

project before going in for any foreign collaboration with any foreign firms?

The Minister of Petroleum and Chemicals (Shri Alagesan): This relates to steam reformation of naphtha. This process was a new process and was recently acquired by FACT from the Power Gas Corporation of U.K. This scheme was taken up much earlier and tenders floated much earlier. This is comparatively a small plant. In order not to lose time and also because of the fact that we had only recently acquired this process and we are going to apply it both at Durgapur and Cochin, this was allowed to go.

Shri S. C. Samanta: May I know whether any other foreign firm was invited for collaboration with this schemes; if not, why this Hitachi Company only has been taken into confidence?

Shri Iqbal Singh: Tenders were called for and seven companies had submitted their tenders. They are Hitachi of Japan, Otto & Co., West Germany, Koppers of West Germany Uhde of West Germany, UCB of Belgium, FRI of Belgium and Onia-Geigi of France.

श्री म० ला० द्विवेदी : मंत्री महोदय ने प्रश्न संख्या 181 के उत्तर में बतलाया था कि अमोनिया की कमी चौथी पंचवर्षीय योजना में पूरी नहीं हो सकेगी। जो ऐप्रिमेंट हिताशी कम्पनी से हुआ है उस में यह लिखा हुआ है :

"the naphtha reformation plant will process 50 tonnes of naphtha a day to supply synthesis mixture for production of ammonia."

में जानना चाहता हूँ कि क्या इतनी अमोनिया नैयार करने से चौथी पंचवर्षीय योजना में कमी पूरी नहीं होगी। यदि नहीं होगी तो उस कमी को पूरा करने के लिए क्या उपाय किया जायेगा।

Shri Iqbal Singh: The Sindri plant is based on coal-based gasification. This is to supplement coal-based gasification by naphtha gasification. There is no question of any ammonia deficit. This is to supplement the production of ammonia in the Sindri plant. This is only a small plant for supply of 50 tonnes a day so that the total production in the Sindri plant may go up to 1,10,000 tons of nitrogen per year.

Shri Indrajit Gupta: From this statement I find that a sum of something over Rs. 38 lakhs is put down as the foreign exchange expenditure for a number of items of which one is the supply of equipment, whereas Rs. 6 lakhs only will be spent for supply of equipment of Indian origin. May I know how much of this Rs 38,11,000 foreign exchange is actually only for the supply of foreign equipment, apart from other items, and has the Government fully explored the possibility of increasing the supply of equipment of Indian origin in relation to this?

Shri Alagesan: The broad question of minimising the imported equipment and maximising the use of fabrication facilities within India whenever we put up a fertilizer plant is always under our consideration and we give preference to fabrication locally. So, in this case as the hon. Member himself has mentioned in the question, it is a consolidated amount that is given. Naturally, a larger part of it will go for the cost of the equipment. In all the fertilizer factories that we are putting up we are trying to use as much as 40 to 50 per cent of indigenously fabricated equipment.

Bharat Barrel and Drum Co. (P) Ltd.

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*185. **Shri Madhu Limaye:**
Shri Kishen Pattanayak:
Dr. Ram Manohar Lohia:

Will the Minister of Petroleum and Chemicals be pleased to refer to the

reply given to Unstarred Question No. 312 on the 27th July, 1966 and state:

(a) the date on which the Bharat Barrel and Drum Manufacturing Co. (P) Ltd. was blacklisted;

(b) the reasons for the delay in conveying this information to the Indian Oil Corporation; and

(c) further action taken by Government against the firm, in the light of the judgement of the High Court?

The Deputy Minister in the Ministry of Petroleum and Chemicals (Shri Iqbal Singh): (a) 25th January, 1964.

(b) General arrangements between the Ministry and the enterprises under it for the reciprocal application of blacklisting orders were finalised only in February 1966. Thereafter, on a report received in the Ministry in April 1966, the fact of the blacklisting in this case was specifically brought to the notice of the IOC during that month.

(c) As connected matters are *sub judice*, Government will await Court decisions before considering any further action.

श्री मधु लिमये : मैं यह जानना चाहता हूँ कि किसी भी फर्म को काली सूची में डालने के सम्बन्ध में जो नियम हैं क्या सरकार ने पब्लिक अकाउंट्स कमेटी की रपट पर यहां जो बहस हुई थी इस की रोशनी में विभिन्न मंत्रालयों को बचाने की दृष्टि से उन में कोई नया परिवर्तन किया है। यदि किया है तो उस का स्वरूप क्या है।

The Minister of Petroleum and Chemicals (Shri Alagesan): We are very much alive to what happens in the House and certainly we have taken note of the discussion that took place on the report of the Public Accounts Committee. The Ministry had specifically brought to the notice of the Indian Oil Company the fact of this particular firm having been blacklisted and shortly thereafter no orders

have been placed by the IOC on this firm.

श्री मधु लिमये : मेरा प्रश्न क्या था और उत्तर क्या है।

अध्यक्ष महोदय : आप ने कहा था कि मंत्रालय को बचाने के लिए....

श्री मधु लिमये : मैंने यह नहीं पूछा था। मैंने पूछा था कि पब्लिक अकाउंट्स कमेटी की 55वीं रपट पर यहां जो बहस हुई थी उस की रोशनी में क्या सरकार ने ब्लैक लिस्टिंग कोड में कोई नया परिवर्तन किया है, और इस नये परिवर्तन का उद्देश्य क्या है, मंत्रियों को बचाना है या नया है। मैं इस की सफाई चाहता हूँ।

Shri Alagesan: I should like to answer this question. I have independently gone into the question of the standardised code. I understand the Cabinet is also going into that question. It has come to our notice that there are several lacunae in the standardised Code which have to be rectified. So, the Government is seized of the matter and the question of reviewing and improving the code is actively under consideration.

श्री मधु लिमये : उच्च न्यायालय के द्वारा जो फैसला दिया गया है क्या उस फैसले में श्रीमनचंद प्यारेलाल कम्पनी के बारे में भी हाई कोर्ट ने कुछ कहा है, यदि कहा है तो उसके सम्बन्ध में मंत्रालय ने जांच शुरू की है...

अध्यक्ष महोदय : जो कुछ किसी जज-मेंट में आता है उस के सम्बन्ध में यह पूछा जा सकता है कि क्या वह कहा है या नहीं कहा है। आपको चाहिये था कि आप देख लें और फिर कहते...

श्री मधु लिमये : उन्होंने उसको पढ़ा है इसलिए यह कह रहा हूँ। मेरी जानकारी यह है कि उस में कहा गया है...

अध्यक्ष महोदय : तो फिर यह कहिये कि यह कहा है ।

श्री मधु लिमये : मैं कहना चाहता हूँ और पूछना चाहता हूँ कि इस जजमेंट में श्रीमती चंद प्यारे लाल कम्पनी के बारे में भी जो कुछ कहा गया है क्या उस के आधार पर इस कम्पनी के खिलाफ अब नए सिरे से कोई जांच शुरू की गई है, यदि नहीं की गई है तो उसका कारण क्या है ।

Shri Alagesan: What is the judgement that the hon. Member is referring to?

श्री मधु लिमये : इस में उल्लेख है । यह पढ़ कर नहीं आते हैं । उसी भाग को देख लें । उ। में यह है :

“further action taken by Government against the firm, in the light of the judgement of the High Court?”

इसी जजमेंट के बारे में पूछ रहा हूँ ।

Shri Alagesan: It is a Special Judge of Greater Bombay who convicted this firm on which the blacklisting order was originally based. The firm appealed to the Bombay High Court over the decision of the Special Judge. The High Court differed from the lower court and vacated the conviction. On that the State Government of Bombay have taken the matter in appeal to the Supreme Court. That is the position.

श्री मधु लिमये : बिल्कुल इरेलेवेट है यह जवाब ।

Mr. Speaker: Were there any comments made by the High Court judgement so far as Amin Chand Pearey Lal are concerned?

Shri Alagesan: I do not know. I do not have the details of the judgement before me.

श्री मधु लिमये : जजमेंट के बारे में प्रश्न है और जजमेंट पढ़ कर नहीं आते हैं । हमारे मप्लीमेंटरीय पूछने का भी कुछ मतलब होता चाहिये। कोई जवाब नहीं मिल रहा है ।

Shri Alagesan: If a specific question is put to me, I can get copies. How can I say whether anything is mentioned in the judgement or not? That is a matter of detail.

श्री मधु लिमये : ऐसा ही चलेगा तो इसके प्रोटैस्ट में मैं वाक आउट करता हूँ। किसी प्रश्न का जबाब ही नहीं आता है । हमारा भी समय बरबाद करते हैं। और रुदन का भी समय बरबाद करते हैं ।

11.32 hrs.

(Shri Madhu Limaye then left the House.)

श्री हुकम चन्द कछवाय : पंद्रह दिन पहले सवाल दिये जाते हैं । इतना इनके पास समय होता है फिर भी ये पढ़ कर नहीं आते हैं । जो इनको दे दिया जाता है उसको आकर पढ़ देते हैं ।

अध्यक्ष महोदय : मैं खुद कहने लगा था। अब मैं किस के लिए बहूँ ।

श्री हुकम चन्द कछवाय : पूरा अध्ययन कर के मंत्री महोदय नहीं आते हैं ।

अध्यक्ष महोदय : इसी की सफाई करने के लिए मैंने पूछा है । उन्होंने कहा है कि मैं वाक आउट करता हूँ ।

Shri Daji: We also wanted to know about that. If one Member walks out, you would not do that.....

Mr. Speaker: What answer has been given to part (c) because the further action taken by Government against the firm in the light of the judgement of the High Court was specifically enquired of? That judgement of the High Court was particularly referred to and, therefore, the Minister must have known that.

Shri Alagesan: In answer to part (c) we have said:—

“As connected matters are sub judice, Government will await

Court decisions before considering any further action."

Mr. Speaker: That is perfectly all right that he has said that it is before the Supreme Court; that appeal has gone, but because it was referred to he should have consulted that judgement also.

श्री किशन पटनायक : मंत्री महोदय जानते नहीं हैं कि यह स्पष्ट हो गया है। मैं जानना चाहता हूँ कि क्या इस मामले के सम्बन्ध में एक शिकायत यह भी उठी थी कि अमीनचन्द प्यारेलाल की कम्पनी ने गलत इनवायर्सिंग की थी और उसका हवाला हाई कोर्ट में आया था और उसके सम्बन्ध में जजमेंट हुआ था, क्या यह सही है ?

अध्यक्ष महोदय : वह कहते हैं कि सुप्रीम कोर्ट में यह मामला है। वह क्या होल्ड करती है, यह देखना है।

श्री किशन पटनायक : हाई कोर्ट की जजमेंट तो हो गई है।

अध्यक्ष महोदय : हाई कोर्ट की जजमेंट पर नहीं होता है।

श्री किशन पटनायक : इतना तो बता दें कि गलत इनवायर्सिंग की शिकायत अमीनचन्द प्यारेलाल के खिलाफ आई थी या नहीं ?

Shri Alagesan: It is not Amin Chand Pearey Lal; it is Bharat Barrel and Drum Company.

Shri Daji: He has not even read the judgement. We have read the judgement.

श्री किशन पटनायक : आप सवाल समझ लीजिए। एक सवाल जब हाई कोर्ट में जाता है तो उस में कई किस्म के मामले होते हैं।

अध्यक्ष महोदय : उस में लिखा है कि अमीनचन्द प्यारेलाल ने अंडर-इनवायर्सिंग किया है ?

श्री किशन पटनायक : यह बात हाई कोर्ट में उठी थी या नहीं ?

अध्यक्ष महोदय : हाई कोर्ट में बात उठी थी, आगुमेंट हो रहे थे, किस किस ने क्या क्या आगु किया, यह सब कैसे आ सकता है ?

यह बता दिया जाय कि क्या सरकार के पास शिकायत आई थी इस मामले के सम्बन्ध में अमीनचन्द प्यारेलाल के खिलाफ अंडर-इनवायर्सिंग को ले कर ?

श्री हुकम चन्द कडवाय : उन को पता ही नहीं है ?

Shri Iqbal Singh: We are not aware of this. This is Bharat Barrel Company. One of the partners of this company was convicted in 1964. Then they went up in appeal against that decision to the High Court and the High Court rescinded that decision, but the State Government has gone in appeal to the Supreme Court against that decision.

During that time, they have taken some stay orders from the Punjab High Court. It is complicated and moreover it is not Aminchand Pyarelal. It is Bharat Barrel and Drum Co. We have asked the I.O.C. not to place any orders

श्री किशन पटनायक : सवाल पूछा गया था स्टील मिनिस्ट्री से इसको पेट्रोलियम मिनिस्ट्री में क्यों दे दिया ?

Shrimati Savitri Nigam: It is a usual practice that the companies which are blacklisted enter the Government departments through backdoor, through their partners and they establish other companies with some other names. I would like to know what action is taken to stop these malpractices, not only to blacklist the companies as such but also the owners of those companies, so that they may not enter the Government departments with other names.

Mr. Speaker: That is only a suggestion. That first part only was for information.

Shrimati Savitri Nigam: What action has Government taken?

Shri Alagesan: The firm wrote that because of their acquittal by the Bombay High Court, the blacklisting order should be revoked. This was not agreed to. Again, this is not Aminchand Pyarelal. This is another party, Bharat Barrel and Drum Co. The party then filed a writ petition in the Punjab High Court which has suspended the blacklisting and this has been conveyed to the Government.

श्री किशन पटनायक : ब्लैकलिस्ट किस ने किया था ?

Shri Alagesan: Action is being taken to contest the writ petition in the Punjab High Court. The case is being pursued properly by the Ministry of Iron and Steel in consultation with the Ministry of Law. The matter is *sub judice*.

Mr. Speaker: Shri Indrajit Gupta.

Shrimati Savitri Nigam: My question has not been answered. I asked about the procedure.

Shri Tyagi: Her question has not been replied to. She put a question whether the firm is blacklisted or the persons involved are also blacklisted. That clarification has to come.

Mr. Speaker: She did not ask in these terms.

Shrimati Savitri Nigam: Yes. You can see the record.

Mr. Speaker: That is another question that Mr. Tyagi put in the mouth of Shrimati Savitri Nigam.

Shri Daji: She meant that; she could not express it.

Shri Alagesan: The firm is blacklisted.

Shri Indrajit Gupta: If I heard the Minister aright, he said that the original blacklisting was done some time

in 1964, probably in February, 1964, but the formal information or order was not conveyed to the Indian Oil Corporation till April, 1966. I want to know whether during this period of a little more than two years it is a fact that this party, Bharat Barrel and Drum Co., was enabled to discharge certain very valuable contracts for supply of barrels and drums to the Indian Oil Corporation and, if so, what is the value of that?

Shri Alagesan: When the original blacklisting took place, it was a blacklisting by the Government. At that time, there was no arrangement that when a firm is blacklisted by Government, *suo motu*, it should be blacklisted by the public undertakings. (Interruption). Please listen. After that, this matter was considered by the Department of Supply in consultation with the Home Ministry and it was decided that when a firm is blacklisted by Government, it should also be blacklisted by the undertakings under Government.

Shri Ranga: That means they agreed with the Government's earlier decision. Let us understand it.

Shri Alagesan: Kindly listen to me. That is what I am saying. Then, it was written to the various Ministries that they should enter into an agreement or an arrangement with the undertakings that this will be so. This took sometime and when it was finally decided that all the undertakings should abide by this, then we communicated the order in April and after that no order was placed. In the interim period, I understand, several orders were placed and they were executed by the firm.

Shri Indrajit Gupta: I wanted to know the value of the orders supplied during the intervening period of two years by this blacklisted firm to the public sector undertaking.

Shri Alagesan: I should like to have notice of that question.

Shri S. M. Banerjee: It would have been better if the Steel Minister had

also been present here, because the question mainly concerns the Steel Ministry.

Mr. Speaker: Shri Kishen Pattnayak also had made that complaint, but the question has been addressed to the Minister of Petroleum and Chemicals in his own handwriting. So, what should my office have done?

Shri S. M. Banerjee: It is because of the pipe-line.

Mr. Speaker: The notice itself is addressed to the Petroleum Minister.

Shri S. M. Banerjee: May I know whether it is a fact that this firm namely Bharat Barrel and Drum Co. (P) Ltd. is a concern of the famous Jalans and whether it is also a fact that even after blacklisting they got regular quotas of steel despite blacklisting, because they have pulls in the Ministry? May I know to what extent this is true and whether this quota was issued despite blacklisting....

Mr. Speaker: A straight question might be asked there should not be these inferences and arguments. The question whether they got the quota is a perfectly valid one....

Shri S. M. Banerjee: Despite the advice of the officer of the Technical Development Wing, the quota was issued even up to last month.

Shri Alagesan: Perhaps, the appropriate Minister should be able to answer this question. This is a matter relating to iron and steel quota. That is dealt with by the Iron and Steel Ministry. So, I shall not be able to answer it.

Shri S. M. Banerjee: I rise on a point of order.

Mr. Speaker: Where is the point of order.

Shri S. M. Banerjee: Kindly hear me. I have a submission to make. In the month of September, when this question was asked, the Finance Minister gave some reply and said

that he wanted notice; he said that if the details were given to him he would investigate into this matter. Now, the Minister of Petroleum and Chemicals also asks for notice. This question has been repeatedly asked in this House, because the Jalans are concerned, and no action is taken against them.

Mr. Speaker: There ought not to be such unnecessary inference in the question. I have said that the sponsor of the question had himself addressed it to the Ministry of Petroleum and Chemicals.

Shri S. M. Banerjee: This is concerning the Bharat Barrel and Drum Co. (P) Ltd.

Mr. Speaker: Whatever that may be, the question that we are now discussing is addressed to the Ministry of Petroleum and Chemicals.

Shri S. M. Banerjee: This arises in a supplementary question.

Mr. Speaker: He has said that another question might be tabled. So, where is the harm?

Shri Shivaji Rao Deshmukh: Under which clause of the blacklisting code was this order of February, 1964 passed? For, the PAC at least had been given to understand that the blacklisting code as it stood even then had a clause by which *suo motu* all the Ministries and Departments of Government and public undertakings had to blacklist the firm.

Shri Alagesan: I am not able to place my hand on the particular clause. But I understand reliably that as it stood at that time, it was not possible for the order to apply *suo motu* to public undertakings under Government.

श्री हुकम चन्द कछवाय : माननीय मंत्री जी ने बताया है कि इस कम्पनी को काली सूची में रखा गया है। मैं यह जानना चाहता हूँ कि इस कम्पनी पर कौन कौन से आरोप हैं

और उनकी संख्या क्या है। मैं यह भी जानना चाहता हूँ कि क्या माननीय मंत्री जी उच्च न्यायालय के फैसले का अध्ययन करके उसको सभा पटल पर रखेंगे।

अध्यक्ष महोदय : वह कैसे इस बार मुरासिम कांटे के सामने है। जब उसका फैसला हो जायेगा, तो उसका अध्ययन किया जायेगा।

श्री हुकम चन्द कछवाय : मरे प्रश्न के पहले भाग का उत्तर दे दिया जाये।

श्री इकबाल सिंह : इस फर्म पर सेक्शन 120 आई० पी० सी० और सेक्शन 7 और 10, एंग्ल कानोडिटीज एक्ट के मातहत आरोप थे। उन सेक्शन के मुताबिक उस फर्म के एक आदमी को जमाना हुआ था और इसलिए वह वर्क लिमिटेड हुई।

Shri Ranga: What is the latest position? The hon. Minister said that in 1964 that was the position that every public enterprise also had to be persuaded to agree to that blacklisting along with Government. Is it the position now that once Government come to the conclusion that a particular firm should be blacklisted all the public enterprises also are to be expected to do the same? May I also know whether the present policy of Government is that when once a firm is blacklisted and then the firm goes to court, till at some stage or the other some finality is reached, the blacklisting would continue and they would not hastily remove it just because one of the courts suggests that blacklisting should be dropped?

Shri Alagesan: The present position is that when once Government blacklist a firm, all the Government undertakings also should treat the firm as a blacklisted firm. In fact, it is not only that. Similarly a public undertaking can blacklist a firm; then that undertaking communicates the blacklisting order or the blacklisting view that they have taken to the Ministry

concerned, and then that Ministry concerned processes it with the Home Ministry, and if they are satisfied that the blacklisting done by the particular undertaking is correct, Government themselves blacklist the firm. So, the arrangement is a reciprocal one. Government blacklists, undertakings blacklist; the undertakings blacklist, then the Government blacklists. That is the position.

As was pointed out, as soon as this High Court order was received acquitting the firm, the firm wanted the blacklisting order to be revoked. We did not revoke it. So they have gone to the Punjab High Court and have filed a writ petition and have got the order suspended. But the Ministry of Iron and Steel has taken it up. It is going to argue the case before the High Court. Whatever be the decision, the matter is *sub judice* now.

This firm has been blacklisted. We have not placed any further order on this firm.

Mr. Speaker: Question No. 186.

Shri Daji: Question 191 may also be answered with this.

Mr. Speaker: It may also be answered.

The Minister of Education (Shri M. C. Chagla): Question 191 is separate, dealing with pay scales of teachers in various States whereas Q. 186 deals with pay scales of Teachers in Delhi. Anyway, if you so desire, I shall answer both together.

Mr. Speaker: If it is convenient for the Minister, he may.

Pay-Scales of Teachers

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- *186. **Shri Yashpal Singh:**
Dr. Ram Manohar Lohia:
Shri Bagri:
Shri Ram Sewak Yadav:
Shri Hukam Chand
Kachhavalya:
Shri Bade:
Shri Eswara Reddy:

Will the Minister of Education be pleased to refer to the reply given to