

SHRI INDRAJIT GUPTA (Alopore) : **MR. DEPUTY-SPEAKER:** It is laid Even this outer limit of 15 days has been exceeded. **once. That is all.**

MR. DEPUTY-SPEAKER : He has to give an explanation for that.

SHRI MADHU LIMAYE : An Explanatory Note must accompany it.

MR. DEPUTY-SPEAKER : About the second point, that is a suggestion made by you. I cannot off-hand give my ruling on that. I think, attention should be paid to it.

SHRI MADHU LIMAYE : Please don't give an off-hand ruling. You may give it later on.

SHRI S. M. BANFRIEL (Kanpur) : In this particular case, Shri Subodh Hansda is supposed to lay something. Without an Explanatory Note, should we take it as laid?

MR. DEPUTY-SPEAKER : In this case the Speaker has given the consent and he has laid it. Obviously, he must also give an explanation as to why there was this delay.

SHRI INDRAJIT GUPTA : An Explanatory Note has to accompany that Order.

MR. DEPUTY-SPEAKER : Now, he can give an Explanatory Note later on. In this case, an Explanatory Note will follow. But in future, whenever an outer limit of 15 days is exceeded, the Government must inevitably attach an Explanatory Note explaining the delay.

As regards the second point, it is a suggestion and, as I said, attention should be paid to it. I cannot say anything more off-hand.

SHRI MADHU LIMAYE : You can give your ruling later on.

SHRI S. M. BANERJEE : In this case, you have allowed the Minister to lay it twice.

SHRI H. M. PATEL : An Explanatory Note to which Mr. Madhu Limaye is drawing your attention is where reasons have to be given for the Order passed. That statement should accompany all such Orders. That is the point on which Mr. Madhu Limaye wants your ruling. The other point, of course, is about explanation for failure to lay it on the Table within 15 days. I would request that the Minister should be required to submit that within a fixed time. We do not want to carry it on to the next Session. In so far as this order is concerned, the explanatory memorandum, explaining why is it that they have failed to do within 15 days, should be submitted early, within a fixed time . . .

MR. DEPUTY-SPEAKER : It will be given as soon as possible; if possible, even by tomorrow.

Shri Sukhdev Prasad

Review and Annual Report of Hindustan Copper Ltd., 1971-72

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD) : I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of Section 619A of the Companies Act, 1956:—

- (i) Review by the Government on the working of the Hindustan Copper Limited, for the year 1971-72.
- (ii) Annual Report of the Hindustan Copper Limited, for the year 1971-72 along with the Audited Accounts and the comments of the Comptroller and Auditor-General thereon.

{Placed in Library. See No. LT-5034/73}

S. M. BANERJEE : The Annual Report for the year 1971-72 should have been completed by March 1972, and it should

[Shri S. M. Banerjee]

have been audited immediately thereafter. How is it that these papers are being laid now, so late?

SHRI SOMNATH CHATTERJEE (Burdwan): What is the date of the Annual Report?

MR. DEPUTY-SPEAKER: In this case, if there has been a delay, they must come with an explanation.

श्री मधु लिमये . उपाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है—कम्पनीज एक्ट से इसके बारे में प्रथम प्रश्न है। मैं कम्पनीज एक्ट सेक्टर द्वारा हूँ, उनको तीन महीने से यह सब काम करता है, उन्होंने बहुत समय बिताया है।

MR. DEPUTY SPEAKER : I have said that delay here has *prima facie* occurred. that delay here has *prima facie* occurred. have said that.

SHRI S. M. BANERJEE. One is the delay, and the other is violation of a mandatory provision under the Companies Act . . .

SHRI VIKRAM MAHAJAN (Kangra) Which section?

SHRI S. M. BANERJEE The section which applies, the relevant section.

MR. DEPUTY-SPEAKER: This is developing into a discussion. Obviously we cannot do it at this stage. There may be many things. (Interruptions) Order, order. The point is that, after this has been laid, if there are serious loopholes that have occurred as you want to point out, there should be another means of raising this. You can point them out at this stage, but then if you raise . . .

श्री मधु लिमये : आप इनको बाँटिये, धीरे-धीरे उपाय नहीं है। आप हर दिन इनको फटकारते रहिए, ये एक महीने में ठीक हो जायेंगे।

MR. DEPUTY-SPEAKER: I must say that I myself have not been able to read all these orders and rules. It is not possible.

श्री मधु लिमये : अगर व्यवस्थित ढंग से बहुत नहीं चलेगी तो चूक कामच साहब यहाँ नहीं है, तो मैं ही हर मुद्दे पर बोलूँगा।

MR. DEPUTY-SPEAKER : I would like to say this that it is not my intention to prevent Mr. Limaye or anybody from expressing himself. I only say that all these should come at the proper time. That is all.

SHRI PILOO MODY: There is a very fundamental principle involved here that, where a citizen is required to abide by a provision of law, the Government should not flout that law. This is a fundamental principle that Mr. Limaye is referring to. This is wholly against the statutory provisions of the Government and, therefore, not only a proper explanation is due to the House here but it is also a fit case for other proceedings also, if necessary.

MR. DEPUTY-SPEAKER . Mr. G. Venkatswamy.

Annual Report of Employees State Insurance Corporation, 1971-72

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI G. VENKATSWAMY). I beg to lay on the Table a copy of the Annual Report (Hindi and English versions) of the Employees' State Insurance Corporation for the year 1971-72, under section 36 of the Employees' State Insurance Act, 1948. [Placed in Library. See No. LT-5035/73].

MR. DEPUTY-SPEAKER: Here also, if delay has occurred, you should come out with an explanation.