

PRESS RELEASE

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Randeep Singh Surjewala, Incharge Communications, AICC has issued the following statement to the press today:-

Justice S.N. Dhingra Commission of Inquiry has become a political tool for malicious witch hunt by BJP government. RTI record and subsequent events establish a political agenda of vendetta and revenge unleashed by RSS and top BJP leadership with the sole aim of keeping the issue alive for muckraking and mudslinging. Constitution of the Commission, subsequent amendments in its scope, proceedings of the Commission and conduct of the Hon'ble Judge heading the Commission unequivocally point towards a predetermined animosity and a 'fixed match' with utter disregard for truth or facts. I draw your attention to the following:-

1. Constitution of Dhingra Commission (record of which is now available through RTI) was itself stillborn and emanated from malafides. Shri Manohar Lal Khattar unilaterally ordered constitution of Dhingra Commission on 13.05.2015 (copy attached) without there being any material available with him on the record and without taking approval of Council of Ministers or Legislature of State of Haryana. There was complete absence of even whisper of any 'matter of public importance' as mandated by Section 3 of the Commission of Inquiry Act, 1952. Even selection of Justice S.N. Dhingra was completely arbitrary as no other judge was considered and Shri Khattar autocratically hand-picked his name for selection.

Shockingly, Dhingra Commission at the very onset, found that since no licence was ever applied in the area of Sector-83, Gurgaon, nothing could be probed. Consequently, Justice S.N. Dhingra himself proposed and decided his own terms of reference. This must be the first case in Independent India's history where a Commission has decided its own terms and government has merely accepted the same as proposed without any application of mind. (Copy of RTI documents attached).

2. That between the year 1981 to 2016, various governments in Haryana have issued licences (CLUs) for 33,697.57 acres of land. Out of these, nearly 1/3rd i.e. about 10,000 acres have been licenced in Gurgaon alone.

The very fact that Khattar government chose to appoint a Commission for looking at mere 16 licences (out of 1558 licences in Gurgaon) comprising of about 63 acres (out of a total of 33,697.57 acres) speaks volumes about the predetermined motive and malice involved.

Why did BJP government not order a probe into all licences in the State or at least all licences in Gurgaon, including for hundreds of acres of licences given by Shri Khattar himself in last 18 months?

3. While BJP government has purported to constitute a Commission of Inquiry to frame strict and transparent norms for grant of CLUs, Khattar government has issued a policy dated 18.02.2015 (copy attached) for liberally permitting (a) change in developer, (b) assignment of joint development rights, and (c) assignment of marketing rights without even transfer of licence or transfer of ownership of land.

BJP government has actually made the entire CLU process a 'tradable commodity' opening the flood gates for trading of FSI (Floor Space Index) as if it was a commodity. Hence, BJP has introduced a new concept of 'Market of CLUs'. What, then, is the justification for constitution of Commission at all?

4. Justice S.N. Dhingra has compromised his position as an independent and neutral player by accepting favours from Government of Haryana for a trust headed by him, including accepting gift of land for this trust from a private individual. Following may be noted:-

- (i) Justice Dhingra heads Gopal Singh Charitable Trust based in Niti Bagh, New Delhi. A private individual in Gurgaon has proceeded to gift a chunk of land to this trust leaving aside a few thousand trusts operating in Haryana including many such trusts and NGOs located in Gurgaon. A valid question arises qua the reasons, persuasion and circumstances for such a gift to a trust headed by Justice Dhingra in Delhi. This positively needs to be examined.
- (ii) Justice Dhingra then wrote to Government of Haryana on 08.12.2015 asking for construction of a cement concrete paver blocks road for connecting the land so gifted to the trust out of the funds of public exchequer of Haryana. Government of Haryana also acted with alarming speed and sanctioned the road on the same day i.e. 08.12.2015. Shri Manohar Lal Khattar even proceeded to sanction a sum of Rs.95,40,000/- for this road (copies of above attached). As against this, claims of villagers in the surrounding area seeking construction of a number of roads for decades have been completely ignored.

Ceaser's wife must be above suspicion. Justice Dhingra, whom we deeply respect, has actually compromised his position raising a serious question on his neutrality, lack of prejudice or bias on account of the aforesaid facts. He cannot continue as Head of the Commission and must either resign or be removed.

5. That on 29th June, 2016; Justice Dhingra gave press and TV interviews clearly stating that he has prepared his report and shall submit the same to CM, Haryana on 30th June, 2016. He even sought an appointment with CM, Haryana.

Suddenly and surprisingly, he changed his mind at the last minute, took a somersault and sought 4-6 weeks time for examination of further documents. This is despite the fact that he had already sought two extensions and had access to all the files and documents. It clearly points towards a further game of vilification and malice being played by BJP government and its top leadership with Justice Dhingra becoming a willing political tool in the process. What is even more surprising is that BJP government has proceeded to give him 8 weeks extension i.e. even more than what he asked for.

Purpose is plain and simple. Let the lies, falsehood, media propaganda and manufactured allegations to malign and defame Congress leadership continue.