Indians for some ulterior purpose. We therefore need to find out more about her.

III

Ms. Sonia Gandhi upon learning enough English, became a waitress in Varsity Restaurant in Cambridge town. She first met Rajiv when he came to the restaurant in 1965. Rajiv was a student in the University, but could not cope with the academic rigour for long. So he had to depart in 1966 for London where he was briefly in Imperial College of Engineering as a student. Sonia too moved to London, and according to my information, got a job with an outfit run by Salman Thassir, a debonair Pakistani based in Lahore, and who has an export-import company headquartered in Dubai but who spends most of his time in London. This fits the profile of an ISI functionary.

Obviously, Sonia made enough money in this job to loan Rajiv funds in London, who was obviously living beyond his allowances [Indira herself expressed anguish to me on this score in late 1965 when she invited me to a private tea at the Guest House in Brandeis University]. Rajiv's letters to Sanjay, who was also in London then, clearly indicate that he was in financial debt to Sonia because he requested Sanjay, who obviously had more access to money, to pay off the debt.

However, Rajiv was not the only friend Sonia was seeing those days. Madhavrao Scindia and a German by name Stiegler are worth mentioning as other good friends of Sonia.

Madhavrao's friendship continued even after Sonia's marriage to Rajiv. Scindia in 1982 was involved in a traffic accident near IIT, Delhi main gate while driving a car at 2 AM. Sonia was the only other passenger. Both were badly injured. A student of IIT who was burning midnight oil was out for a cup of coffee. He picked them up from the car, hailed an auto rickshaw and sent an injured Sonia to Mrs Indira Gandhi's house since she insisted in not going to a hospital. Madhavrao had broken a leg and in too much pain to make any demand. He was taken to hospital by the Delhi Police who had arrived a little after Sonia had left the scene. In later years, Madhavrao had become privately critical of Sonia, and told some close friends about his apprehensions about her. It is a pity that he died in mysterious circumstances in an aircrash of his private plane in the year 2001.

The circumstance under which Rajiv hastily married Sonia in a Church in Orbassano is controversial, but that was his personal matter which has no public significance. But what is of public significance is that Indira Gandhi who was initially dead set against the marriage for reasons known to her, relented to hold a registry marriage with Hindu ceremonial trappings in New Delhi only after the pro-Soviet T.N. Kaul prevailed upon her to accept the marriage in "the larger interest of cementing Indo-Soviet Friendship". Kaul would not have intervened unless the Soviet Union had not asked him to.

IV

Such has been the patronage from the beginning extended to Sonia Gandhi and her Italian family from the Soviets. When a Prime Minister of India's son dates a girl in London, the KGB which valued Indo-Soviet relations, would naturally investigate her. They had, and found out that she was the daughter of Stefano, their old reliable Italian contact. Thus, Sonia married to Rajiv meant deep access for the Soviets, into the household of the Indian Prime Minister. Hence cementing the Rajiv-Sonia

relations was in the Soviet national interest and they went to work on it. And they did through their moles in the Indira Gandhi camp.

After her marriage to Rajiv, the Soviet connection with the Mainos was fortified and nurtured by generous financial help through commissions and kick-backs on every Indo—Soviet trade deal and defence purchases. According to the respected Swiss magazine, Schweitzer Illustrate[November 1991 issue; see Annexure A34 to A36], Rajiv Gandhi had about \$ 2 billion in numbered Swiss bank accounts—which Sonia inherited upon his assassination.

Dr. Yevgenia Albats, Ph.D[Harvard], is a noted Russian scholar and journalist, and was a member of the KGB Commission set up by President Yeltsin in August 1991. She was privy to the Soviet intelligence files that documented these deals and KGB facilitation of the same. In her book—“The State Within a State:The KGB in the Soviet Union”, she even gives the reference numbers of such intelligence files[see Annexure A22 to A25] which can now be accessed by any Indian government through a formal request to the Kremlin.

The Russian Government in 1992 was confronted with the Albats' disclosure by the media. The official spokesperson of the government confirmed the veracity of the disclosure [which was published in Hindu in 1992; see Annexure A30]. The spokesperson defended such financial payments as necessary in “Soviet ideological interest”.

When the Soviet Union disintegrated in 1991, things changed for Ms. Sonia Gandhi. Her patrons had been disbanded. The rump that became Russia was in a financial mess and disorder. So, Ms. Sonia Gandhi switched and became a supporter of another communist country to the annoyance of the Russians.

The national security ramification of this ‘annoyance’ is now significant: The President of Russia today is Putin, a former

dyed-in-the-wool KGB officer. Upon Dr. Manmohan Singh's government taking office, Russia called back it's career diplomat Ambassador in New Delhi and immediately posted in his place, as the new Ambassador, a person who was the KGB station chief in New Delhi during the 1970s. In view of Dr. Albats revelation, it stands to reason that the new Ambassador would have known first hand about Sonia's connections with the KGB. He may have in fact been her "controller" and local contact. The new Indian government today which is defacto Sonia's, cannot afford to annoy him or even disregard Russian demands that come from him. The Sonia coterie will obviously seek to placate him so as not to risk exposure. Is this not a major national security risk for India and a delicate matter for the nation's sovereignty?

Of course, all Indians would like good normal and healthy relations with Russia. Who can forget their assistance to us in times of need ? Today's Russia is the residual legatee of that Soviet Union which helped India. But just because of that, should we tolerate those in our government set up having clandestine links with a foreign spy agency ? In the United States, the government did not tolerate an American spying for Israel even though the two countries are as close as any two countries can be. National security and friendship are as different as chalk and cheese.

In December 2001, I had filed a Writ Petition in the Delhi High Court with the photocopies of the KGB documents, and sought a CBI investigation which the Vajpayee Government was refusing. Earlier, Minister of State for CBI, Vasundara Raje[now Rajasthan CM], on my letter dated March 3, 2001, had ordered the CBI to investigate. But after Sonia Gandhi and her party stalled the proceedings of Parliament on this issue, the then Prime Minister Vajpayee overruled and cancelled Vasundara's direction to the CBI.

The Delhi High Court in May 2002 issued a direction to the CBI to ascertain from Russia the truth of my charges. The CBI procrastinated for two years, and finally told the Court that

without an FIR registered, the Russians will not entertain any such query. But who stopped the CBI from registering an FIR? The Vajpayee government ! The next hearing of the case is on September 8th. But now Sonia is in the driver's seat.

V

After Sonia married Rajiv, she and her Italian family aided by friend and Snam Progetti's New Delhi resident Ottavio Quartocchi, went about minting money with scant regard for Indian laws and treasures. Within a few years the Mainos rose from utter poverty to become billionaires.

There was no area that was left out for the rip-off. On November 19, 1974, as fresh entrant to Parliament, I had asked the then Prime Minister Ms. Indira Gandhi on the floor of the House if her daughter-in-law, Sonia Gandhi, was acting as an insurance agent of a public sector insurance company [Oriental Fire & Insurance], giving the Prime Minister's official residence as her business address, and using undue influence to get insured the officers of the PMO, while remaining as an Italian citizen [thus violating FERA] ? There was an uproar in Parliament, but Mrs. Indira Gandhi had no alternative but to cut her losses. She made a rare admission in a written reply a few days later that it was so, and that it was by mistake, but that Sonia had resigned from her insurance agency [after my question]. But Sonia was incorrigible. Her contempt for Indian law continued to manifest.

The Supreme Court Justice A.C. Gupta Commission set up by the Janata Party government in 1977 came out with a voluminous report on the Maruti Company then owned by the Gandhi family, and has listed eight violations of FERA, Companies Act, and Foreigners Registration Act by Sonia Gandhi. She was never prosecuted, but can still be prosecuted because under Indian law, economic crimes are not subject to the statute of limitation.

In January 1980, Indira Gandhi returned as Prime Minister. The first thing Sonia did was to enroll herself as a voter. This was a gross violation of the law, enough to cause cancellation of her visa[since she was admittedly an Italian citizen then]. There was some hullabaloo in the press about it, so the Delhi Chief Electoral Officer got her name deleted in 1982. But in January 1983, she again enrolled herself as a voter even as a foreigner[she first applied for citizenship in April 1983].

Such is her revealed disdain for Indian laws and that is her mindset even today.

VI

The bottom line observed in Sonia's mindset is that she can disregard Indian laws with impunity. If cornered or if she becomes vulnerable to prosecution, she can always run back to Italy. In Peru, President Fujimori who all along claimed to be "born Peruvian", when faced with a corruption charge fled to Japan with his loot and reclaimed his Japanese citizenship. That is Sonia's bottom line fall-back option too.

In 1977, when the Janata Party defeated the Congress at the polls, and formed the government, it widely known and published that Sonia with her two children, abandoned Indira Gandhi, and ran to the Italian Embassy in New Delhi and hid there. Rajiv Gandhi was a government servant then[as an Indian Airlines pilot], but he too tagged along and hid in that foreign embassy ! Such was her baneful influence on him. Rajiv did snap out Sonia's influence after 1989, but alas he was assassinated before he could rectify the situation.

Those close to Rajiv knew that he was planning set things right about Sonia after the 1991 elections. He held her to blame for all the financial scandals that led to his defeat at the 1989 polls. She too knew of it because he had told her. Ever wonder why Sonia's closest advisers are those whom Rajiv literally hated? Ambika Soni is one such name. Ever wonder why she

asked the President of India to set aside on a mercy petition the Supreme Court judgment directing that Rajiv Gandhi's LTTE killers be hanged, when she was not similarly moved for Satwant Singh who killed Indira Gandhi or even recently for Dhanajoy Chattopadhyaya ? The explanation for this special consideration for the LTTE perhaps lies in what Rajiv had told her in 1990. May be therefore Sonia feels obliged to the LTTE for the assassination. More on this later.

Those who have no love for India will not hesitate to plunder her treasures. Mohammed Ghorri, Nadir Shah, and the British scum in the East India Company such as Robert Clive, made no secret of it. But Sonia Gandhi has been more discreet, but as greedy, in her looting of Indian treasures. When Indira Gandhi and Rajiv Gandhi were Prime Ministers, not a day passed when the PM's security did not go to the New Delhi, or Chennai international airport to send crates and crates of Indian antiques and other treasures, unchecked by customs, to Rome. Air India and Alitalia were the chosen carriers. For organizing all this, Mr. Arjun Singh first as CM, later as Union Minister in charge of Culture, was her hatchet man.

Indian temple sculpture of gods and goddesses, antiques, pichwai paintings, shatoosh shawls, coins, and you name it, were transported to Italy to be first displayed in two shops[see Annexure A31 and A32] owned by her sister, Anuskha alias Alessandra Maino Vinci. These shops located in blue-collar areas of Rivolta[shop name: Etnica] and Orbassano[shop name: Ganpati] did little business because which blue collar Italian wants to buy Indian antiques ? The shops were there to make false bills, and thereafter these treasures were taken to London for auction by Sotheby's and Christies.

Some of this ill-gotten money from auction went into the bank accounts of Rahul Gandhi in the National Westminster Bank and Hongkong&Shanghai Bank, London branches, but most of it found it's way into the Gandhi family account in the Bank of America in Cayman Islands. Rahul's expenses and tuition fees for

the one year he was at Harvard, was paid from that Cayman Island account[see Annexures A38 to A40].

What kind of people are these Gandhi-Mainos that bite the very hand of Bharat Mata that fed them and gave them a good life? How can the nation trust or tolerate such greedy thieves of national treasures?

Since I failed to persuade the Vajpayee government to defend India's treasures from plunder by the Mainos, I approached the Delhi High Court in a PIL. The first Bench of the court issued notice to the Government, but since the Indian government dragged it's feet, the Court directed the CBI to seek Interpol's and Italian government's help. The Italian government justifiably asked for a Letter Rogatory for which a FIR is a pre-requisite. But the Interpol did oblige and submitted two voluminous reports on the shops which the Court directed the CBI to hand over to me. But CBI has so far refused, and has claimed privilege ! [This question will be argued out at the next hearing of my PIL on September 8th].

The CBI has also been caught lying in court by telling the judges that Alessandra Maino is a name of a man, and Via Bellini 14, Orbassano is a name of a village[not the street address of the Maino's residence]. Although the CBI counsel had to apologise later to the court stating he had made a mistake, he has been promoted to Additional Solicitor General by the new government ! Why was he appointed as the CBI's counsel by the Vajpayee government in the first place ? The Vajpayee-Sonia mutual assistance pact is thus in full view in this episode.

But the most sinister aspect of Sonia Gandhi's links is her connection with terrorists. I am still working on it, but she has had long connection with the Habash group of Palestinians[PFLP], and has funded Palestinian families that lost their kith and kin in a suicide bombing or hijacking episode. This fact, Rajiv Gandhi himself told me and was confirmed to me [the funding aspect] by Yassir Arafat when I met him in Tunis on

October 17, 1990 at the request of Rajiv Gandhi. Rajiv and I were good friends from 1978, but became very close friends after V.P. Singh had betrayed him in 1987. We met practically every day, mostly in the early hours from 1AM to 4AM, discussed, chatted and gossiped on every topic. It was at my suggestion that Rajiv made Chandrashekhar the PM. And contrary to public impression, he was not mainly responsible for fall of Chandrashekar government[of which I was a Minister].

Besides the Palestinian extremists, the Maino family have had extensive business dealings with Saddam Hussein[see Annexure A41 and A42], and surprisingly with the LTTE[“the Tamil Tigers”]since 1984. Sonia’s mother Paola Predebon Maino, and businessman Ottavio Quattrocchi are the main contacts with the Tigers. The mother used the LTTE for money laundering and Quattrocchi for selling weapons to earn commissions. Sonia’s conduit to the LTTE has been and is through Arjun Singh who uses Bangalore as the nodal point for contact.

There is a string of circumstantial evidence pointing to the prima facie possibility that the Maino family may have contracted with the LTTE to kill Rajiv Gandhi. The family may have assured the LTTE that nothing would happen to them because they would ensure it is blamed on the Sikhs or the evidence so much fudged that no court would convict them[the LTTE intercepted transcripts show this expectation of the LTTE]. But D.R. Karthikeyan of the CBI who led the SIT investigation got the support of Narasimha Rao, cracked the case, and succeeded in getting the LTTE convicted in the trial court, which conviction was upheld by the Supreme Court in 1999.

Although on the involvement of some members of the Congress Party in the assassination, DRK soft peddled it ignoring a number of leads perhaps because he did not want political controversy to put road blocks on his investigation as a whole.

The Justice J. S. Verma Commission, which was set up as the last official act of the Chandrashekhar government before

demitting office on June 21, 1991, did find that the Congress leaders had disrupted the security arrangements for the Sriperumbudur meeting. The Commission wanted further probe into it but the Rao government rejected that demand. In the meantime under Sonia's pressure, the Jain Commission was set up by the Rao government, which tried to muddy the waters and thus exonerate the LTTE. But the trial court judgment convicting the LTTE came earlier than the Commission could conclude, and that sinister effort therefore too failed.

Nowadays, Sonia is quite unabashed in having political alliance with those who like MDMK, PMK, and DMK praise Rajiv Gandhi's killers. No Indian widow would ever do that. Such circumstances are many, and raise a doubt. My investigations into Sonia's involvement in Rajiv's assassination is therefore necessary. I am also author of a best seller titled Assassination Of Rajiv Gandhi—Unasked Questions and Unanswered Queries[published by Konark in 2000] in which I have given some indications of this possible conspiracy.

Is it not significant that the political career of Sonia Gandhi advances concomitantly with a series of assassinations and apparently accidental deaths?

How did Sanjay's plane on June 23, 1980 nosedive to a crash and yet the plane fuselage did not explode upon impact? There was no fuel ! Why was there no inquiry conducted ?

Is it not a fact that Indira Gandhi died because of loss of blood from the wounds and not directly due to a bullet impacting her head or heart ? Then is it not strange that Sonia had insisted that the bleeding Indira be driven to Lohia Hospital-- in the opposite direction to AIIMS which had a contingency protocol set up for precisely such an event ? And after reaching Lohia Hospital, did not Sonia change her mind and demand that they all drive to AIIMS thus losing 24 valuable minutes.

The same kind of mystery surrounds the sudden deaths of Sonia's other political roadblocks such as Rajesh Pilot, Jitendra Prasad, and Madhavrao Scindia. Such things happened in the dark ages in Italy. Should we allow it to happen in India like dumb cattle going to slaughter ?

VII

What We can Do

We have to ensure that the Maino clan does not stay in power. Dr. Manmohan Singh may be PM, which is a small relief, but he is not a fighter. The real power in government today is wielded by the Maino mafia gang. Can they be dethroned ? I argue that they must be, for India's integrity and democracy.

In Indian democracy, other than by losing majority, only a shocking scandal can unseat a government. Today's priority is however not for toppling the Congress government as such, since Manmohan Singh is a decent and scholarly person, but in driving the Maino clan out of India. If the only way that can be done is by toppling the Singh government, then so be it. But the successor government should be such that it will not protect Sonia and her clan as Vajpayee's did.

It will although not be long before Sonia will give Manmohan Singh marching orders, and he will march out meekly. We should not expect him to resist. Thus time with patriotic Indians is limited.

With Sonia's defacto government in place, it is also unrealistic to expect that I can get an early victory in the courts on the KGB and antique smuggling cases. The most potent scandal at hand, therefore, that can dislodge the Maino clan[including Rahul and Priyanka] lies in exposing their existing Italian citizenship. That will galvanise the people.

In 1992, Sonia had revived her citizenship of Italy under Article 17 of the Italian Citizenship Law [Act 91 of 1992]. Rahul

and Priyanka were born Italian citizens because Sonia was Italian when she gave birth to them[Italian law based on jure sanguinis]. Hence, they continue be Italians since they have never renounced their citizenship upon becoming 21 years old. Both, Rahul and Priyanaka have been traveling abroad on Italian passports. They may now acquire Venezuela passports too, since Rahul Gandhi's wife, Veronica, is a Venezuelan. That means one more foreign bahu for us tolerant Indians. The Maino-Gandhis are certainly getting Indian society globalised in their own selfish way.

To end Bharat Mata's shame and pain, what can patriotic Indians do in a democracy?

As a first step there is an urgent need to document the facts about their citizenship on notarized paper, for which we need to set up a network in London, Milan, Hongkong, and in Venezuela. Those persuaded by my above stated facts and arguments may join in and help set up this network. Other steps can come later once this is accomplished.

Annexures:

May 15, 2004

Dr. Abdul Kalam
President of India
Rashtrapati Bhavan
New Delhi 110001.

Dear Mr. President,

I see from the media that Ms. Sonia Gandhi, President of the Congress Party is meeting you on May 17th, to stake a claim be appointed by you as Prime Minister under Article 75 of the Constitution.

You may recall that in Ms. Jayalalitha versus Kapoor and other (2001) in which I was a petitioner too, the Supreme Court held that the President and Governor's do not have unfettered powers to appoint as PM or CM respectively anyone who merely enjoy the majority of the elected House. There are disqualifications to be considered as well.

In particular, in this case Ms. Sonia Gandhi, she is subject to the proviso under Section 5 of the Citizenship Act, a reciprocal disqualification' to be the PM of the country since she is Italian.

Kindly therefore ascertain the legal position from the Home Minister before considering Ms. Gandhi's claim.

With this letter, I am enclosing a letter I have written to the Home Minister sometime ago.

Best regards,

Yours sincerely,

(SUBRAMANIAN SWAMY)

The Citizenship Act, 1955

- (a) his birth is registered at an Indian consulate within one year of its occurrence or the commencement of this Act, whichever is later, or, with the permission of the Central Government, after the expiry of the said period; or
- (b) his father is, at the time of his birth, in service under a Government in India:

¹[Provided further that if either of the parents of such a person referred to in clause (b) was a citizen of India by descent only, that person shall not be a citizen of India by virtue of this section unless—

- (a) his birth is registered at an Indian consulate within one year of its occurrence or the commencement of the Citizenship (Amendment) Act, 1992, which ever is later, or, with the permission of the Central Government, after the expiry of the said period; or
- (b) either of his parents is, at the time of his birth in service under a Government in India.]

(2) If the Central Government so directs, a birth shall be deemed for the purposes of this section to have been registered with its permission, notwithstanding that its permission was not obtained before the registration.

(3) For the purposes of the proviso to sub-section (1), any ²[person] born outside undivided India who was, or was deemed to be, a citizen of India at the commencement of the Constitution shall be deemed to be a citizen of India by descent only.

5. Citizenship by registration.—(1) Subject to the provisions of this section and such conditions and restrictions as may be prescribed, the prescribed authority may, on application made in this behalf, register as a citizen of India any person who is not already such citizen by virtue of the Constitution or by virtue of any of the other provisions of this Act and belongs to any of the following categories:—

- (a) persons of Indian origin who are ordinarily resident in India and have been resident for ³[five years] immediately before making an application for registration;
- (b) persons of Indian origin who are ordinarily resident in any country or place outside undivided India;
- ⁴[(c) persons who are, or have been, married to citizens of India and are ordinarily resident in India and have been so resident for five years immediately before making an application for registration];
- (d) minor children of persons who are citizens of India; and
- (e) persons of full age and capacity who are citizens of a country specified in the First Schedule:

✓ Provided that in prescribing the conditions and restrictions subject to which persons of any such country may be registered as citizens of India under this clause, the Central

1. Ins. by Act 39 of 1992, sec. 2 (w.e.f. 10-12-1992).

Government shall have due regard to the conditions subject to which citizens of India may, by law or practice of that country, become citizens of that country by registration.

Explanation.—For the purposes of this sub-section, a person shall be deemed to be of Indian origin if he, or either of his parents, ¹[***] was born in undivided India.

(2) No person being of full age shall be registered as a citizen of India under sub-section (1) until he has taken the oath of allegiance in the form specified in the Second Schedule.

(3) No person who has renounced, or has been deprived of, his Indian citizenship or whose Indian citizenship has terminated, under this Act shall be registered as a citizen of India under sub-section (1) except by order of the Central Government.

(4) The Central Government may, if satisfied that there are special circumstances justifying such registration, cause any minor to be registered as a citizen of India.

(5) A person registered under this section shall be a citizen of India by registration as from the date on which he is so registered; and a person registered under the provisions of clause(b)(ii) of article 6 or article 8 of the Constitution shall be deemed to be a citizen of India by registration as from the commencement of the Constitution or the date on which he was so registered, whichever may be later.

COMMENTS

If a person satisfies the requirements of this section, he/she can be registered as a citizen of India. This section can be invoked by persons who are not citizens of India but are seeking citizenship by registration; *National Human Rights Commission v. State of Arunachal Pradesh*, AIR 1996 SC 1234 : (1996) 1 SCC 742.

6. Citizenship by naturalisation.—(1) Where an application is made in the prescribed manner by any person of full age and capacity who is not a citizen of a country specified in the First Schedule for the grant of a certificate of naturalisation to him, the Central Government may, if satisfied that the applicant is qualified for naturalisation under the provisions of the Third Schedule, grant to him a certificate of naturalisation:

Provided that, if in the opinion of the Central Government, the applicant is a person who has rendered distinguished service to the cause of science, philosophy, art, literature, world peace or human progress generally, it may waive all or any of the conditions specified in the Third Schedule.

(2) The person to whom a certificate of naturalisation is granted under sub-section (1) shall, on taking the oath of allegiance in the form specified in the Second Schedule, be a citizen of India by naturalisation as from the date on which that certificate is granted.

²[6A. Special provisions as to citizenship of persons covered by the Assam Accord.—(1) For the purposes of this section—

(a) “Assam” means the territories included in the State of Assam immediately before the commencement of the Citizenship (Amendment) Act, 1985;

Dr. SUBRAMANIAN SWAMY
 ALL INDIA PRESIDENT.
JANATA PARTY.



A-77, Nizamuddin (East), New Delhi - 110 013.

Ph : (011) 24357388, 24353805

Fax : 24357388

(O) 3, Papanasam Sivan Salai, CHENNAI - 600 00

Ph : (044) - 24983338, Fax : 24982886

1, Lal Bahadur Shastri Road, Bibikulam,
 MADURAI - 625 002.

Ph : (0452) 2533626, Fax : 2533626

Date :

Date:02.05.04

Mr.L.K.Advani
 Deputy Prime Minister
 North Block (Home Ministry)
 New Delhi 110 001.

Dear Advanljl:

I write to urge you to have issued an amplification that is
 Gazetted on the reciprocal conditions to be imposed, country-wise, on
 foreigners who become citizens of India under Section 5 of the Citizenship
 Act. The Government is obliged to do so, which is clear from the proviso to the
 said Section read with the General Clauses Act.

In particular, this is relevant, for example, to a citizen of Italy who
 on becoming a citizen of India may try to become the Prime Minister of this
 nation.

Best Regards.

Yours Sincerely


 (SUBRAMANIAN SWAMY)

DR. SUBRAMANIAN SWAMY Ph.D. (Harvard)

President, Janata Party (1989 -)

Minister for Commerce, Law & Justice (1990-91)

Chairman (with Cabinet rank)

Commission on Labour Standards (1994-96)

Professor of Economics: IIT Delhi (1969-91) &

Faculty of Economics, Harvard (1963-9; 1985-6; 2000-4)

JANATA PARTY

A-77, Nizamuddin (East) New Delhi - 110 013

Phone : 24353805 Fax : 24357388

Mobile : 9810194279

Website : www.janataparty.org

E-mail : swamy@post.harvard.edu

June 5, 2004.

**Dr. A.P.J. Abdul Kalaam,
President of India,
Rashtrapati Bhavan,
New Delhi.**

**Re: Disqualification of Mr. Rahul Gandhi under
Article 102(d) & (e) read with Section 9(1) of
the Citizenship Act (1955).**

Dear Mr. President:

1. Mr. Rahul Gandhi, presently declared elected to Lok Sabha from Amethi Constituency is disqualified for being a member of Lok Sabha under Article 102(d) & (e) of the Constitution of India read with Section 9(1) of the Citizenship Act (1955).

2. By Italian law on Citizenship, on the principle of 'jure sanguinis' (continuity of blood), Mr. Rahul Gandhi became an Italian citizen the day he was born (as long as he was born after 1.1.48, which he was). It is an admitted fact that his mother, Ms. Antonia Maino nee Sonia Gandhi was an Italian citizen when Mr. Rahul Gandhi was born. Furthermore, under Italian law, he remains an Italian citizen, even though his mother was subsequently, in 1983, registered as an Indian citizen by the Central Government.

3. According to information with me, all Italian citizens resident in India are registered in the Anagrafe degli Italiani Residenti all' Estero (translated: Register of Italians Resident Abroad), which is an integral part of the Italian Registry Office.

4. The legal basis of this Register is vested in Law No.13, June 1912, n. 555, which was amended (to permit Italians dual citizenship) by Law No.91 of February 5, 1992. The amended law was published in Official Gazette No.38 of February 15, 1992. It is implemented by DPR 572 of December 12, 1993 and DPR 362 of April 18, 1994.

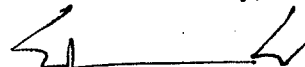
5. Two clear implications of the Italian law thus in force are as follows: (a) Since Ms. Sonia Gandhi, mother of Mr. Rahul Gandhi, was admittedly an Italian citizen at the

time of his birth, therefore Mr. Rahul Gandhi automatically became an Italian citizen on the principle of "jure sanguini" i.e. he who is born of an Italian mother is an Italian citizen; (b) Even though thereafter his mother renounced Italian citizenship, her son, Mr. Rahul Gandhi continued to be an Italian citizen, unless upon becoming 21 years of age, he formally renounced his Italian citizenship, for which the onus rests now on Mr. Rahul Gandhi to prove. In that case, he will have also to establish that he thereafter formally acquired Indian citizenship to be eligible to become a voter. In January 2004 India did permit dual citizenship, but that does not entitle becoming voter in India. Even if he had claimed Indian citizenship since he was born in India, it would stand nullified by Section 9(1) of the Citizenship Act, according to which a citizen of India ceases to be a citizen of India if he has any other citizenship (in this case Italian).

6. Hence, on the basis of the above facts, a question has arisen within the meaning of Article 103(1) of the Constitution that requires your decision.

7. You may hence, vide Article 103(2) of the Constitution, prior to giving your decision on this matter, obtain the opinion of the Election Commission which body to form such opinion shall proceed in the matter under the provisions of the Civil Procedure Code.

Yours sincerely,



(SUBRAMANIAN SWAMY)

~~ANNEXURE U~~

A-7

76
E

ery of diversities...but those ...

Was Rahul Gandhi detained by FBI?

By Our Special Correspondent

NEW DELHI, SEPT. 29. With the U.S. security agencies leaving nothing to chance after the September 11 terrorist strikes, sleuths of the Federal Bureau of Investigation (FBI) "detained" Mr. Rahul Gandhi, son of the former Prime Minister, Rajiv Gandhi, and the Leader of the Opposition, Ms. Sonia Gandhi, for about an hour at the Boston airport early this week, sources here said.

According to sources, Mr. Gandhi, reportedly travelling from Boston to Washington, was detained by the FBI agents who would not let him go even after checking his travel documents thoroughly. They checked his baggage, despite being told that he was the son of a former Indian Prime Minister.

Sources here maintain that only when the news reached 10, Janpath, and the Congress president, Ms. Sonia Gandhi, reportedly spoke to the Indian Ambassador in the U.S., Mr. Lalit Mansingh, Mr. Gandhi was able to proceed with his onward journey.

Though official circles were silent over the incident, Congress sources said they were concerned. Mr. Gandhi's movement should have been known to the U.S. security agencies because he is a Special Protection Group protectee.

And, under the security drill, any movement of a

SPG protectee abroad is communicated in advance to their counterparts in that country.

'Envoy did not intercede'

Meanwhile, Sridhar Krishnaswami reports from Washington, quoting well-placed diplomatic sources, that media reports of Mr. Mansingh having been brought into the picture to allow Mr. Gandhi to proceed on his onward journey from Boston to Washington "are simply not true." The sources also said since Mr. Gandhi did not get any security protection here, the U.S. agencies were not under any obligation to inform the Indian Embassy of any contact they may have had with him.

In fact, some Embassy officials here have no knowledge of Mr. Gandhi's trip from Boston to Washington. "But reports of Ms. Sonia Gandhi calling the Indian Ambassador and asking him to intercede with authorities on the 'detention' of Mr. Rahul Gandhi are simply not true," a senior Indian diplomat told *The Hindu*.

Diplomats are pointing to the heightened security precautions in the U.S. in the aftermath of the terrorist attacks. Besides different layers of security check at airports, many are subjected to some intense questioning by the Federal Bureau of Investigation, and other investigative agencies. But for official purposes, in the case of the movement of VVIPs — and in some cases VIPs — the Embassy notifies Diplomatic Security for necessary courtesies.

e-
m
it-
d-
et
ld
n-
on
is,
lr.
nt
y-

... in M D ...

Hindu 30-9-2001

The Telegraph

PERSONAL IS POLITICAL - Restraint is the hallmark of Indian political discourse

Swapan Dasgupta



It all started when the Election Commission website published the affidavit of personal details submitted by the Congress candidate for Amethi, Rahul Gandhi. An inquisitive netizen sent copies of the link by email to various political activists. Going through the details of Rahul's bank balances, property details and other intrusive features of the EC form for candidates, many were struck by the section on educational qualifications.

Rahul listed two items as his educational qualifications. In 1989, it seems he completed the senior secondary examination conducted by the Central Board of Secondary Education. Then, in 1995, he secured an MPhil in development economics from Trinity College Cambridge, which also happened to be the *alma mater* of his great-grandfather, Jawaharlal Nehru. If I am not mistaken, his father Rajiv also spent a couple of years there before being sent down.

On the face of it, nothing seemed out of order. It had been whispered earlier in Delhi's social circles that Rahul was an MPhil (Cantab). At the time of his nomination, his sister Priyanka too had claimed to a television channel that Rahul was "highly educated". Yet, for those intent on nit-picking, there was something very peculiar about Rahul's claims. How, it was asked, was Rahul awarded an MPhil when he did not list either a BA or a BSc among his qualifications? It was well known that Rahul had spent a year at St Stephen's in Delhi. That is not time enough to write a BA examination. He had also spent some time in Harvard, where a BA takes four years to complete. If he had a graduate degree from Harvard, it is not something he would have kept under wraps or omitted to mention.

The mystery of how Rahul earned an MPhil without a graduate degree prompted a flurry of inquiries. At first the inquiries came to nought. Cambridge could not confirm that one Rahul Gandhi had been awarded an MPhil as a member of Trinity College. Yet, before people could deliberate on the implications of this, *rediff.com*, a popular news website, published a confirmation from the authorities in Cambridge that Rahul had indeed been awarded an MPhil.

The question of why Cambridge had initially denied Rahul's existence and had subsequently confirmed it to *rediff.com* prompted further inquiries. This led to some amazing disclosures.

Cambridge apologized for the initial reply. The confusion, it seems, had taken place because Rahul had registered in Cambridge not as Rahul Gandhi but on the basis of what the registry in Cambridge said was his mother's maiden name. This, they claimed, was done for "security reasons". It was a perfectly credible explanation since the British authorities invariably recommend the use of aliases for those who have reasons to be wary about their personal safety. Consequently, it was indeed possible that Rahul assumed the surname Maino for his year's stint in Cambridge.

The matter did not end here. When pressed for a final confirmation of the name, the authorities in Cambridge disclosed that the pseudonym was Rahul Vinci.

The details of Rahul's Cambridge degree and his pseudonym have been known to the Bharatiya Janata Party for the past fortnight. The party could well have used it for some low-level attack suggesting Rahul's preference for Italian rather than Indian names. But it chose to overlook the whole issue on the ground that personal attacks of this nature yield no political returns and instead generate public sympathy for the victim.

I don't think anyone in India will disagree with this assessment. Despite the pre-emptive clampdown by the EC on personal attacks and the feigned indignation of the editorial writers at stray utterances by the Gujarat chief minister, Narendra Modi, and the Uttar Pradesh BJP chief, Vinay Katiyar, the campaign for the 14th Lok Sabha has been conducted with exemplary decorum. The Congress may have tried to equate the BJP's assault on the very idea of a foreign-born prime ministerial candidate with a violation of the code of conduct but that is stretching the notion of taboo to ridiculous extremes. Overall, there is a loosely defined *lakshman rekha* which governs the conduct of political parties. Except at local levels when it occasionally descends to a no-holds-barred encounter, restraint is the hallmark of Indian political discourse.

The Congress, for example, quickly opted out of charges of alleged misdemeanour in 1942 against the prime minister and a veil of silence greeted Janardhan Poojary's questions on Atal Bihari Vajpayee's personal life. Likewise the revelation of the suspect marriage record of the filmstar, Dharmendra, was dismissed by a court as having no bearing on elections. The bizarre allegation of the Congress spokesman, Kapil Sibal, against the deputy prime minister, L.K. Advani, for belonging to a

family that allegedly owned a horse-drawn buggy in Karachi was, predictably, greeted with contempt. Questions about Vajpayee's age and health or Sonia's comprehension of India too have met with aesthetic disapproval. And the Madhya Pradesh chief minister, Uma Bharti, won many brownie points for bluntly telling a leading television anchor that he was sick and deranged for making suggestive remarks on her personal life.

In 1963, Jawaharlal Nehru haughtily ticked off the socialist stalwart, Ram Manohar Lohia, for lowering parliamentary debate to the level of the bazaar; and in 1999, Sonia Gandhi offended ordinary decencies by calling Vajpayee a liar. Since then, India has travelled some distance. The prevailing consensus has become more intolerant of what it perceives are extraneous, non-political issues.

The contrast with Western democracies could not have been sharper. In the ongoing campaign for the White House, the Democratic candidate, John Kerry, is having a harrowing time providing details of something he said on TV more than 30 years ago. He has to explain his wife's tax returns and how much he paid for a haircut. The public interrogation of Kerry is, of course, mere tittle-tattle compared to the scrutiny of his financial affairs and sexual escapades that President Bill Clinton was subjected to.

In a similar vein, the personal lives of British politicians have come in for very close scrutiny. For a country where family values have broken down severely, public opinion seems to attach great importance to adherence to fidelity and uprightness in politicians and their associates. With the sole exception of Alan Clarke, who got away with hideous misdemeanours because he was a great writer and a scintillating wit, Britons like their politicians to uphold the last vestiges of Victorian morality. It may be hypocrisy but these double standards are a hallmark of the authentic Westminster model.

The intrusiveness of Anglo-Saxon democratic tradition rests on the principle that a person seeking public office has forfeited the right of privacy and that all his actions, both past and present, must be a matter of public record. The lengthy campaign period for the presidential election is aimed at testing a candidate to the hilt, to assess whether or not he is above board and capable of coping with the unavoidable pressures of high elected office. Given the levels of endurance required, it is an automatic deterrent against those who seek to create ephemeral electoral waves based on their ability to hold successful road shows.

Evolved democracies, it would seem, have a more rigorous approach to finding the best candidate for public office. The squeamishness in India over raking up the personal life of an aspirant may appear as gentlemanly conduct. In reality, it leaves too many unanswered questions which, had they been clarified, would have contributed to a more informed choice. Like, how was Rahul awarded an MPhil without a basic graduate degree?



DR. SUBRAMANIAN SWAMY Ph.D. (Harvard)

President, Janata Party (1989 -)

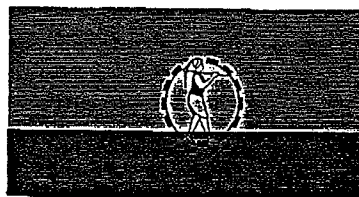
Minister for Commerce, Law & Justice (1990-91)

Chairman (with Cabinet rank)

Commission on Labour Standards (1994-96)

Professor of Economics: IIT Delhi (1969-91) &

Faculty of Economics, Harvard (1963-9; 1985-6; 2000-4)



JANATA PARTY

A-77, Nizamuddin (East) New Delhi - 110 013

Phone : 24353805 Fax : 24357388

Mobile : 9810194279

Website : www.janataparty.org

E-mail : swamy@post.harvard.edu

To
The Chief Election Commissioner
Nirvachan Bhavan,
Ashoka Road
New Delhi 110001.

17.6.2004

Dear Sir,

I write this letter a complaint on which the EC should take appropriate action under The Representative of Peoples Act (1951) and other statutes.

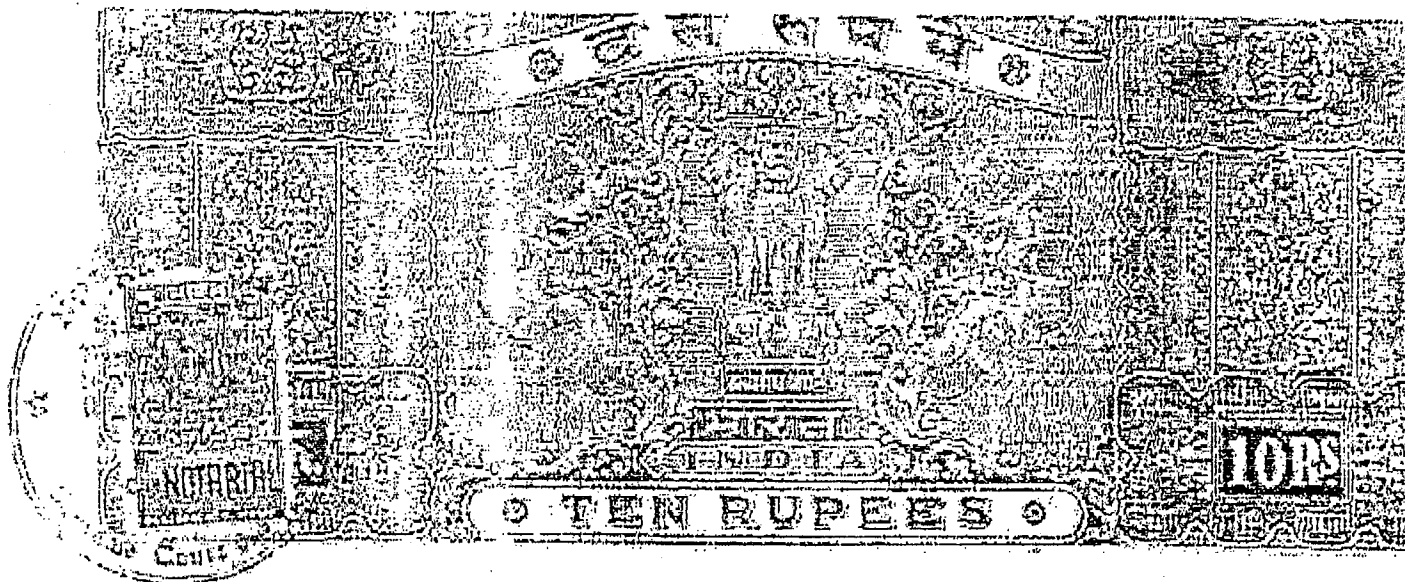
According to the sworn affidavit filed by Ms.Sonia Gandhi MP annexed with her nomination forms as candidate for the election to Lok Sabha from Rae Bareli constituency, she had received her education in English and French at the Lennox Cook School, University of Cambridge, UK.

This is false, since the University has in writing denied that she was ever a student there. The University also has no affiliated institution by name of Lennox Cook School. This wilful false declaration is an attempt to mislead, and thus a criminal offence not only under RPA but IPC as well.

Kindly acknowledge this letter at the earliest. The EC may inform me on how the Commission's statutory and constitutional obligations will be discharged in this case of willful false declaration by Ms.Sonia Gandhi on a sworn affidavit.

Yours sincerely,

(SUBRAMANIAN SWAMY)



FORM 26
(SEE RULE 4A)

Affidavit to be furnished by the candidate before the returning officer for election to the House of People [LOK SABHA] (name of the House) from Rae Bareilly Constituency (name of the constituency)

I, Smta Gandhi, wife of Late Shri Rajiv Gandhi aged approx. 56 years as on 1.1.2003, resident of 10, Janpath, New Delhi candidate at the above election, do hereby solemnly affirm/state on oath as under:-

1. I am not accused of any offence(s) punishable with imprisonment for two years or more in a pending case(s) in which a charge(s) has/have been framed by the court(s) of competent jurisdiction.
2. I have not been convicted of an offence(s) [other than any offences] referred to in sub-section(1) or sub-section(2) of covered in sub-section(3), of section 8 of the Representation of the People Act, 1951 [43 of 1951] and sentenced to imprisonment for one year or more.

Place: New Delhi

Date: 03.04.2004

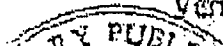
Smta Gandhi

Deponent

VERIFICATION

I, the above named deponent, do hereby verify and declare that the contents of this affidavit are true and correct to the best of my knowledge and belief, no part of it is false and nothing material has been concealed therein.

Verified at New Delhi this the 3rd day of April, 2004.



(*) My educational qualifications are as under:-

(i) Three Years course in foreign languages (English and French) completed in 1964 at Instituto Santa Teresa, Via Santa Teresa, 10 Turin.

(ii) Certificate in English from Lemnos Cook School, University of Cambridge, Completed in 1965.



[Handwritten signature]

DEPONENT

VERIFICATION

I, the deponent above named, do hereby verify and declare that the contents of this affidavit are true and correct to the best of my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

Verified at New Delhi on this the 3rd day of April 2004.

sojourning affidavit has been read over and explained to the deponent

Notary Delhi

3/4/04

[Handwritten signature]

DEPONENT

Identified the deponent & has signed in my presence

[Handwritten signature]

ARUN BHARDWAJ
AN

GANDHI, SMT. SONIA
(INDIAN NATIONAL CONGRESS - AMETHI
(UTTAR PRADESH))

Authorised (i) "Rajiv" and (ii) "Rajiv's World: A Daughter's Freedom's Daughter" and (iii) "Two Aunts, One Together" (two volumes of letters exchanged between P. Jawaharlal Nehru and Indira Gandhi from 1922 to 1964)

Indian handlooms and handicrafts; Indian contemporary classical and tribal art; special interest in oil paintings and their conservation

Widely travelled (11 countries); visited some of the countries as Prime Minister's spouse, 1985-89

Chairperson, (i) Rajiv Gandhi Foundation; (ii) Indira Gandhi Memorial Trust; (iii) Jawaharlal Nehru Memorial Fund; (iv) Nehru Trust for Cambridge University; (v) Kamala Nehru Memorial Society and Hospital; (vi) Nehru Memorial Museum and Library; (vii) Indian Council for Child Welfare Trust; (viii) Swaraj Bhawan Trust; Patron, Round Square (International Group of Schools), United Kingdom

Books Published

Special Interests

Countries Visited

Other Information

Late Mr. Stefano Maino
 Mrs. Paola Maino
 9 December 1946

Orbassano, Turin (Italy)
 Widow
 1968

Late Shri Rajiv Gandhi
 One
 One

Diploma in English Language
 Educated at Cambridge University, Cambridge (U.K.)

Political and Social Worker
 10, Janpath,
 New Delhi-110 011
 Tel. (011) 3012686
 Fax. (011) 3018651

10, Janpath,
 New Delhi-110 011
 Tels. (011) 3012686, 3014161, 3014481
 Fax. (011) 3018651

President, Indian National Congress
 Chairperson, Congress (I) Parliamentary Party (CPP)
 Elected to 13th Lok Sabha
 Leader of Opposition, Lok Sabha
 Member, General Purposes Committee

Election Result of

Amethli Lok Sabha Constituency

Total electorate 11,10,633
 Total votes polled 6,38,178
 Poll percentage 57.46%
 Valid votes 6,24,172
 Votes polled in favour of the candidates:
 (1) Smt. Sonia Gandhi (I.N.C.) 4,18,960 67.12%
 (2) Dr. Sanjay Singh (B.J.P.) 1,18,948 19.06%

Election Result of

Bellary Lok Sabha Constituency

Total electorate 12,13,055
 Total votes polled 8,47,219
 Poll percentage 69.84%
 Valid votes 8,12,055
 Votes polled in favour of the candidates:
 (1) Smt. Sonia Gandhi (I.N.C.) 4,14,650 51.70%
 (2) Smt. Sushma Swaraj (B.J.P.) 3,58,550 44.70%
 (3) Shri K. Mahalingappa (I.D.S.) 28,855 3.60%



NOV-22-2001 08:06 AM ECON. AND. TECH
PAUSE LUNCK HOUSE

3019847053
TO 9:410013016647053

P.01
P.02/02

fax

To: Mr B Rathor
At: n/a
Your Fax No: 0208 569 5101.
From: David McCarthy
Date: 21 November 2001
No. of pages: This page only
Subject: Sonia Gandhi



**UNIVERSITY OF
CAMBRIDGE**

Student Records & Statistics

Dear Mr Rathor

Further to your fax dated 20 November 2001, I am writing to say that we have no record of the above named as having registered as a student at this University under the spelling of the names you have given.

If you have any further information, such as, additional names, college attended or subjects studied, we would be happy to re-check our records.

Yours sincerely

Student Records & Statistics
10 Pass Hill
Cambridge CB2 3PN

Telephone: 01223 332309
Fax: 01223 331200
E-mail: djm59@studrecs.cam.ac.uk

UNIVERSITY OF CAMBRIDGE

Keeper of the Archives

P.N.R.ZUTSHI, M.A., Ph.D.
Assistant Keeper

MISS E.S.LEEDHAM-GREEN, M.A., Ph.D., F.S.A
UNIVERSITY ARCHIVES

UNIVERSITY LIBRARY

WEST ROAD

CAMBRIDGE CB3 9DR

Tele 0223 333000 Ext.3148/

Directline 333149 (Keeper)
333148 (Assistant
Keeper)

21 September, 1992

Mr A. Ghosh

5720 W.Little York Suit 216

Houston Texas 77091

USA

Dear Mr Ghosh,

I write in reply to your letter of 14 September addressed to the Office of the Registrar. Sonia Gandhi (nee Maino) was not, in fact, a member of this University but studied at one of the numerous language schools situated in the city. Regrettably, I now forget which, but I do remember that when an enquiry precisely similar to yours arose a year or two ago it transpired that the school in question did not keep any records at all of its past students.

I am sorry to have to send so disappointing reply.

Yours sincerely,

Sd/-

Dr. E.S. Leedham-Green

■ ELECTORAL LAW

The voter's right to know

The Supreme Court directs the Election Commission to make information on candidates' criminal background, wealth and education available to the voters during elections.

V. VENKATESAN

THE holding of free and fair elections at regular intervals is essential for the survival of democracy. The degree of success of this process would, in turn, depend on the extent of awareness that voters have about the candidates. Their right to gain material information about the candidates is thus intrinsic to the democratic process. With the laws and rules governing the conduct of elections revealing a curious 'silence' on this aspect, the judiciary has now stepped in to initiate a significant electoral reform measure.

On May 2, a Supreme Court Bench comprising Justices M.B. Shah, Bisheshwar Prasad Singh and H.K. Sema upheld and modified a Delhi High Court order of November 2000 in *Association of Democratic Reforms vs. Union of India*. The High Court had held that in order to help voters to make the right choice, it was essential that a candidate's past should not be kept under wraps. The High Court had directed the Election Commission (E.C.) to secure certain types of information pertaining to each of the candidates contesting elections to Parliament and State legislatures and the parties they represent.

The High Court wanted the E.C. to reveal details relating to any candidate accused of an offence punishable with imprisonment; of assets possessed by him/her, spouse and dependants; of the candidate's competence, capacity and suitability for law-making, his/her educational qualifications; and the ability to judge the capacity and capability of the political party fielding the candidate.

The Central government, which challenged the order in the Supreme Court, maintained that till suitable amendments were made in the Representation of the People Act (RPA) and the Rules made under it, the High Court should not have given any direction to the E.C. The Congress(I), which intervened in the case, also questioned the High Court's competence to direct the E.C. rather than the petitioners, the Association of Democratic Reforms, a non-governmental organisa-

tion consisting of some academics and activists, to approach Parliament for appropriate amendments to the RPA.

The Supreme Court Bench has now made it clear that it was in favour of Parliament amending the RPA and the Rules under it. However, the Bench underlined the legally settled position that in a situation where the Act or the Rules are silent on a particular subject and the authority implementing the same has constitutional or statutory power to implement it, the court can issue directions to fill the vacuum until legislation is enacted. Further, the Bench pointed out that the phrase 'conduct of elections' under Article 324 is held to be of such wide amplitude as to include the E.C.'s power to make all necessary provisions to conduct free and fair elections.

The Supreme Court modified the High Court's judgment and directed the E.C. to reveal whether up to six months prior to filing of nomination, a candidate had been accused in any case that is pending, of any offence punishable with imprisonment up to two years or more, and in which charges have been framed or cognisance has been taken by a court of law.

This is preceded by a general requirement that the E.C. should reveal whether the candidate was convicted or acquitted of any criminal offence in the past, and whether he was punished with imprisonment or fine.

Will the mere knowledge of a candidate's criminal past dissuade a voter from voting in his favour? In its judgment, the Bench said: "The little man (the voter) may think over before making his choice of electing law breakers as law makers."

The Court's directive to the E.C. is not based on the assumption that at present voters are ignorant of candidates' criminal past. But it is hoped that official disclosure of information relating to candidate's criminal background would help those voters who intend to make a rational choice on the basis of facts. Even if there are only a few such rational voters, the law, as interpreted by the Court, could help them. The Court's order would only result in giving

a choice to the voters, by making the process a little more transparent. According to observers, if the voters are determined to vote in favour of those with a criminal past, the E.C.'s move cannot influence their subjective decision, which could be based on various other factors.

The Supreme Court further modified the High Court's order to direct the E.C. to reveal details of assets - immovable and movable - of a candidate and of his/her spouse and dependants. The Supreme Court held that by implication, married sons and daughters of candidates or their parents could not be described as dependants. The Supreme Court also sought details of candidates' liabilities, if any, particularly whether there were any over-dues to any public financial institution or government dues.

THE Supreme Court nullified the High Court's directive to the E.C. to seek details to judge the capacity of a political party fielding the candidate. But the Court retained the directive relating to the educational qualifications of the candidate. The Court probably allowed this part of the High Court's order because the information being sought would not determine a candidate's eligibility to contest.

The Supreme Court has held that furnishing information relating to candidates was a necessary part of the nomination papers. It has asked the E.C. to draw up within two months the norms and modalities in order to carry out and give effect to its directions. In a letter to Union Law Minister Arun Jaitley on May 14, the E.C. pointed out that the most efficacious manner of implementing the judgment of the Supreme Court would be to amend Forms 2A to 2E, which are forms of nomination papers to be filed at elections to the Parliament and State legislatures that are appended to the Conduct of Elections Rules, 1961. The E.C. submitted revised Forms 2A to 2E incorporating the necessary changes seeking additional details as specified in the judgment, and asked the government to take steps to effect these amendments at the earliest. ■

100 Questions About Ms Sonia Gandhi



A Photocopy of the extract from electoral rolls of 1980, indicating that Ms Sonia was a voter, when she did not yet acquire the citizenship of Bharat.

EXTRACT FROM ELECTORAL ROLLS OF 1980
(Under Rule 33 of Registration of Electoral Rule, 1960)

New Delhi Parliament Constituency

ELECTORAL ROLL OF ASSEMBLY CONSTITUENCY: Constituency
(NATIONAL CAPITAL TERRITORY OF DELHI) as on 01.01.1980 as the qualifyin
date.

YEAR 1980 POLLING STATION NO.: 145

LOCALITY Safdar Jung Road

Sr. No.	H. No.	Name of Elector	Father's/ Mother's/ Husband's Name	Male/ Female	Approximat age as on 1.1.1980
385		Indira Gandhi	Feroze Gandhi	F	64
386		Rajiv Gandhi	Feroze Gandhi	M	37
387		Sanjay Gandhi	Feroze Gandhi	M	35
388		Sonia Gandhi	Rajiv Gandhi	F	35
389		Menka Gandhi	Sanjay Gandhi	F	28

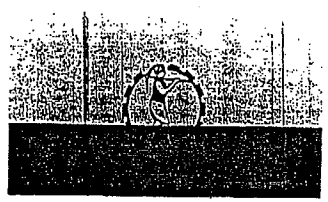
Note: The names of the Electors at S.No. 387 & 388 deleted from Electoral Rolls in 1981 & 1982 respectively.

Certified

This is a photocopy of the Gandhi family's name in the 1980 roll

ANNEXURE VI

Dr. Subramanian Swamy Ph.D. (Harvard)
 President, Janata Party (1989 -)
 Minister for Commerce, Law & Justice (1990-91)
 Chairman (with Cabinet rank)
 Commission on Labour Standards (1994-96)
 Professor of Economics: IIT Delhi (1969-91) &
 Faculty of Economics, Harvard (1963-9; 1985-6; 2000-2)



JANATA PARTY

A-77, Nizamuddin (East) New Delhi - 110 01
 Phone : 4353805 Fax : 4357388
 Mobile : 9810194279
 Website : www.janata.org
 E-mail : swamy@post.harvard.edu

**Director,
 Central Bureau of Investigation,
 CGO Complex, Lodi Road,
 New Delhi.**

Dear Sir,

1. You are aware that the then Minister-in-charge of Personnel, Ms. Vasundara Raje had forwarded to you my written complaint sent to her in my letter dated March 3, 2001 (containing information on offences committed by Ms. Sonia Gandhi, MP and her son Mr. Rahul Gandhi) for further appropriate action. You had been quoted in the Indian Express dated 11.4.01 as having received the said complaint and were further quoted in the said newspaper as stating that the CBI was comprehensively looking into the complaint to decide further action.

2. Thereafter, since I had not heard from the Minister or from you, I had in December, 2001 filed two Public Interest Litigation petitions in the Delhi High Court (numbered CWP 7527 of 2001 and CWP 7529 of 2001). Therein, Notice was issued by the Hon'ble Court to the CBI. Since then, the CBI have filed a number of Counter Affidavits/Status Reports under Court direction.

3. In Counter affidavits/Status Report filed on 5.3.2003, the CBI had placed on record that -

- (i) In the matter of antique smuggling to Italy (CWP No.7527 of 2001), the Indian Embassy informed that the request for information re the offences complained of by me, should be made to Italian authorities on my complaint of offences by the Indian Judicial Authority. The CBI acknowledged that it may not be feasible to send a Letter Rogatory to the Italian Judicial Authority without registering a criminal case (i.e. without a FIR).

(ii) In the matter of receiving funds from KGB to finance elections in India and for other illegal purposes (CWP No.7529 of 2001), the CBI Counter Affidavit/Status Report stated that in the absence of any criminal case registered (i.e., a FIR), it may not be possible to send a Letter Rogatory to the Russian Judicial Authority for investigation.

4. A PIL is non-adversarial, and is intended for enforcing the performance of statutory duties of investigating agencies and to overcome political obstruction of the same. It is in this spirit that in continuation of my earlier complaint forwarded to you by the Minister-in-charge of the CBI (and the receipt of which you have acknowledged), I am writing this letter to assist you.

5. In this further communication (again by way of abundant caution) I urge the CBI to investigate the disclosed offences in the said complaint as per established procedure under the Cr.P.C., and relevant Supreme Court and Delhi High Court judgements cited below. This requires that first you register an FIR and then investigate the information of disclosed offences in the said complaint, (even if the information is not from an eye witness). As the CBI has itself pointed out in the counter affidavits filed in Court, this is a requirement before the Italian and Russian authorities would cooperate in the investigation.

6. To perform the statutory obligations under Section 154 of the Cr.P.C. and meet the mandatory requirement to register an FIR prior to investigating the disclosed information of offences, reference may be made to:

(1) 2001 Cri LJ 2587; Mohindro vs. State of Punjab

G.B.Pattanaik and B.N.Agrawal, JJ.

(2) 84 (2000) DLT 199(DB); Goel vs. NCR of Delhi

Anil Dev Singh and R.S.Sodhi, JJ.


7. The information provided by me in the said complaint sent to you, indicates the commission of offences under various criminal statutes. In my Petition filed in Court read with my additional Affidavits, at the very least, on the fact of it, the following offences are disclosed.

- (i) Receiving funds from a foreign intelligence agency (KGB) and using a part of the funds for financing elections. This information was made public by a member of an official Commission of Inquiry, Ms. Yevgenia Albats. In p.380 of her book titled: "The State Within a State: The KGB", the author quotes from official files and actually gives the number of the file that contains this information. She also confirmed to me that she has seen and read the said files. Her disclosures have also been confirmed by the Spokesperson of the KGB successor organization, the FIS, in the Russian Government. (These have been enclosed in my complaint sent to you).
- (ii) Hence as per this information the following cognizable offences have been committed:
 - (a) Section 4(2)(a) r/w 23 of Foreign Contribution Regulation Act.
 - (b) Section 9 r/w 10 of Prevention of Corruption Act (1988).
 - (c) Section 171C r/w 120B & 124A of the Indian Penal Code.

8. In CWP No.7527 of 2001 (containing a part of the complaint regarding antique smuggling), there is information as disclosed by two eye witnesses, that an offence was committed under Section 25 of the Antiquities and Art Treasures Act (1972). Although the offence itself may not be regarded as cognizable, it is still a criminal offence disclosed that requires an investigation after registering a FIR.

9. As the Madras High Court has held {(1972) Madras LW (Cri.) 11 at 20}, under the Delhi Special Police Establishment Act, any officer of rank of Sub Inspector and above in the CBI is an officer-in-charge of a police station, and can investigate offences committed outside Delhi also (AIR 1961 Delhi 330 at 346). Even non-cognizable offences can be investigated by the CBI {(1970) 2 Madras LJ 709 (D.B)}.

10. Hence based on the clear information given to you in my complaint and again in this letter, the CBI may register an FIR and conduct necessary inquiries and take appropriate action without further delay, so that the ends of justice may be served.



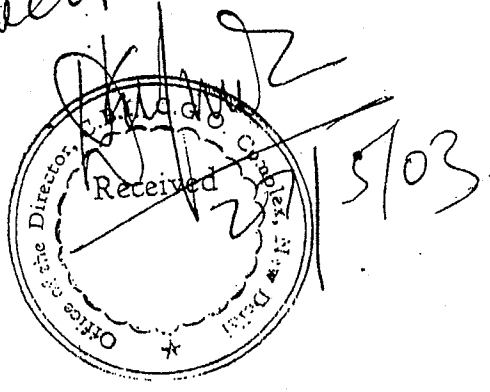
(SUBRAMANIAN SWAMY)

O/c

New Delhi

May 23, 2003.

Recd.



The State Within the State

1. An unofficial translation of a letter, said to have been written by Viktor Chebrikov, the Chief of the KGB, to the Central Committee of the Communist Party of the Soviet Union, is annexed herewith (~~Annexure 1~~).
2. While the accuracy of the translation and the authenticity of letter itself is to be verified by an appropriate agency such as the CBI, nevertheless there is independent corroboration of such a letter having been written, and of the contents of the letter annexed herewith.
3. Extracts of this letter, especially the first two paragraphs had been reproduced in 1992 in a respected Russian Weekly Argumeny i Fakty (~~Annexure 2~~) which also corroborate the references cited in the annexed letter.
4. In her well known book, The State Within the State: KGB and Russia (Annexure 3), Yevgenia Albats, a journalist who had served as a Member of the Commission to Inquire into KGB Activities, set up in August 1991 by President Boris Yeltsin, has quoted from a letter written by Chebrikov, which quotations are the same as third and fourth paragraphs of the said letter in question here.
5. Writing for Times of India, Ms. Jyoti Malhotra (now with Indian Express) had also filed a story (published June 27, 1992) quoting from this letter (Annexure 4). A UNI story filed in Moscow also gave other details of the said letter (same Annexure).
6. These files are with the KGB, and the file reference numbers have been provided (~~Annexure 5~~) for investigation.
7. The official spokesperson of KGB's successor organization, the FIS, has confirmed the payments made by the KGB to Rajiv Gandhi's family (~~Annexure 6~~).
8. These payments to Rajiv Gandhi & family constitute offences under FCRA, IPC and RPA (1950).
9. The Delhi High Court has already directed CBI to investigate (~~annexure 7~~) the materials already brought on record in a Public Interest Litigation (PIL) WP 2729 of 2001. The next hearing is on ~~February, 2003~~ ~~Sept 8, 2004~~

16-11-2001 11:14

FROM SWAMY

TO

4324384

Amrutes
A-23

Note:

1. The KGB Archives in ~~Subyanka~~ ^{Kremlin, Moscow} Moscow
has the following file:
No.f.5, op.6, por.no.12, d.131, t.1, l.d., 103-104

Letter Ref No:
CPSU No. 349-CH/OV
(Case No. 131, vol. 1, pp 103-04)

P 48
#7529

2. A gist of the file is given in Ms. Yevgenia Albats: The State within the State: KGB and Russia Publisher: Farrer, Straus, and Girouy, New York, ISBN 037452 7385, December 1994.

From: Ms. Yevgenia Albats: The State within the State
KGB and Russia

Publisher: Farrar, Straus, and Giroux, December 1994
ISBN 037 452 7385

Realities of the Glasnost Era

223

STATE

est. A signed receipt to the Central Com- me documents that stablished system did years.

s from the Politburo's ory of KGB operations

nen-KGB chief S. Ig- the "KGB resident in nel department of the st Party. "The transfer precautions, and suc-

ee of the CPSU, the secret contacts with to exchange infor- yey . . . Taking into the question of es- retary of the USSR s, to be assigned to

ocating \$1 million to the 3 to transfer the funds. the mid-1970s, special the recipient's name, ical to the one affirm- s even greater fortune illion.²³ Between 1981 . \$24 million; the U.S. (By the way, in 1987, d loans from America,

U.S. Communist chief Gus Hall was notified of an allocation of \$500,000; in 1989, the U.S. Communist Party was awarded \$2 million.)²⁴ These are not poor countries; this certainly wasn't char- itable aid.

A letter signed by Viktor Chebrikov, who replaced Andropov as head of the KGB in 1982, noted: "The USSR KGB maintains contact with the son of Premier Minister Rajiv Gandhi [of India] . . . R. Gandhi expresses deep gratitude for benefits accruing to the Prime Minister's family from the commercial dealings of an Indian firm he controls in cooperation with Soviet foreign trade organizations. R. Gandhi reports confidentially that a substantial portion of the funds obtained through this channel are used to support the party of R. Gandhi."²⁵

The practice of supporting foreign Communist parties continued into the perestroika era. In 1991, *Moscow News* published a doc- ument recording the transfer of 1,189,213 Finnish marks to the leadership of the Communist Party of Finland [Unity].²⁶ The pub- lication of this document had unexpected ramifications. Its signer, Vladimir Silvestrov, a colonel of FCD's Third Department (the UK, Australia, New Zealand, and the Scandinavian countries), was still working as the KGB's deputy resident in Finland under dip- lomatic cover. The Finns, who for so long had put up with the Soviet Union's unneighborly behavior (in the summer of 1991, forty out of fifty officers in the Soviet embassy in Helsinki were KGB or GRU), suddenly lost their patience and ordered the "diplomat" out. Silvestrov was recalled within a week.²⁷

In the last ten years of the USSR's existence, more than \$250 million in cash found its way abroad in the briefcases of intelligence agents. (And this still leaves billions of dollars of interest-free loans to "friends" and supplies of "special equipment" (arms) in ex- change for, say, raisins.) This, from a country where two-thirds of the population was living below the poverty line. My grandmother, who worked for the state for her entire life, received a pension of 43 rubles a month, the equivalent of 480 dollars a year. But at the same time, the General Secretary of the Central Committee of the

10. *Materialy Komissii VS SSSR po rassledovaniyu obstoyatelstv avgustovskogo perevorota* [Materials of the USSR Supreme Soviet Commission to Investigate the Circumstances of the August Coup], d. no. 4, t. 5, l.d. 331.
11. *Rossiyskaya gazeta*, 29 November 1991.
12. *Ekspress-khronika*, no. 14, 2 April 1991.
13. Igor Gamayunov, "Kak izmenyayut KGB" [How the KGB is Being Changed], *Yunost* [Youth], no. 6 (1991), p. 90.
14. *Moskovskiye novosti*, no. 24, 24 June 1990, p. 11.
15. Alexander Kichikhin, *Stolitsa* [Capital], no. 1 (1991), p. 25.
16. KGB Col. Mikhail Lyubimov (Reserves), "Razbalovan bez dokazatelstv" [Demoted Without Proof], *Moskovskiye novosti*, No. 27, 8 July 1990, p. 4.
17. *Moskovskiye novosti*, no. 24, 1990.
18. *Moskovskiye novosti*, no. 44, November 3, 1991.
19. Unpublished interview by Natalya Gevorkyan with Jan Ruml in Prague, July 1990. Printed with permission of Gevorkyan.
20. *Stenogramma parlamentskiy slushaniy po rassledovaniyu finansovoy deyatelnosti KPSS* [Transcript of parliamentary hearings investigating the financial activity of the CPSU], 10 February 1992; author's interview with Alexei Pushkev, former employee of the International Department of the Central Committee of the CPSU, March 1992.
21. KGB Archive, f. 4-OS, op. 11, por. no. 7, d. OP-3, t. 4, l.d. 253.
22. KGB Archive, f. 4-OS, op. 11, d. OP-1, t. 8, l.d. 41.
23. Central Committee Special File. Copy of original, author's archive.
24. Central Committee Special File. Copy of original, author's archive.
25. KGB Archive, f. 5, op. 6, por. no. 12, d. 131, t. 1, l.d. 103-104.
26. Yevgenia Albats and Natalya Gevorkyan, "Denqi dlya prizraka" [Money for a Ghost], *Moskovskiye novosti* [Moscow News], no. 49, 8 December 1991, pp. 1, 5; also *Vypiska iz spetsialnoy knigi uchyoata Sekretariata Mezhdunarodnogo Otdela TsK KPSS* [Excerpt from special records book of the Central Committee International Department Secretariat], copy of original, author's archive.
27. Marat Zubko, "Khelsinskiy filial KGB pri svete dnya" [The KGB's Helsinki Branch in the Light of Day], *Izvestia*, no. 87, 11 April 1992.
28. *Stenogramma parlamentskiy slushaniy po rassledovaniyu finansovoy deyatelnosti KPSS* [Transcript of parliamentary hearings investigating the financial activity of the Communist Party of the Soviet Union], 10 February 1992.
29. From a letter from V. Falin, head of the Central Committee's International Department and V. Vlasov, head of the Central Committee's Socioeconomic Policy Department to the Central Committee leadership, dated 19 February 1991. Copy of original in author's archive.
30. Copy of original in author's archive.

Secret

UNOFFICIAL
(TRANSLATION)
KOMITET GOSUDARSTUENNOY BEZOPASNOSTI

2, Dzerzhinsky Square
Moscow, USSR

13.12.85

V.Chebrikov
Chairman

To: Central Committee
Communist Party of Soviet Union
Moscow,
USSR.

Ref: CPSU Central Committee Resolution No.11187/22 OP
dated 10.12.84

Respected Members:

Beginning from 1971, the Central Committee of the Communist Party of the Soviet Union had been allotting funds to finance individual politicians in India, Indian social organizations and 'controlled media organs', who were used for various acts and to exert influence in favour of state interests of the USSR. In the annual allocations for 1985 of above reference, funds amounting to 3,20,000 Rubles in foreign currency have been fully utilized for the above said purposes.

The 17th Department of the First Chief Directorate of the KGB (dealing with India) requests further allotment of 3,20,000 Rubles in foreign currency for ensuring for the same purpose, special actions and measures to consolidate the outcome of the official visit of Prime Minister Rajiv Gandhi with his wife Sonia Gandhi to the Soviet Union in 1986.

The USSR KGB maintains contact with the son of Prime Minister Rajiv Gandhi.

..2..

R.Gandhi expresses deep gratitude for benefits accruing to the Prime Minister's family from the commercial dealings of an Indian firm he controls in cooperation with Soviet foreign trade organizations. R.Gandhi reports confidentially that a substantial portion of funds obtained through this channel are used to support the party of R.Gandhi.

Faithfully Comrades

V.Chebrikov
Chairman

Approved by the CPSU Central Committee
Resolution No.11228/3 dated 20.12.85
Directive No.2633 Rs. dated 20.12.85
of USSR Council of Ministers.

Text in Russian available in
"Letters of the KGB Chairman
to the Central Committee of the CPSU"
KGB Archives, No.349-CH/OV. f.5, op.6, por.no.12,
Case No.131, Volume One, pages 103-04

В нашем распоряжении есть документ, по-своему оттеняющий взаимоотношения с некоторыми руководителями Индии. Мы отдаем себе отчет, что международная деятельность в любой стране всегда контролируется разведкой. И наша страна — не исключение. Но участие в этой области ЦК КПСС по-своему «расцвечивает» всю проблему. А тандем КГБ — КПСС — это вообще специфика нашего бывшего строя...

«В ЦК КПСС. В соответствии с решением ЦК КПСС ежегодно, начиная с 1971 г., КГБ СССР выделяет средства для оказания финансовой помощи контролируемым органам печати, общественным организациям и отдельным деятелям Индии, возможности которых используются для осуществления акций, влияния, отвечающих государственным интересам Советского Союза. Выделенные на указанные цели в 1985 г. 320000 инвалютных рублей (постановление ЦК КПСС от 10.XII. 1984 г. № 11187/22 оп) полностью израсходованы. Для обеспечения спецакций и мероприятий по закреплению итогов официального визита премьер-министра Р. Ган-

ди в Советский Союз КГБ просит выделить на 1986 г. 320000 инвалютных рублей. Проекты постановления ЦК КПСС и распоряжения Совета Министров СССР прилагаются. Просим рассмотреть.

Председатель Комитета
В. Чебриков.

Верно: нач-к направления
17 отдела ПГУ КГБ СССР
полковник Е. М. Морозов.
13.12.85 г.»

В соответствии с этим письмом деньги были выделены (см. постановление ЦК КПСС № 11228/3 оп от 20.XII. 1985 г. и распоряжение СМ СССР № 2633 рс от 20.XII 1985 г.).

Annexure 29
Yet another
Indian
scandal?

Rajiv Gandhi received funds from USSR: Report

By JYOTI MALHOTRA

MOSCOW, June 26. FORMER Prime Minister Rajiv Gandhi received funds for his party from the Soviet Union, a Russian newspaper here has said.

An article published in the *Izvestia*, an evening paper from Moscow, has said the former KGB chief, Mr V. Chebrikov, in a letter to the central committee of the Communist Party of the Soviet Union (CPSU), said that Rajiv Gandhi "expressed deep gratitude for the help being received by the Prime Minister's family through commercial deals, of an Indian firm controlled by it, with Soviet foreign trade organizations".

Mr Chebrikov's letter to the CPSU does not name the year in which the money was allegedly received by the former Prime Minister, nor does it give other details such as the name of the Indian firm or Soviet trade organizations it did business with. But the letter adds: "In a confidential message, Mr Gandhi informed that the major part of these resources were used to support the party of Mr Gandhi".

LETTER REFERENCE: The article is written by Evgenia Albais, a correspondent of the *Moscow News* paper, and gives detailed references from the KGB archives in which Mr Chebrikov's letter is kept: "From the letter of the KGB, chairman V. Chebrikov, to the central committee of the CPSU no. 349-CH/OV, archives of the KGB USSR, case no. 131, volume one, pages 103-104".

Indian embassy officials here were not available for comment.

The archives of the KGB and the CPSU were selectively opened about a fortnight ago in Moscow,

and stories about the funding of various governments and communist parties around the world have been appearing regularly in Russian newspapers here.

The reference to Rajiv Gandhi is part of an article on various leaders who sought help from the former Soviet Union. Even the US senator, Mr Edward Kennedy, the article alleges, asked the KGB to assist the firm of a friend.

The correspondent is surprised that even an American Democrat like Edward Kennedy could have accepted help from the KGB, especially as he must have been in the forefront of the condemnation of the "Gulag Archipelago".

She goes on to add that "in human terms, the reaction of Rajiv Gandhi — again expressed through the KGB — can be understood", meaning that it could be understood that Third World politicians received money from the KGB as they were using it in their war against "US imperialism".

MANY MORE: Other leaders mentioned in the article as having taken money from the KGB, are a former Sri Lanka prime minister, Mrs Sirimavo Bandaranaike and communist party leaders of the US. On the other hand, the former Russian husband of Christina Onassis is also believed to have put several thousand dollars into KGB coffers, the article adds.

This is the second time since the disintegration of the Soviet Union that information on Indian leaders has appeared in the Russian press. In February, the *Ogonyok* magazine had reported that the Communist Party of India (CPI) received money from the CPSU in 1990.

Russians themselves are divided over the opening of the archives, and question the very purpose of selectively "leaking" information that some see as part of a deliberate American smear campaign against the leaders of the former Soviet Union and communist ideology itself.

Some have wondered whether washing dirty linen in public would be beneficial for future relations with countries, especially those who have been old allies.

Others ask if it is worthwhile to resurrect allegations about the dead especially since they have no opportunity to reply.

Counterposed to this is the argument that Russian citizens have a right to know about the activities of their state during the 70 years of communist rule, and by the exposure of such "misdeeds" prevent their recurrence.

PTI Adds: A Russian foreign ministry spokesperson when asked about the authenticity of the claims in the article refused to confirm or deny them on the ground that neither the then Soviet foreign ministry nor its representatives abroad were aware of such transactions.

He, however, appealed to the Russian media to consider Russian interests before publishing material based on the archives of the CPSU and former KGB.

A political analyst here, who requested anonymity, questioned the veracity of the claims in the article. The analyst also said that many field agents often exaggerated the amounts paid and the level at which it was given in order to inflate their own importance.

MOSCOW, April 5 (UNI):

A popular Moscow weekly has claimed to be in possession of documents which "cast shadow on the mutual ties with some of the Indian leaders."

The *Argumenty i Fakty* (arguments and facts), in its latest issue, has published the text of a secret letter sent to the CPSU central committee by former KGB chief V. Chebrikov in December 1985 asking for 3.2 lakh roubles in foreign currency (five lakh US dollars at that time) "for ensuring special actions and measures to consolidate the outcome of the official visit of prime minister Rajiv Gandhi to the Soviet Union in 1986."

By the resolution of the CPSU central committee No. 11228/3 DTD 20.12.85 and the directive No. 2653 R, DTD 20.12.85 of the USSR council of ministers, the amount was allotted to the 17th department of the first main administration of the KGB (overseas intelligence) dealing with India. *Argumenty i Fakty* weekly says.

In the same letter, written eight months after Mr Mikhail Gorbachev assumed the top party post, Mr Chebrikov says that beginning from 1971, the Central Committee of the Communist Party of the Soviet Union (CPSU) had been allotting funds to finance "controlled media organs, Indian social organisations and individual politicians in India, who were used for various acts and to exert influence in favour of state interests of the USSR. The KGB chief has also reported that the funds amounting to 3.2 lakh roubles in foreign currency earmarked for the year 1985 by the CPSU CC resolution No. 11187/22 OP DTD 10.12.84 have been fully utilised for the above said purposes.

Commenting on this, the weekly says, "we understand that in any country international activities are controlled by the intelligence services and our country is not an exception. But the involvement of the CPSU gives this problem a different shade".

When contacted over phone, one of the officials of the weekly, who refused to disclose his name, said the documents in the possession of the *Argumenty i Fakty* mainly related to non-CPI media and politicians.

27/6/92 Toi

KGB helped firm controlled by Rajiv's family

- From Vladimir Radyuhin

MOSCOW, July 3.

The Russian Foreign Intelligence Service admits the possibility that the KGB could have been involved in arranging profitable Soviet contracts for the company controlled by the Rajiv Gandhi family.

"I think the KGB, acting on instructions from the Communist Party Central Committee, did take some part in the affair, especially in view of the ideological confrontation that prevailed in the world at that time," said Mrs. Tatiana Samolis, spokeswoman for the Russian Intelligence Service, which has succeeded the KGB. She made the admission to *The Hindu* after a press briefing at which she confined herself to citing an earlier statement by a Russian Foreign Ministry spokesman. The Foreign Ministry had said it could neither confirm nor deny reports that Rajiv Gandhi had contacts with the KGB.

Last week a Russian daily, had published the text of an old KGB letter to the Central Committee of the Soviet Communist Party which said that Rajiv Gandhi had conveyed through the KGB his "profound gratitude for assistance to the Prime Minister's family in the form of commercial deals between the Indian company it controls and Soviet foreign trade organisations." The late Prime Minister was also alleged to have specified that "a considerable share of the money received through this channel has gone to support the party of R. Gandhi."

However, Mrs. Samolis did not think the KGB had played first fiddle in the affair. "I would above all point to the State System and the party that was its backbone. The KGB could not stretch its arms farther than the party would let it," she said.

HINDU, July 4, 1992



Photograph 1
The facsimile of the business card
of Ganpati shop located on Viale Regina
Margherita, or Regina Margherita Street,
in Orbassano, near Turin Itali

Handwritten
-3/2/98

The Cinderella of Orbassano

By Vaiju Naravane

ORBASSANO (Northern Italy), Feb. 22.

The first floor office is small and unpretentious. An overly pink Rajiv Gandhi smiles down at visitors, sharing the wall space with a silver crucifix and Italy's President, Mr. Oscar Luigi Scalfaro. The bespectacled, mild-mannered man who sits at the functional but cluttered desk gives a faint smile. "Yes, I know that photograph looks like one of the holy pictures of the saints issued by the Church," says Mr. Graziano Dell'Acqua, Mayor of Orbassano. "Sonia Gandhi's mother Mrs. Maino came to me with the picture and a message from Sonia to ask if we would honour the memory of her husband. I was very happy to oblige."

Orbassano, the place where Sonia Gandhi nee Maino grew up, is a small, dusty town on the outskirts of Torino, headquarters of Fiat Automobiles. Most of its 21,000 inhabitants either work at nearby Fiat factories or are in some way dependent upon the automobile giant. With the exception of the tiny church square which has a certain distinction, Orbassano is a muddle of ill-constructed apartment blocks and individual houses, hurriedly slapped together in the early 50s when industrial suburbs mushroomed overnight in the wake of the post war boom in northern Italy. There is no beauty and little charm. Orbassano is resolutely low brow and middle class.

"This is not a rich town. When I came here in 1961, there were only 6000 inhabitants. We then had three successive waves of immigration — first from Calabria, then Sicily and then Sardegna. Sonia's father came here even before that, in the 50s. I remember Sonia as a young girl. She was like any other teenager, enjoying dancing, going out, as young people do. She hasn't been back since I have been Mayor or if she has we haven't known of it. Just as well, it would present a serious security problem which we wouldn't be able

to handle.

"We are proud of her. For us she is the daughter of the soil who has made good. We have two distinguished Orbassanians, the first is Cardinal Martini, the Archbishop of Milan and the second is Sonia Gandhi. I know she has renounced Italian nationality. But I would gladly make her an honorary citizen of Orbassano. I don't know what she's like now, but I think if he chose her," says Mr. Dell'Acqua throwing a quick look at Rajiv Gandhi's smiling face. "then she must be a very special person."

The old gentleman carrying a cane and downing a glass of Fernet Branca is more loquacious. "I knew Stephano or rather Eugenio Maino. He's been dead these past ten years or more. Came here penniless as a mason and made good. Started a small construction business. Brought up his daughters in the old traditional way - church, confirmation, communion. Suspicious of foreigners, he was. I don't think Sonia's marriage pleased him very much." I ask him about Stephano alias Eugenio Maino's alleged fascist sympathies.

"That shouldn't surprise you. He came from Asiago not far from Vicenza in the Veneto region where nationalism was strong. He fought in the Russian campaign alongside the Germans and remained true to fascist nationalist ideology all his life. He even gave his three daughters Russian names. He admired the Duce. Many still do," says Giovanni referring to Italy's war-time fascist dictator Benito Mussolini. "Things are different now. We even have an Indian municipal councillor."

The Maino residence in Via Bellini is closed and shuttered. It is a large two-storey house painted a dull, dark ochre with chocolate brown shutters. The high gate bears a dog warning. The neighbourhood is a mixture of Sardinian, Calabrian and Sicilian with a sprinkling of north Italian names: Podda, Loe, Bertolino. "They are out today. Yes, definitely, not even the dog is barking. Usually there is so much hustle and bustle. Several visitors. Perhaps you

should try Anuska's shop at the Pyramid commercial centre down at Rivolta. It's just a couple of kilometres away," says a helpful neighbour.

✓ The shop called Unica is located in a deserted and depressing commercial complex topped by five monstrous, pyramidal structures painted an ugly green. Carrying the Egyptian analogy further, it is an oasis of good taste in a desert of semi-urban kitsch. There are some rare old pichvais. A couple of exquisite silver pieces from Bikaner. The display is an intelligent combination of old and new, antique object and recent Indian artefacts. The prices are astoundingly high. And then the shop sells goods like Shahstoosh shawls the sale and export of which is banned. "I can't tell you the exact price of this shahstoosh. I received it just a few days ago and the price has not been finalised, but it will not be less than five to six million lire — Rs. 1.2 lakhs." the shop assistant tells me. A wooden cupboard from Kerala is priced at three million lire. The pichvais easily cost the equivalent of a lakh and a half rupees each.

The shop assistant is visibly nervous. She has obviously been instructed not to talk. I ask about Mrs. Sonia Gandhi. "I don't know," she blushes. "I'm told she comes from a place not far from here." And the shop has no connection with the Maino family, I persist. "No. The owner is someone from Torino and there is no connection whatsoever with the family of Sonia Gandhi," she says.

Gianlucca Gobbi works for Radio Flash an independent radio station in Torino. "Mrs. Sonia Gandhi is quite admired in Torino. They call her the Cenerentola or the Cinderella of Orbassano. Of course people have heard about the financial scandals surrounding Rajiv Gandhi but the Italians are so used to corrupt politicians that they tend not to hold that against her. However, am surprised at what they told you at the shop. Why should they deny links with the Gandhi family? What do they have to hide?

Subject: FW: Rajiv Gandhi

Date: Sat, 23 Feb 2002 17:49:12 +0530

From: "Subramanian Swamy" <ilky@satyam.net.in>

To: "JANATA PARTY" <janata@eth.net>

-----Original Message-----

From: Todisco Margot (tod), ZO KKC [<mailto:tod@ringier.ch>]

Sent: Thursday, April 05, 2001 3:14 PM

To: 'swamy@fas.harvard.edu'

Subject: Rajiv Gandhi

Dear Sir

We refer to your E-Mail of April 4, regarding an article in our magazine Schweizer Illustrierte of November 11, 1991. In this article - Fluchtgelder - Die Schweizer Konten der Diktatoren - is Rajiv Gandhi named with tot. 2.5 Milliarden CHF on secret accounts. If you want this magazine, please indicate your exact address.

Yours faithfully
Ringier Ltd.
Margot Todisco

Margot Todisco / KKC 1 phone: +41 62 746 38 31
Ringier AG fax: +41 62 746 35 71
Brühlstrasse 5 <<mailto:margot.todisco@ringier.ch>>
CH-4800 Zofingen <<http://www.ringier.ch>>

**SCHWEIZER
ILLUSTRIE**



Ski-Abenteuer

mit Bernhard Russi, Zoe Haas, Dani Mahrer, Art Furrer,

diesem Einziehungsverfahren unterliegen, bekämen die von ihrem Mann gehorteten Millionen die Philippinen.

«Ich bin nicht zurückgekommen, um mich zu rächen. Ich will Gerechtigkeit», verkündete Imelda bei ihrer Ankunft voller Pathos. Und tatsächlich stellte sie sich tags darauf beim Staatsanwalt, damit dieser ein Strafverfahren wegen «Verschwendung und Veruntreuung von Staatsgeldern» gegen sie eröffnen konnte. Doch nicht späte Einsicht oder gar Reue trieb die Diktatoren-Witwe dazu, sich zu stellen. Ein Trick ihrer Anwälte, das Verfahren zu verzögern. «Während wir mit dem Einziehungsverfahren relativ rasch zu einem Urteil gekommen wären», erklärt Salvioni, «dauert das Strafverfahren sehr viel länger. Offensichtlich versucht Imelda noch einmal, das

Ganze auf die lange Bank zu schieben.» Denn: Auch wenn der philippinische Staat im Einziehungsverfahren recht bekommt, fliesst kein einziger Franken nach Manila, solange das Strafverfahren gegen Imelda hängig ist.

«Frau Marcos», so Salvioni, «hofft auf die Präsidentschaftswahlen im kommenden Mai. Darauf, dass dann ein neuer Präsident an die Macht kommt, mit dem sie sich auf ihre Art arrangieren kann.»

Tatsächlich ist es unwahrscheinlich, dass Frau Aquino auch nach den Wahlen vom kommenden Frühjahr noch Präsidentin der Philippinen sein wird. Und ob ihr Nachfolger ähnlich unbittlich auf die Rückgabe der Millionen drängen wird, ist zweifelhaft.

Just in den Tagen, als Imelda und ihre Anwälte diesen neusten Trick ze-

brierten, fegte über den Südwesten des Inselreichs der Tropensturm «Thelma» und riss mehr als 6500 Menschen in den Tod. Am schlimmsten wüteten die Unwetter auf Leyete, der Geburtsinsel von Imelda. Die internationalen Hilfsorganisationen riefen in aller Welt zu Spenden auf. Millionen werden nötig sein, um die Folgen dieser vierten Naturkatastrophe, welche die Philippinen in nur 16 Monaten heimsuchte, zu lindern.

Guy Fontanet, der Genfer Anwalt von Corazon Aquino, hat einmal gesagt: «Die Eidgenossenschaft unterstützt ein Schulprojekt auf einer Insel mit einer Million Franken jährlich. Zur gleichen Zeit liegen 500 Marcos-Millionen auf Schweizer Banken. Die würden allein 25 Millionen Franken Zins abwerfen. Das ist doch unglaublich.»

Fontanet ist überzeugt: «Dieses Geld gehört dem philippinischen Volk.»

Und möglicherweise liegen auf Schweizer Banken nicht «nur» die 500 Millionen, die zurzeit eingefroren sind. Deutsche Medien warteten vergangene Woche mit der «Enthüllung» auf, im Zollfreilager des Flughafens Zürich-Kloten – unter einer Kontonummer der Schweizerischen Bankgesellschaft – würden 1080 Tonnen pures Gold im Wert von fast 18 Milliarden Franken liegen. Dies zumindest behauptet der deutsch-australische Abenteuer und Gelegenheitsagent Reiner Jacobi, der in Aquinos Auftrag und auf Provisionsbasis nach Marcos-Schätzen jagt.

Die SBG hingegen dementiert vehement: «Das ist grotesk.» Aber Jacobi, der im Sommer kurzzeitig festgenommen worden war, weil er versucht haben soll, in die Computersysteme von Schweizer Grossbanken



Der Anwalt und seine Klientin: Sergio Salvioni soll für Corazon Aquino die Marcos-Millionen «auftauen».



Fotos: Les Soria/Sygnia, Remy Steingigler

Die Sch

250 bis 300 Milliarden Franken aus der Dritten Welt liegen auf unseren Banken, hat die US-Beraterfirma McKinsey errechnet. Oft ist es Geld blutiger Diktatoren

Mit dem Fluchtgeld, das auf Schweizer Banken liegt, so Experte, könnte die Hälfte der Schulden der Drittwelt gedeckt werden. Marc war beiläufig nicht der einzige Schweizer Korrupter, der hat jeder Diktator, der was auf sich hält.



Soko Mobutu Zaïro

Soll 6 Milliarden Franken auf Schweizer Konten versteckt haben.



Suharto Indonesien

Tot. Hatte 25,5 Milliarden Franken in der Schweiz und Engl

weizer Konten der Diktatoren



**Idi Amin,
Uganda**

Geschätztes Vermögen in der Schweiz: einige Millionen Franken



**Anastasio Somoza,
Nicaragua**

Tot. Grösster Teil seiner 750 Millionen Franken lagern in der Schweiz.



**Jean-Claude Duvalier,
Haiti**

750 Millionen Franken Auslandvermögen. Grösster Teil in der Schweiz.



**Manuel Noriega,
Panama**

15 Millionen Franken aus dem Drogenhandel, Teile davon in der Schweiz.



**Nicolae Ceaușescu,
Rumänien**

Tot. Geschätzter Goldschatz in der Schweiz: 600 Millionen Franken.



**Haile Selassie,
Äthiopien**

Tot. 22,5 Milliarden Franken Auslandvermögen. Grösster Teil in der Schweiz.



**Abu Nidal,
Palästinenser**

Millionen auf Schweizer Konten unter dem Namen von Freunden.



**Jaafar Numeiri,
Sudan**

Hat bis 1985 den Schweiz Banken 34 Millionen Franken anvertraut.



**Saddam Hussein,
Irak**

Guthaben auf Schweizer Konten: 700 bis 800 Millionen. Mindestens.



**Jean-Bé Bokassa,
Zentralafrika**

Fast alle Wertgegenstände, vor allem Diamanten, in Schweizer Safes.



**Rajiv Gandhi,
Indien**

Tot. 2,5 Milliarden Franken auf indischen Geheimkonten in der Schweiz.



**Reza Pahlavi,
Iran**

Tot. 5,7 Milliarden Franken verteilt auf 25 Schweizer Banken.



Money laundering

As in other leading financial centres, so too in Switzerland there is the danger that money from illegal activities can be channelled into the mainstream economy in order to give it the appearance of legality. Despite considerable efforts at both the national and international levels the fight against money laundering is as urgent as ever. Although globalisation has brought advantages to the financial markets in recent years it has also contributed to the internationalisation of money laundering and related problems. It is thus increasingly important to further strengthen international co-ordination and co-operation in this area.

In the past 25 years Switzerland has adopted a number of measures to combat the misuse of its financial centre for money laundering. The laundering of funds obtained from illicit activities has been a criminal offence for more than a decade. The Money Laundering Act of 1998 made it obligatory for all financial intermediaries - i.e. not just for banks – to report suspicious transactions. Two reviews by the Financial Action Task Force against Money Laundering, which is the leading international working group in the fight against such practices, have confirmed that Switzerland has one of the world's most up-to-date legislations in this field. Switzerland plays an active part in all relevant efforts at the multilateral level.

▶ **Tasks**

▶ **Documents**

- ▶ Consistency of foreign policy
- ▶ Ethics in international economic relations
- ▶ The Swiss financial centre
- ▶ Banking secrecy
- ▶ Foreign policy aspects of Switzerland's position within the international financial institutions
- ▶ Export promotion
- ▶ Sanctions
- ▶ Conflict diamonds
- ▶ Ill-gotten assets of politically exposed persons
- ▶ Corruption
- ▶ Switzerland - Second World War: consequences and measures
- ▶ Financing terrorism
- ▶ **Money laundering**

▶ **Links**

Additional information

[Combating Money Laundering and Organised Crime](#). - Chapter V of "Swiss Financial Centre - a documentation"

Federal Act on the prevention of money laundering in the financial sector (Money laundering act - MLA). - Unofficial translation

PDF [The document is available in PDF format \(55K\)](#)

Websites of institutions which deal with the question of money laundering:

- [Money Laundering Control Authority](#)
- [Money Laundering Reporting Office Switzerland](#)
- [Financial Action Task Force against Money Laundering \(FATF/GAFI\)](#)



4-38
No. G. 9455/PM/VIP/2001

वित्त मंत्री

भारत

नई दिल्ली-110001

FINANCE MINISTER

INDIA

NEW DELHI-110001

26 JUN 2001

Dear Dr. Swamy,

Thank you for your letter dated 16th June, 2001 regarding the bank account and security purchases by a firm controlled by Rahul Gandhi, son of Ms. Sonia Gandhi, the Leader of the Opposition in Lok Sabha.

With regards,

Yours sincerely,

(YASHWANT SINHA)

Dr. Subramanian Swamy,
President, Janata Party,
A-77, Nizamuddin (East),
NEW DELHI.

Dr. Subramanian Swamy Ph.D. (Harvard)
President, Janata Party
Minister for Commerce, Law & Justice (1990-91)
Chairman (with Cabinet rank), Commission on Labour
Standards and International Trade (1994-96)
Member of Parliament (1974-99)



JANATA PARTY

A-77, Nizamuddin (East) New Delhi - 110 013
Phone : 4647388, 4649063 Fax : 4647388
Mobile : 9810194279
Website : www.janata.org
E-mail : swamy@fas.harvard.edu

June 16, 2001

Mr. Yashwant Sinha
Finance Minister,
North Block,
New Delhi-110 001.

Dear Yashwant ji,

I hope you have recovered fully from your surgery. I am writing this letter to apprise you of some information I have received regarding the bank account and security purchases by a firm controlled by Rahul Gandhi-son of Ms.Sonia Gandhi, the Leader of the Opposition in Lok Sabha.

According to my information, Mr. R. Gandhi operates an account with the Credit Swiss First Boston bank (CSFB) and on behalf of a investment company owned by some persons in Netherlands. Deposits in this account are used for purchase of securities by Mr. R. Gandhi.

Recently some "hot" money was deposited in this account. One such deposit was from an account operated by one Mr. M.S.K. Zieger on behalf of a Trust. Mr. Zieger is also Dutch citizen. The deposit came from a transfer from this Trust's account in Bank of America Trust and Banking Corporation, 67, Fort Street, P.O. Box 1092 GT, grand Cayman Islands.

The US revenue authorities have launched an investigation into hot money deposits in CSFB. I believe based on information supplied by the US Government, the Securities and Exchange Board of India (SEBI) has put a ban on security trading in India by CSFB, for its roll in share price manipulation and a probe has also been ordered by the Financial Services Authority (FSA) of U.K.

The Press Trust of India also has reported from London on June 14th that in the US, the Securities and Exchange Commission (SEC) has launched an investigation into the alleged fraud by CSFB in share allocations in the flotation of high-tech stocks.

In view of this, I think it proper if the Finance Ministry through the Enforcement Directorate ask Ms.Sonia Gandhi and Mr. Rahul Gandhi to make a full disclosure of all the shares that they hold and details of bank accounts that they operate abroad.

In addition, ED may approach the CSFB and US authorities on the nature of hot money deposits in Rahul Gandhi's accounts in London and US, and trace Mr. M. S. K. Zieger as well.

Best regards and wishes for your speedy recovery.

Sincerely yours,

(SUBRAMANIAN SWAMY)

PIONEER

New Delhi, Thursday December 21, 2000

* Air surcharge extra if applicable Late City Vol. 10 Issue 353 Pages 16 Rs. 2.00

Ottavio: Master of money laundering

... ARRESTED IN MALAYSIA 13 YEARS AFTER BOFORS BRIBES

Deepak Sharma
New Delhi



HE IS a master of the art of money laundering --- a rare quality which brought him close to politicians, arms dealers, and, yes, even sultans. In Malaysia, Ottavio Quattrocchi is reported as brushing shoulders with Kuala Lumpur's who's who and is known for his wit and knack in handling big money, either black or white.

With the money and the bank accounts appearing and resurfacing in rapid succession, for the CBI it has now become a "billion" dollar question to trace payments made by AB Bofors to Quattrocchi.

For the last three years, the agency had

been busy tracking his secret bank accounts, amounting to \$92 million. However, all the efforts of India's premier investigation agency have proved futile.

The master money launderer, who can dexterously transfer millions of dollars to several countries in a day, has allegedly opened new accounts in some South-East Asian countries, including Malaysia. "From country to country and bank account to bank account, he knows how to transfer money across continents. He is a financial wizard, an expert in handling such operations," said a senior CBI official who has been tracking Quattrocchi's bank accounts for a couple of years.

His operations are truly mind-boggling. Just sample this: Initially \$7,343,941.98 was deposited in the Swiss Bank account of AE Services (at the consent of AB Bofors) for Quattrocchi. The money was soon shifted to the account of his frontline investment company, Colbar Pvt Ltd. When the CBI registered a case in 1990, the amount had already been shifted to another bank under Wetelson Overseas Ltd.

Sensing trouble, Quattrocchi then di-

vided the amount and deposited it in banks operating in two separate countries. With the help of an Egyptian businessman, he opened one account in Austria and another in the Guernsey Islands, UK. Through letters rogatory, the CBI traced the money in Ansbacher, where Quattrocchi had opened yet another account in the name of International Investment Development Corp Ltd.

Again, before any legal action could be taken, the amount went to another account --- of Swiss Bank Corporation (SBC), New York.

Meanwhile, the Austrian authorities allowed the CBI to examine the bank documents. But Quattrocchi was quick to siphon off the money and transfer the amount overnight to a Swiss Bank in Geneva.

"For us, the last traceable bank account of his was with the SBC, New York. We are not sure whether the money is now in the US or in Switzerland. We also suspect that a substantial part of it had been transferred to Malaysia. Our efforts are on," disclosed a CBI official.

Pioneer News Service
New Delhi

THE MORE than decade old Bofors pay-offs case has again sprung to life with controversial Italian businessman and a key accused, Ottavio Quattrocchi, being arrested on Wednesday and later released on bail by the Malaysian police in Kuala Lumpur. Quattrocchi's passport has been seized and the court has instructed him not to leave Malaysia. This has restricted his movements and brought him a step closer to the Indian law enforcement agencies. Addressing a crowded Press conference, Central Bureau of Investigation (CBI) Director R K Raghavan said that efforts are now on to extradite the Italian businessman.

"It is a big achievement for us. At our long pending request, the Malaysian authorities have finally effected the preliminary arrest of Quattrocchi in the Bofors case," Mr Raghavan said.

Contd on Page 4, Col 7



DR. SUBRAMANIAN SWAMY Ph.D. (Harvard)

President, Janata Party (1989-)
 Minister for Commerce, Law & Justice (1990-91)
 Chairman (with Cabinet rank)
 Commission on Labour Standards (1994-96)
 Professor of Economics: IIT Delhi (1969-91) &
 Faculty of Economics, Harvard (1963-9; 1985-6; 2000-4)



JANATA PARTY

A-77, Nizamuddin (East) New Delhi - 110 013
 Phone : 24353805 Fax : 24357388
 Mobile : 9810194279
 Website : www.janataparty.org
 E-mail : swamy@post.harvard.edu

February 2, 2004.

Mr.U.S.Misra,
 Director,
 CBI,
 CGO Complex,
 New Delhi.

Re: Complaint of offences committed under IPC, RPA, 1950, 1951 and
 PCA, 1988.

Dear Sir,

1. I enclose with this a news item in the Indian Express based on Reuter's report that the Congress Party headed by Ms. Sonia Gandhi has been receiving funds as bribes from the erstwhile ruler of Iraq Mr. Saddam Husain.
2. It is a cognizable offence. You may immediately register an FIR into the offences committed as per information contained in the Reuter's report and investigate the same with intimation to me as Complainant.

Yours faithfully,


 (SUBRAMANIAN SWAMY)

INDIAN EXPRESS, JANUARY 28, 2004.

Saddam greased palms for support, says report

■ List has names from Russian Church, PLO to Cong

KHALED YACOUB OWEIS
BAGHDAD, JANUARY 27

IRAQ will investigate allegations that officials and businessmen worldwide illegally received oil in exchange for supporting Saddam Hussein, officials said on Tuesday.

Their statements came after *Al-Mada*, a Baghdad newspaper, published a list it said was based on Oil Ministry documents showing 46 individuals, companies and organisations from inside and outside Iraq who were given millions of bar-

rels of oil. "I think the list is true. I will demand a probe. These people must be prosecuted," Naseer Chaderji, a Governing Council member, said.

The list includes members of Arab ruling families, religious organisations, politicians and political parties from Egypt, Jordan, Syria, the UAE, Turkey, Sudan, China, Austria, France and other countries. Organisations named include the Russian Orthodox Church and the Russian Communist Party, India's Congress Party and the PLO.

Assem Jihad, an Oil Ministry spokesman, said documents looted from the Oil Ministry after Baghdad fell to US forces on April 9 may prove that Saddam used bribery to gain support. "Anyone involved in stealing Iraqi wealth will be prosecuted," Jihad said.

Officials say they have stopped selling oil to companies that may have acted as fronts to Saddam supporters. An Iraqi National Congress spokesman, said even Arab oligarchs from oil producing nations received oil. — Reuters

WHAT A COINCIDENCE!

DRAW YOUR OWN CONCLUSIONS!!

When Mrs. Indira Gandhi was shot by her bodyguards, she fell down unconscious but did not die. Her aides wanted to take her to All India Institute of Medical Sciences (AIIMS) right away, instead, at the insistence of Mrs. Sonia Gandhi, she was first taken to Ram Manohar Lohia Hospital and she later changed her mind and instructed the driver to take Mrs. Indira Gandhi to the AIIMS. Due to this confusion and delay, and excessive bleeding in the meantime, Mrs. Gandhi died at the AIIMS.

Mr. Sanjay Gandhi took off in his plane and after a few minutes, his plane came down and crashed on the ground without exploding or catching fire. Why did it happen like this? Because there was no fuel in the plane.

Mr. Jitendra Prasad, a veteran Congress leader and a long-time critic of Mrs. Sonia Gandhi, died of food poisoning.

One day a young Congress leader, Rajesh Pilot received a call from Mr. Arjun Singh requesting him to come to Delhi for an urgent Congress Party meeting. When he was riding a car to the airport, a bus hit his car and Mr. Pilot was killed. There was no report of any other injury or damage.

Mr. Madhau Rao Scindia took off in a private plane. At the time of take-off, his fuel gauge showed that the tank was full, but the plane crashed because it ran out of fuel.

On February 5, 2002 I wrote a letter to Mr. Balyogi, then the speaker of the Indian Parliament, in which I requested that he should investigate Mrs. Sonia Gandhi's false statement to the Lok Sabha about her qualifications as his legal duty as a speaker of the Lok Sabha. After a few days, I talked to him and he assured me that he was going to write to Mrs. Gandhi seeking her explanation. A few days after this conversation, his helicopter crashed after it ran out of fuel.

In March, 2003, I met Mr. Narsimhan Rao and urged him that as a senior leader, he should stand up against Mrs. Gandhi and his response was, "She will get me killed".

There has been no investigation of any of the above incidents even by the Non-Congress governments and only God knows whether all of the incidents were mere coincidences or well planned operations.

Jitendra Kumar
6241 Executive Blvd.
Rockville, MD 20852, USA
(301) 984-7050