

functioning of such agencies. The existing legal provisions are expected to take care of the complaints about exploitation and cheating.

Anticipatory Bail under Cr.P.C.

*601. SHRI DAROGA PRASAD SAROJ :
SHRI HARIKEWAL PRASAD :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government are aware that the provision pertaining to the grant of anticipatory bail under the Criminal Procedure Code is being misused by the criminals; and

(b) if so, the action proposed to be taken by the Government in this regard?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI) : (a) and (b) Under the provisions for anticipatory bail in the Code of Criminal Procedure (Section 438), the Courts may give directions in the light of the facts of the particular case. In the case of Balchand Jain Vs. State of M.P. AIR 1977 SC 366, the Supreme Court has laid down that the power under section 438 of the Code of Criminal Procedure is of an extraordinary character and must be exercised sparingly and in exceptional cases only.

The Code of Criminal Procedure (Amendment) Bill, 1994, introduced in the Rajya Sabha, on 9.5.1994 seeks to amend section 438 of the Code of Criminal Procedure, 1973 to the effect that the power to grant anticipatory bail should be exercised by the Court after taking into consideration *inter-alia*, the nature and gravity of the accusation, the antecedents of the applicant and the possibility of the applicant to flee from justice. The amendment also proposes that the courts may give notice to the Public Prosecutor and the Superintendent of Police while considering the application for anticipatory bail. The presence of the applicant seeking anticipatory bail shall be obligatory if on an application made to it by the Public Prosecutor, the Courts consider such presence necessary in the interest of justice.

[English]

Postings in Super Bazar

5863. SHRI JANG BAHADUR SINGH PATEL : Will the Minister of FOOD AND CONSUMER AFFAIRS be pleased to state :

(a) whether a Chairman and eight directors shall be nominated by the Government as per the bye-laws of the Kendriya Bhandar and the Super Bazar;

(b) the reasons for appointing political persons as Chairman and directors of the Super Bazar;

(c) the steps taken by the Government to appoint senior official in Super Bazar like Kendriya Bhandar;

(d) whether the Chairman and directors are provided with free accommodation and advisors at the cost of the Super Bazar; and

(e) if so, the details and the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD AND CONSUMER AFFAIRS (SHRI SATYA PAL SINGH YADAV) : (a) and (b) According to the information furnished by the Kendriya Bhandar, the Chairman and 8 Directors on the Board of Directors of the Kendriya Bhandar are nominated by the Government. In addition to this, 8 more Directors are elected by the members of the Society through their delegates. The Chairman and the other nominated Directors are however Senior Government Officers representing the various Departments of the Government. In respect of the Super Bazar, the Government of India nominates 9 members of the Board of Directors including the Chairman, the Vice-Chairman as per its bye-laws provision no. 21 (a). Out of these 9 members, 4 are Senior serving Government officials while the remaining 5 are non officials. In addition to these 9 members, 7 members on the Board of Super Bazar are elected by the individual and institutional members of the Super Bazar.

(c) Present Chairman as also the Vice-Chairman of Board of Directors of the Super Bazar are non officials and were nominated by the Government on 27.4.1998 and 14.5.1998 respectively. There is no proposal to nominate serving Government Officials as Chairman of the Super Bazar.

(d) and (e) The Super Bazar has informed that they have a rented Guest House in Delhi where all its Directors, Chairman, Officials and other employees are eligible for stay on payment of due charges, as fixed by the Super Bazar from time to time.

[Translation]

Dismissal of Safai Karamcharis in IOC

5864. SHRIMATI KAMAL RANI : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether some safai karamcharis working in Indian Oil Corporation Limited, Pipe Line in Noida, district Gautam Buddha Nagar have been dismissed without telling them any reasons and giving notice;

(b) if so, the reasons therefor;