

[Secretary General]

Clause 1

2. That at page 1, line 4,—for
"1972" substitute "1973".

(iii) "In accordance with the provisions of rule 115 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 26th November, 1973 agreed to the following amendment made by the Lok Sabha at its sitting held on the 19th November, 1973 in the Homoeopathy Central Council Bill, 1973:—

The Second Schedule

That at page 14, line 34,—

for "MYSORE" substitute
"KARNATAKA".

12.01 hrs.

PAYMENT OF BONUS (SECOND AMENDMENT) BILL

SECRETARY-GENERAL: Sir, I lay on the Table of the House the Payment of Bonus (Second Amendment) Bill, 1973, as passed by Rajya Sabha.

12.14 hrs.

RE. BUSINESS OF THE HOUSE

SHRI S. M. BANERJEE (Kanpur): May I make a submission on the Order Paper of today? Under item No. 8 we are going to discuss the report of the ICAR Inquiry Committee. This report was laid on the Table of the House but it has not been circulated to the Members. Yesterday, I enquired at the counter and I was told that the copies of the report were not made available for distribution. Now that we are going to have a discussion, I would suggest that it should be postponed and the reports should first be made available to the Members. I know that the copy of the

report is in the Library. Some copies are available there, but it is not available to everyone who wants it.

अध्यक्ष महोदय : आप सोचें क्यों नहीं कहते कि आप शाम को फ्री होना चाहते हैं ?

श्री एस०एम० बनर्जी : नहीं अध्यक्ष महोदय, कार्पाज अवेलेबल नहीं है। मैंने कल भी पूछा था। मैं ही मिर्क नहीं हूँ। मैंने दूसरे मम्बरों से भी पूछा था। वह अवेलेबल नहीं है।

SHRI INDRAJIT GUPTA (Alipore): May I add my voice to that of Shri S. M. Banerjee? This is a very important matter, and in order to do justice to this debate which has been put down for today, if I may say so, rather suddenly—till the copies of the date on which it has come, has come rather suddenly—till the copies of the report are available to the Members, the discussion should be postponed. There are just one or two copies available in the Library. Some more copies should be made available before we have the debate. Otherwise, we shall not be able to do justice to it.

MR. SPEAKER: Do hon. Members want the debate to be postponed?

SHRI INDRAJIT GUPTA: If it is possible to postpone it by a few days, it would be better and I think it would be more profitable.

SHRI S. M. BANERJEE: The copies should be made available to all.

MR. SPEAKER: I think the House should have no objection to it.

SHRI S. M. BANERJEE: At four O'clock, the discussion on the IAC lock-out can start instead of this.

MR. SPEAKER: Only one out of the four Members sponsoring the discussion is demanding this. The other three are absent here. I should have got their concurrence also for the postponement.

SHRI SEZHIYAN (Kumbakonam): They would have no objection to postponement....

SHRI S. M. BANERJEE: I am not objecting. Personally, I have read the report.

MR. SPEAKER: I can manage the concurrence of the Members who appear third and fourth in the list, but the hon. Member will have to manage in respect of the first one.

SHRI S. M. BANERJEE: Shri Samar Guha will not be agreeing with me.

MR. SPEAKER: This discussion was to have come up at 4 p.m. Now, the first discussion would come at 4 p.m.

SHRI S. M. BANERJEE: Item No. 7 will now come up at 4 p.m.

MR. SPEAKER: That will come in time now. That will come at the appointed time at four O'clock. But I think we can shift it to a little later at 5 p.m.

श्री सधुलिभय (काँका): दो बजे यह शुरु कर दीजिए इंडियन एयर लाइन्स वाली बहस।

MR. SPEAKER: The other business also is expanding. They would have to take the time for that out of the time of the House today. That will be dislocating some other business on some other day, and so, that business can be transacted today to make up for the lost time.

उसका जो किसी भी दिन का टाइम लेना है तो उस दिन वही बिजनेस की आज मुंजाशन निकाल लेंगे। टाइम को रेस्ट थें डेरी करना।

We shall fix this debate scheduled at item No. 7 at 5 p.m. today.

The other business will proceed in the normal way upto 5 p.m. At 5 p.m. No. 7 will start—I understand there is

a difficulty. The office is not prepared to take up any responsibility for Shri Samar Guha; other can be managed.

SHRI S. M. BANERJEE: I am also unable to take any responsibility. How can I?

MR. SPETKER: This is because he was given an express understanding by us that it would come today. He does not happen to be here. He may be coming later on. If he does not come, well and good.

SHRI SEZHIYAN: He is here.

अध्यक्ष महोदय : वह आगे तो देखेंगे।

SHRI INDRAJIT GUPTA: There should be no objection to postponing it. When the debate comes again, he will speak.

MR. SPEAKER: He was after me for many days and we fixed it for today.

श्री इन्द्रजीत गुप्त : उन की कन्वीनिंग के मुताबिक फिक्स कर दीजिए।

सभापति महोदय : ठीक है, देक लेंगे।

SHRI SEZHIYAN: The IA lockout discussion can be taken up at 5 p.m. provided the ICAR discussion is postponed.

MR. SPEAKER: Normally, the House has got the full authority. It can decide about the whole matter. The consensus in the House seems to me to be that it may be postponed. But what if Shri Samar Guha comes and objects? He has been pursuing this for many days.

SHRI S. M. BANERJEE: A date can be fixed in consultation with him.

MR. SPEAKER: I do feel that perhaps he may not like it, though the decision of the House is there and my decision is there. We will try to persuade him. Prof. Dandavate is there; he knows it very well.

PROF. MADHU DANDAVATE (Rajapur): Provided it is not dropped.

MR. SPEAKER: It will never be dropped. If No. 7 is taken up at 5 that one hour.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): May I take it that the second discussion fixed for today is postponed?

MR. SPEAKER: The discussion on the IA lockout is postponed to 5 p.m. today. The other discussion is postponed to another day

12.07 hrs.

MATTER UNDER RULE 377

FAILURE OF GOVERNMENT TO PRESENT ADMINISTRATIVE REPORT OF THE MRTP COMMISSION FOR 1972

PROF. MADHU DANDAVATE (Rajapur): Mr. Speaker, with your permission, I am raising an important issue under rule 377

The House may recall that that on 15 May 1973 I had sought the permission of the House to raise a privilege issue against the Minister of Company Affairs for the failure of Government to present all the reports of the Monopolies and Restrictive Trade Practices Commission as required by the mandatory provisions of S. 62 of the MRTP Act, 1969. When I raised that issue, I had also placed before you the categorical wording of the section which said:

"The Central Government shall caused to be laid before both Houses of Parliament an annual report and every report which may be submitted to it by the Commission from time to time pertaining to the execution of provisions of the Act."

Since these reports were not submitted to us, I sought your permission

to raise the privilege issue. On that occasion, the hon. Minister told us after consulting legal opinion from the Attorney-General that even the Attorney-General had told them that Government had violated the provisions of the Act.

Therefore, in this House, an unqualified apology was offered by the Minister of Company Affairs for the failure of the Government to present the MRTP report. Since my only object was to ensure that in the future these reports will come to the House. I did not insist on the privilege issue, and the issue was dropped on the categorical assurance by the Minister that in the future all the reports will be presented before both the Houses.

Again, we find today that the administrative report of the MRTP Commission for the year 1972 has already been submitted by the Commission to the Government but that the Government has slept over the report and the report has still not been presented to both the House. In addition to the administrative report for 1972 there are a number of reports in individual cases which are of a very important character and which are related to the policy matters regarding monopolies in this country. Even those reports have not come before the House. If this is so, the unqualified apology of the Minister given on the 15th May, 1973 becomes meaningless. Therefore, I would seek your protection to intervene in the matter, pull up the Government and reprimand the Minister concerned that in the future this is not going to be tolerated.

I may point out in the end that if these reports were not to come before us, there might be difficulties. Concrete cases are there, as in the case of the Hindustan Lever, where the policies regarding monopolies were sought to be violated by the recommendations of the MRTP Commission, and had they not been placed before the House, they would not have come before the House, and there