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Why Congress's top spokesperson may not like to raise the BJP's petrol pump scam

Two-judge panel tells Supreme Court that Girija Vyas's pump be cancelled. Its reason: she fixed interview, pulled strings, fudged records. She says: 'I won't give it up'

AMITAV RANJAN & ANURADHA NAGARAJ

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NEW DELHI/ UDAIPUR, OCTOBER 23: Yamuna Filling Station is the first petrol pump as you drive out of Udaipur onto National Highway 8, heading to Ahmedabad. Just like the over two dozen pumps on this 8-km stretch. It's only when you stop, walk right to the glass pane that you see, in bold letters, the name of the dealer: Dr Girija Vyas.

She is the only senior Congress leader—she is the party's chief spokesperson now—whose name figures on the list of 297 allotments of petrol pumps, LPG and kerosene outlets that the Supreme Court wants cancelled. This follows *The Indian Express* investigation that blew the lid on a story of patronage during the BJP-led NDA regime, one that the Congress then used to claim the moral high ground.

Today, however, Vyas says she is not giving up her pump. "I haven't done anything wrong," she claimed to *The Sunday Express*, "and will present all the facts before the court or commission or whoever is going to probe this issue. It is my right to do that. And it is my duty to go by what the courts decide eventually. I am not surrendering yet."

Yes, it's Vyas's right to challenge the cancellation but the findings of the two-judge committee show that she will have a tough time doing it. For, the panel has pinned her down on four specific counts: using influence to fix her interview; using her position to bear upon selection of board members, submitting wrong income-tax returns. And, not giving up her membership to Parliament after selection.

The panel's findings flesh these out:

- Although her interview was first fixed for April 23, 2001 and then on June 4, it was shifted twice on Vyas's request to June 6. Her interview was very short, held barely before the end of the time fixed for the interviews.
- This, the committee, felt was the first sign of "latitude" to Vyas by the Dealer Selection Board. Incidentally, she was not only an MP but also a member of the Petroleum Ministry's Consultative Committee.
- That position also helped her against her competitor to score high marks on qualification, said the judges. A better candidate, they felt, was runners-up Namita Jain, who was a graduate with post-graduate diploma in computer science, and had worked in the Urban Cooperative Bank where she was given a commendation certificate for handling customers. In addition, Jain was a widow as her husband had passed away in 1994.
- Considering that two members of the DSB were officers from oil companies which is controlled by the Petroleum Ministry, the judges were of the opinion that Vyas's position in the Consultative Committee resulted in a biased evaluation of qualifications.
- Vyas failed to fully disclose her income. A letter from Registrar of Mohan Lal Sukhadia University showed that Vyas was working as an Associate Professor until October 10, 1999 whereas the income statement furnished by her did not indicate the amount received from the University during April-September 1999.
- Vyas did not include the pension she receives for being an ex-MLA while certifying that her income was below the mandatory Rs 2-lakh ceiling. Vyas was MLA from Udaipur City during 1985-1990.
- Dealer selection rules seek a full-time dealer to run the pumps. The committee was of the view that Vyas should have resigned from Parliament after her selection. Vyas did not do so.
- In fact, her affidavit, submitted after the scam probe started, made it clear she had no intention to do so. She had, therefore, failed to abide by the pledge she had submitted while applying for the dealership.

At the pump, sitting in the shadow of "Super Seller" and "Best Volume Growth" awards, Vyas's nephew Hari Sharma has a resigned air. "In India, the courts are supreme and there is no

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question of fighting against them," he says. "Girija ji wanted to surrender the place the minute her name figured on the blacklist. But we argued with her and told her to put her emotions aside and be practical. This is her only source of income. Once this goes, she will be on the road."

Sharma says Vyas quit her university teaching post to qualify for the allotment. However, papers with *The Sunday Express* show that Vyas was on leave from the Mohan Lal Sukhadia University since October 1999, almost a year before the advertisement for dealership was issued on August 2000.

But Sharma is not willing to let go so easily. "We were given this deal for five years and for the last four years we have invested accordingly. With nine months to go they will scrap it and leave us with nothing. It is just not fair."

"Look at all the work we have done here," he says. "The lawns, lighting, everything has cost us money. We have spent up to Rs 30 lakh on this and with just one more year of our dealership contract left, they want to take it all away. Who will compensate for our losses?"

That's a question Vyas should have thought of before she painted her name on the glass pane.

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