

at the instance of the Director General, Supplies and Disposals of the Government of India?

(b) If so, is it a fact that the case has been withdrawn by Government?

(c) What were the reasons for the withdrawal of the case?

(d) What was the total amount of money spent on the case?

The Deputy Minister of Home Affairs (Shri Datar): (a) Yes, Sir.

(b) and (c). Yes, the case was withdrawn with the permission of the court as the charge-sheet was not considered to contain sufficient details. This was done in order to put in a fresh amended charge-sheet.

(d) The question of money spent on this particular case does not arise as it is being conducted by the Special Police Establishment Prosecutors who are whole-time Government servants.

Shri Gidwani: Has the attention of the Government been drawn to the remarks made by the Magistrate who has said that he wondered who should be responsible for such a complaint and so much waste of time and public money?

Shri Datar: Yes, Sir. Government's attention has been invited to it, and Government have asked them to make the necessary amendments and give full details so far as the charges of cheating and misrepresentation were concerned.

Shri Gidwani: As for the money spent, who will be responsible for waste of that money?

Mr. Deputy-Speaker: The hon. Minister says there is no special money there.

Shri Nambiar: May I know whether Government have enquired into the reasons why these wrong charges were framed in the original case?

Shri Datar: It was not a wrong charge at all. Certain details had not been given with regard to the submission of certain bills in the original case that had been made, especially for overpayment of Rupees One Lakh and odd, and therefore, it was necessary to make the charges very clear so far as the submission of bills was concerned.

Shri Gidwani: What is the action proposed to be taken against the officers who made such a mistake?

Shri Datar: That question will arise after the case is over.

Shri P. T. Chacko: May I know whether investigations are being carried on even now regarding this case?

Shri Datar: There is no question of investigation. The case was filed, and now a fresh case is going to be filed. Investigation is already completed.

Shri P. T. Chacko: What time would it take for amending the charge-sheet?

Shri Datar: The charge-sheet will be amended and submitted. The charge-sheet has been filed or will be filed before 23rd March, 1953.

Shri T. N. Singh: May I know whether the Legal Department of the Law Ministry were consulted before this case was started?

Shri Datar: I should like to have notice so far as this particular aspect is concerned.

Shri N. Sreekantan Nair: May I know whether the Company filed a suit for the cost of the case?

Shri Datar: I am not aware.

APPOINTMENT OF MESSRS. BIRLA BROTHERS AS MANAGING AGENTS OF MESSRS. CENTURY SPINNING AND WEAVING COMPANY LTD.

*851. **Shri K. G. Deshmukh:** Will the Minister of Finance be pleased to state:

(a) whether the Government of India have approved the draft agreement of the terms of the managing agency appointing Messrs. Birla Brothers; as the managing agents of the Century Spinning and Weaving Company Ltd., Bombay;

(b) whether the said draft agreement was accepted by Government as it is or with some modifications; and

(c) what are the important modifications, if any, made by Government?

The Deputy Minister of Finance (Shri M. C. Shah): (a) to (c). Government have approved the agreement in question subject to the following modifications:—

- (1) The period of appointment should not exceed ten years at a time;
- (2) The Managing Agents should not exercise their power in regard to purchase or sale of capital assets on behalf of the company, except where

the purchase or sale price is within the limits prescribed by the Directors of the company;

- (3) The Managing Agents should not keep with them funds of the company, in current account, exceeding Rs. 25,000/-
- (4) No compensation should be paid to the Managing Agents if they have been dismissed from office for convictions for any non-bailable offences or have been guilty of gross misdemeanour or have worked for a period of less than two years; and
- (5) The Managing Agents should not supplement their earnings with buying or selling commissions or otherwise, even with the sanction of the company at its general meeting

2. The shareholders of the managed company have also approved of the appointment of Managing Agents, on these terms.

Shri K. G. Deshmukh: May I know, Sir, whether Government invited tenders from other firms than this one, and if so, how many tenders did Government receive?

Shri M. C. Shah: There is no question of inviting tenders. There were certain interests of these two concerns, and one concern, i.e., Birlas, took over the management, and then the Managing Agency was to be transferred. And so, under the Indian Companies Act, they applied to Government for permission for the transfer of the Managing Agency.

Shri K. G. Deshmukh: May I know, Sir, the remuneration sanctioned to Birla Brothers for the management of these Mills?

Shri M. C. Shah: Ten per cent. on the net profits, subject to a minimum payment of Rs. 50,000/- per year in the case of absence or inadequacy of profits.

Shri Nambiar: May I know why this Birla Brothers were selected as the Managing Agents while many other firms are prepared to accept the offer?

Shri M. C. Shah: I have already stated that there were two interests: one was Navinchand Mafatlal who held a certain number of shares, and the other Birlas. Now, Mafatlal sold the shares to Birlas. Birlas have a controlling interest, and in the general meeting they were appointed Managing Agents.

REVIEW OF OLD CASES OF CONFIRMATION

***852. Pandit D. N. Tiwari:** (a) Will the Minister of Rehabilitation be pleased to state whether it is a fact that old cases where the orders of confirmation have been passed by the Deputy Custodian of Evacuee Property of Bihar, are being reviewed by the Deputy Custodian and Custodian in the State of Bihar?

(b) Are Government aware that a large number of vendees have erected residential buildings after the confirmation of the purchases of land and full payment thereof?

(c) Is it a fact that the Custodian General has issued a directive that such transactions should be treated liberally and as final?

(d) Is it a fact that in the State of Bihar, orders of one Deputy Custodian and Custodian are being revised and nullified by another Deputy Custodian and Custodian?

The Minister of Rehabilitation (Shri A. P. Jain): (a) to (d). The information is being collected and will be laid on the Table of the House in due course.

SYMBOLS OF BRITISH REGIME

***854. Shri K. G. Deshmukh:** (a) Will the Minister of Education be pleased to state whether it is a fact that a communication has been addressed by the Ministry of Education, Government of India, to the Governments of all States asking them to collect the data regarding the symbols of British regime in public places in their respective States?

(b) Is it a fact that the Central Government are contemplating to remove these symbols from such places to the museum?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) The Government of India have sent a communication to the State Governments of West Bengal, Bombay and Madras only.

(b) It is only after the views of the State Governments and the data sought have been obtained that any policy decision can be taken.

Pandit D. N. Tiwari: Have Government considered the advisability of changing the name of "Imperial Bank of India", and the Empire Insurance Co. of India as the word "Imperial" has got a symbol of British domination?