

REPORT AND ORDER RE. CASE OF M/S. TATA ENGINEERING AND LOCOMOTIVE Co. LTD., BOMBAY UNDER MRTP ACT, 1969, AND COMPANIES (TEMPORARY RESTRICTIONS ON DIVIDENDS) RULES, 1974

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDA-BRATA BARUA): I beg to lay on the Table—

1. A copy of the Report (Hindi version) of the Monopolies and Restrictive Trade Practices Commission under section 21 (3) (b) of the Monopolies and Restrictive Trade Practices Act, 1969, in the case of Messrs Tata Engineering and Locomotive Company Limited, Bombay and the Order dated the 30th June, 1972 of the Central Government thereon, under section 62 of the said Act. [Placed in Library. See No. LT-8711/74].
2. A copy of the Companies (Temporary Restrictions on Dividends) Rules, 1974 (Hindi and English versions) published in Notification No. S.O. 3126 in Gazette of India dated the 30th November, 1974, under sub-section (2) of section 12 of the Companies (Temporary Restrictions on Dividends) Act, 1974. [Placed in Library. See No. LT-8712/74].

12.53 hrs.

PERSONAL EXPLANATION BY MINISTER

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): Mr. Speaker, Sir, while speaking on the Conservation of Foreign Exchange and Prevention of Smuggling Activities Bill, Shri Atal Behari Vajpayee said in the House on 3rd December, 1974 that I had given a certificate to

Shri Krishna Budha Gawde, who has been detained under MISA. I have since verified the factual position. I find that after the Parliamentary elections in 1971 I gave certificates to a large number of my workers, including Shri Gawde. This certificate was not based on my personal knowledge of all the activities of these workers. Nor was it a general certificate of good conduct. It specifically related to the work done by Shri Gawde in my election campaign. This cannot in any way be construed either as implying knowledge on my part that Shri Gawde was involved in unlawful and antisocial activities such as smuggling or my condonation of the same.

SHRI JYOTIRMOY BCSU (Diamond Harbour): Arising out of this, in a Bombay daily, the *Free Press Journal* of 6th December it has come out....

MR. SPEAKER: No discussion on a personal explanation.

SHRI SHYAMNANDAN MISHRA: (Begusarai) It is very clear now that smugglers work for them in the election.

SHRI H. N. MUKHERJEE (Calcutta—North-East): May I make a submission? Sir, I do not intervene gratuitously and I hope the House will permit it. The Minister has just now given a statement which astounds me because... (Interruptions).

MR. SPEAKER: Order, please. You cannot discuss the statement. Mr. Vajpayee had raised it and the Minister has made the statement.

SHRI H. N. MUKHERJEE: The question of propriety in regard to the conduct of Members of the House, particularly Ministers of the Government, arises on account of the Minister having divulged that he is apparently in the habit of giving testimonials to people on the ground of

[Shri H N. Mukherjee]

their having worked for his election
(Interruptions).

MR. SPEAKER: No please.

SHRI H N MUKHERJEE: Do I take it that the testimonials of good conduct are given by them without acquainting themselves with the facts of the case? (Interruptions) This is a very serious matter. We are concerned with Tulmohan Ram, Goenka and, heaven knows, others. But I am concerned with Mr. Gokhale also.... (Interruptions).

SHRI MADHU LIMAYE (Rajapur) It is misdemeanour, gross misconduct. Has he not lowered the dignity of the House? You send it to the Privileges Committee (Interruptions)

SHRI JYOTIORMOY BOSU:*

MR. SPEAKER: Order, order. This will not go on record.

It is being done every day. No business is being conducted.

श्री मधु लिमये : अध्यक्ष महोदय, क्या मंत्री महोदय के स्पष्टीकरण से आप को सन्तोष है ? क्या यह मिस डिमीनर नहीं है ? क्या यह प्राप्त मिमिक्रण्डक्ट है ?

अध्यक्ष महोदय : मेरे सन्तोष की बात छोड़िये ।

About the Sick Textiles Bill that took up yesterday, I started from Clause 2 and the amendments thereon. I feel, we could not hear anything .

SHRI SHYAMNANDAN MISHRA: Before you proceed to that, would it not be your pleasure to ask the hon Minister to withdraw all the certificates from other smugglers to whom he might have given? (Interruptions).

*Not recorded.

श्री मधु लिमये : अध्यक्ष महोदय, अगर और भी किसी मिनिस्टर ने ऐसे सर्टिफिकेट दिये हों, तो आप उनको कहिये कि वे उनको विरुद्ध करें ।

SHRI JYOTIRMOY BOSU.*

MR. SPEAKER Order, please. You go on non-stop. I am not allowing you. Nothing of what he says will go on record.

Now, about these Clauses, as we could not hear anything yesterday, we will start again from Clause 2 after lunch.

May God bless you with some peace!

We now adjourn for lunch to reassemble at 2 O'Clock.

13 00 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha reassembled after Lunch at four minutes past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair].

श्री मधु लिमये (बाँका) : अध्यक्ष महोदय, जरा मैं आपको धन्यवाद देना चाहता हूँ । मैं आपको इसलिये धन्यवाद देना चाहता हूँ कि कल आपने सरकार पर और विरोध पक्ष को जो सलाह दी उसका कुछ असर हुआ और कुछ समझीता हुआ है । तो हमको कुछ अर्ज करने दीजिए कुछ दूसरे मसलों पर । (व्यवधान)

एक सबमिशन मैं करना चाहता हूँ । कुछ दिन पहले कलकत्ता के स्टेट्समैन अखबार में यह खबर आई थी कि इस सत्र के एक सत्र ने अन्ध सरकार के साथ ठकी कर के कुछ वेस्ट लैंड अपनी साली के नाम से ली . . .

अध्यक्ष महोदय : आपने मुझे नोटिस नहीं दिया है ।

जी मधु लिमये : मैंने दिया है ।

MR. DEPUTY-SPEAKER: Let us go on with the business. I have read that news also.

SHRI MADHU LIMAYE: You have not read the notice.

MR. DEPUTY-SPEAKER: I have read that piece of news.

जी मधु लिमये : उसी पर मेरा नोटिस आधारित है । मैं एक डेड मिनिट में खत्म करूंगा ।

खबर यह मिली है कि उन्होंने अपनी माली के नाम से बैंक नोट जो भूमिहीनों को मिलनी चाहिए, वह ले ली । बाद में सरकार को पब्लिक परचेज के लिए बेची । 75 लाख रुपया बढ़ोतरी का काम हुआ है और उसके बाद जब मामला इनकम टैक्स बरीरह दूसरी ज़मियों ने देखा तब आगे मुगलान बन्द आ. फंडर पेमेन्ट्स हैंड वीन स्टाण्ड । तो मैं यह जानना चाहता हू, मुझे सचिवालय के द्वारा यह बताया गया है कि मेरा नोटिस विचाराधीन है, तो क्या इस दरमियान आपके मार्फत समद कार्य मंत्री से मैं पूछ सकता हूँ कि ऐसा कौन सा समद सदस्य है प्रायः वाला कि जिनके दंग तरह का काम किया है जिससे सदन की प्रतिष्ठा और उज्ज्वल को ठेस लगी ? मैं चाहता हूँ कि उनका नाम सदन के सामने आए ।

(व्यवधान)

क्या इस सदस्य का यह जो व्यवहार है, उसका आचरण है उस का ये समर्थन करते रहे हैं ? (व्यवधान)
ये क्यों टोक रहे हैं मुझ को ?

MR. DEPUTY-SPEAKER: I want get on with the business. But, if members provoke each other, it comes very difficult. He has made

a point and has sat down and you want to provoke him?

SHRI MADHU LIMAYE: I do not need any provocation. Without provocation I can speak.

SHRI HARI KISHORE SINGH (Pupri) About that we have no doubt.

SHRI S. M. MANERJEE (Kanpur): Thousands of university students from all over the country have come to Delhi and they are demonstrating before the Parliament in the Boat Club as a protest against the rising prices, hoarding and black-marketing. One of their demands is that the Parliament should reduce the age from 21 years to 18 years for voting purposes. The demonstration is also aimed to defend democracy against the attempts by some of the reactionary elements to sabotage and subvert democracy. I would only request you that either you meet their delegation or ask the Prime Minister to go and address the youth rally because we do want justice.

SHRI VAYALAR RAVI (Chirayankil): This is a matter on which we are persisting to get a statement from the hon. Home Minister, regarding the conduct of a Member of the House itself.

MR. DEPUTY-SPEAKER: That was raised in the morning.

If you keep on raising points of order, it is very difficult.

SHRI VAYALAR RAVI: I am not raising. I raised it earlier about one Shri Ram Nath Goenka who was charged with forgery. We were expecting a statement from the Home Minister but so far no statement has come whether this person is an hon. Member of this hon. House or some other gentleman.

SHRI K. P. UNNIKRISHNAN rose.

MR. DEPUTY-SPEAKER: What do you want?

14.11 hrs.

SHRI K. P. UNNIKRISHNAN (Badagara): Will you please direct the Home Minister to make a statement whether it is a fact or not?

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I request that we may take up item No. 7 now. They are all agreeable.

MR. DEPUTY-SPEAKER: Now before we take up the business on the order paper I have a small verbal request from the Minister of Parliamentary Affairs and that is to vary the order in a small respect. We are now on item No. 6. If we look at item No. 7, there is another Bill. His request is that we may interchange; we may take up item 7 now and item 6 later.

SHRI K. RAGHU RAMAIAH: They all agree.

MR. DEPUTY-SPEAKER: How can they agree without understanding? This is a small Bill.

SHRI SEZHIYAN (Kumbakonam): Regarding small coins.

MR. DEPUTY-SPEAKER: Why don't Members have patience? I must put it to you for your consent and you may give your consent. So far as this Small Coins Bill is concerned they have stipulated a period of 3 years. This period of three years expires tomorrow. It is only to remove that bar, so that this—Act may continue, that they want it to be passed today. If you agree we will take this up now..

SHRI D. N. TIWARY (Gopalganj): We have no objection.

MR. DEPUTY-SPEAKER: The hon. Minister.

SMALL COINS (OFFENCES)
AMENDMENT BILL

THE DEPUTY MINISTER IN
MINISTRY OF FINANCE (SHRI-
MATI SUSHILA ROHATGI):

Mr. Deputy-Speaker, Sir, I am thankful to the hon. Minister for Parliamentary Affairs and to the leaders of the opposition and other hon. Members for having agreed to take up this Bill. This is to be passed urgently and I am thankful for permitting me to bring it just now.

I beg to move:

“That the Bill to amend the Small Coins (Offences) Act, 1971, as passed by Rajya Sabha be taken into consideration.”

The objective of the Bill is that the Small Coins (Offences) Act, 1971 may be made permanent instead of being a temporary one as at present.

In June, 1970 and beginning of 1971, there were serious complaints of shortages of small coins, mainly due to melting of small coins and hoarding them for purposes of melting as their metallic values had risen beyond their face values. In order to prevent the melting or destruction of small coins, of hoarding of small coins for the purpose of melting or destruction thereof, the Small Coins (Offences) Act, 1971 was enacted on the 11th December, 1971. Government also took various steps to increase the production of small coins in the Mints and these steps have contributed to a large extent in easing the shortage of small coins. Action was taken to change the metallic content of these small denomination coins from cupro-nickel to aluminium magnesium. As a result, reports of melting of coins have considerably come down. Since the