

Bhargava, Shri B. N.
Buta Singh, Shri
Chanda, Shri Anil K.
Chandrika Prasad, Shri
Choudhary, Shri Valmiki
Das, Shri N. T.
Dass, Shri C.
Dixit, Shri G. C.
Dwivedi, Shri Nageshwar
Ganga Devi, Shrimati
Ghosh, Shri Bimalkanti
Hari Krishna, Shri
Jadhav, Shri Tulsidas
Kamble, Shri
Kedaria, Shri C. M.
Kesri, Shri Sitaram
Khanna, Shri P. K.
Krishnan, Shri G. Y.
Krishnappa, Shri M. V.
Kureel, Shri B. N.
Laskar, Shri N. R.
Lutfal Haque, Shri
Mahadeva Prasad, Dr.
Mahida, Shri Narendra Singh
Malhotra, Shri Inder J.
Mandal, Shri Yamuna Prasad
Mane, Shri Shankarrao
Master, Shri Bhola Nath
Menon, Shri Govinda

Minimata Agam Dass Guru, Shrimati
Pahadia, Shri Jagannath
Panigrahi, Shri Chintaman
Pant, Shri K. C.
Parmar, Shri Bhaljibhai
Poonacha, Shri C. M.
Pramanik, Shri J. N.
Qureshi, Shri Mohd. Shaffi
Ram Dhani Das, Shri
Ram Swarup, Shri
Randhir Singh, Shri
Reddy, Shri R. D.
Sankata Prasad, Dr.
Sayyad Ali, Shri
Sen, Shri Dwaipayana
Sen, Shri P. G.
Sehti, Shri P. C.
Shankaranand, Shri B.
Shastri, Shri Raghuvir Singh
Shastri, Shri Ramanand
Sheo Narain, Shri
Shiv Chandika Prasad, Shri
Snatak, Shri Nar Deo
Sonavane, Shri
Tiwary, Shri D. N.
Uikey, Shri M. G.
Verma, Shri Balgovind
Vyasa, Shri Ramesh Chandra

MR. CHAIRMAN: The result of the division is: Ayes—8; Noes—66. The motion has not been carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

The motion was negatived.

17.26 hrs.

PUBLIC UNDERTAKINGS (COMPULSORY APPROVAL OF AGREEMENTS) BILL

SHRI S. S. KOTHARI (Mandsaur):
Mr. Chairman, I move:

“That the Bill to provide for compulsory scrutiny and approval by a Central Authority of agreements entered into by public undertakings and matters connected therewith or incidental

thereto, be taken into consideration.”

At the outset I should like to emphasize that I have brought forward this Bill in a constructive spirit and that it is based on my experience as a member of the Public Undertakings Committee.

The object of this Bill is to ensure that agreements which are entered into by public undertakings are thoroughly scrutinised and approved in their final form by a central authority in the Ministry of Finance so that there are no lacunae or shortcomings left in the agreement which would cause any loss to the public undertakings.

It has been noticed in the past that several public undertakings have entered into agreements with foreign collaborators or local parties and on scrutiny subsequently by the Public

Undertakings Committee and other Committees, it has been seen that those agreements had serious blemishes. These blemishes have involved the concerns in heavy losses either in monetary terms or in terms of defective machinery supplied or obsolescent or out-of-date technical know-how supplied. The consequence has been that because of these defects the undertakings have suffered sizable losses.

In the case of an agreement entered into by Trobay Fertilisers it was observed that the agreement was not scrutinised either by the Financial Adviser or by the Law Ministry or by a solicitor or by the Ministry of Finance. The consequence has been that the undertaking concerned suffered considerably on account of the various shortcomings in the agreement.

I learn that the basic terms of collaboration and agreements in general are formally approved by the Ministry of Finance initially but the final shape to the agreements is given by the public undertakings themselves. While giving this shape to the final agreements, some lacunae remain in those agreements. Either they are deliberate or they may be due to inadvertence.

What is necessary when an agreement is drawn up is that it should be in proper legal form; it should provide that the collaborators shall have to fulfill certain obligations and also that it must have certain time limits for the fulfilment of those obligations, for the supply of machinery, for the erection of the plant and to ensure that the plant comes into the stream of production at the right time, when it should according to the schedule provided. If the collaborators do not fulfil those terms of the agreement, provision must also be made for penalties. Besides, details of the terms should also be worked out and incorporated therein.

These are the broad points which should be incorporated in agreements

of industrial concerns. There are, of course, other points with regard to agreements which must be complied with in the normal course. Now, if the officers of the public undertakings do not exercise requisite care and skill or, if they are influenced by extraneous considerations, in that case, there would be considerable scope for some lacunae or shortcomings in the agreement, which would adversely affect the interests of the agreements concerned.

SHRI KANWAR LAL GUPTA (Delhi Sadar): Let us take half-an-hour discussion now. He may continue the next day.

MR. CHAIRMAN: Yes.

SHRI S. S. KOTHARI: The Private Members' time is 2½ hours. It was to start at 3 O'Clock and go upto 5-30 P.M. Since we have started it at 3.30 P.M., it should continue upto 6 O'Clock. The time of the Private Members' business should not be curtailed. We were given an assurance by the Chair at that time that the Private Members' time will be compensated.

MR. CHAIRMAN: In any case, the discussion on your Bill is not going to finished today. There is one hour allotted to your Bill. So, it will continue on the next day. The hon. Member may continue his speech on the next day.

Now we will take up the Half-an-hour discussion.

17.32 hrs.

HALF-AN-HOUR DISCUSSION **Netaji Museum in Delhi**

SHRI SAMAR GUHA (Contai): Mr. Chairman, Sir, in reply to Unstarred Question No. 984 regarding Netaji Museum in Delhi, the Education Minister replied:

"It would be best to strengthen the Netaji Memorial Museum in Calcutta."