

MR. SPEAKER : I wonder if it would be possible. Anyway, please do.

SHRI DINEN BHATTACHARYYA : May I know whether it is a fact that one of the main reasons for the fall in production is the existing relationship between management and labour, and what steps are the Government taking to improve that situation?

SHRI H. R. GOKHALE : I may say with great respect that the assumption of the hon. Member is wrong, because this is one of the units where the relations with labour are the best.

MR. SPEAKER : This question fits everywhere.

SHRI H. R. GOKHALE : Where it fits, I can say with confidence that the relations are very good.

Establishment of Naval outpost at Nicobar Island

*184. SHRI VISHWANATH PRATAP SINGH : Will the Minister of DEFENCE be pleased to state :

(a) whether Government are considering a proposal for the establishment of a Naval outpost having Naval air-arm at the Southern end of Nicobar Island; and

(b) if so, the progress made so far in this direction?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA) : (a) and (b). It will not be in public interest to disclose the information.

MR. SPEAKER : I would like to say that when we send our questions to the Ministers, they should inform us—they should inform the Speaker—before the list is printed, that it is not in public interest so that such questions may not come on the list.

SHRI VIDYA CHARAN SHUKLA : May I say that we normally do this. I will check up whether we did it in this particular case or not.

MR. SPEAKER : Sometimes, we do not enter it; we just send it for your comments, and that is the proper time when you can make the objection, so that we can inform the hon. Member.

Cases referred to Monopolies Commission

*185. PROF. MADHU DANDAVATE : Will the Minister of COMPANY AFFAIRS be pleased to state:

(a) whether any cases have been referred to the Monopolies and Restrictive Trade Practices Commission under Chapter III of the Monopolies and Restrictive Trade Practices Act;

(b) if so, the number of cases in which the Commission has submitted its report; and

(c) whether the reports of the Commission have been made available to the public and Parliament along with the orders of Government on the cases referred to?

THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY) :

(a) and (b) 28 cases have so far been referred to the Monopolies and Restrictive Trade Practices Commission under Chapter III of the Monopolies and Restrictive Trade Practices Act and the Commission has submitted its reports in 16 cases.

(c) Reports are made available to parties interested in the proposal who have to be given a reasonable opportunity of being heard by Government under section 29 of the Act.

PROF. MADHU DANDAVATE : May I know from the Minister whether the Joint Committee had made it very clear in its report that section 62 of the Monopolies and Restrictive Trade Practices Act was

introduced to make all the reports available to Parliament, and why is it that these reports are not made available to Parliament? Is it because of the fact that the majority recommendations are in favour of big business-houses and even the orders issued by the Government are in favour of big business-houses?

SHRI RAGHUNATHA REDDY : About the interpretation of section 62 which the hon. Member has been pleased to mention, the advice from the Law Ministry has been obtained, and on the Law Ministry's advice, the Government decided that it would not be required to place these reports on the Table of the House and that it would not be necessary because these reports are submitted for the purpose of Government's consideration under sections 21, 22 and 23 and not for general information as such.

PROF. MADHU DANDAVATE : Is it not a fact that this Commission itself had suggested and recommended that these reports should be made available to Parliament? May I further ask whether it is true that in most of the cases the reports are majority reports and the division in the Commission is always the same, two against the same one, and is it true that in a majority of cases the recommendations are pro-business-houses? Is it true that you are keeping the reports away from Parliament in order to defend the big monopolists?

SHRI RAGHUNATHA REDDY : It is not so. In some cases there was agreement, and in quite a number of cases there might have been dissent from the majority; one member might have dissented. But as far as the placing of the reports on the Table of the House is concerned, this matter has been discussed and considered by the Government. On the advice of the Law Ministry it was felt not necessary to place the document on the Table of the House.

As for the second part of the question, when the report is sent by the Monopolies Commission under section 21, 22 or 23, it is the Government which has the authority to take a decision and the Government takes a decision on the merits of the case irrespective of the fact whether it is a monopoly house or not. Government is not at all scared of the monopoly houses or deterred by them and Government takes decision only on the merits of the case and not otherwise.

PROF. MADHU DANDAVATE : Almost in every report the division is the same two against the same one. You have not replied to my question. The majority of the recommendations are favouring big business houses.

SHRI RAGHUNATHA REDDY : In quite a number of cases the division is two members for, and one against a particular view. There are certain cases where the three members have agreed. As for difference on economic matters, it is quite natural and there is nothing to feel frightened about it... (*Interruptions*)

PROF. MADHU DANDAVATE : Some of the reports are available in the Parliament Library and in a majority of cases the reports are in favour of big business houses such as Telco, Carborendum Universal, TVS Aiyangar, Metro Chemicals, etc.

MR. SPEAKER : Please resume your seat.

PROF. MADHU DANDAVATE : Why don't you ask them to get this clarified? No reply has come to my question.

MR. SPEAKER : I allowed you a supplementary but I cannot get answers of your liking.

PROF. MADHU DANDAVATE : Not of my liking, but to the liking of those who formulated the Monopolies Commission.

SHRI P. GANGADEB : In how many cases expansion of the existing industrial units is pending clearance from the Monopoly angle?

SHRI RAGHUNATHA REDDY : 28 cases have been referred to the Commission and they have submitted 16 reports so far; 12 cases are pending enquiry.

SHRI K. LAKKAPPA : In most of the cases referred to the Commission after going into all the aspects of the case some members were divided on the policy of economy. Is it a fact? May I know whether any member of the Commission is holding some opinion to save certain big business houses from certain action being proposed by the Commission? If so what are those business houses which come under their purview?

MR. SPEAKER : I think there should be no reflection on the members of the commission.

SHRI K. LAKKAPPA : We want to establish socialist society... (*Interruptions*)

SHRI RAGHUNATHA REDDY : May I submit with great respect that I have already answered the relevant part of the question.

SHRI K. LAKKAPPA : I seek your protection. My question has not been answered. There are diverging views prevailing after referring the matter to the Commission. How many of the big business houses are involved? We want your protection, Sir. He must answer.

MR. SPEAKER : Please advise me in what way you should be protected by me. What should I tell him?

SHRI K. LAKKAPPA : The Minister has not answered my question.

SHRI K. GOPAL : May I know whether some companies whose cases have been referred to the Monopolies Commission

have started diversification and if so, whether Government will take steps to prevent them from diversifying?

MR. SPEAKER : I have not been able to follow the question.

SHRI K. LAKKAPPA : The substance of the question is the same as mine. The minister is evading it.

SHRI RAGHUNATHA REDDY : As far as I can understand...

MR. SPEAKER : So, you did understand something?

SHRI RAGHUNATHA REDDY : Yes. The legal position is, diversification is allowed by way of expansion or by setting up a new undertaking. If the law under the MRTP Act and Industries (Development and Regulation) Act allows it, the company can go into diversification.

SHRI SHYAMNANDAN MISHRA : The question relates to cases referred to the Commission by Government. But it is my impression that the Commission can *suo motu* also go into certain matters. May I know whether the Commission has gone *suo motu* into certain matters and submitted a report to Government? Secondly, may I know whether there is any proposal to increase the strength of the Commission? If the recommendations made so far by the Commission are not implemented, what would be the use of increasing the strength of the Commission?

SHRI RAGHUNATHA REDDY : This question relates to Chapter III of the MRTP Act. The Commission cannot start any inquiry with respect to cases that arise under Chapter III.

With regard to the proposal to expand the membership of the Commission, the matter is under consideration of the Government. We would like to have members

who would be able to understand the implications of the MRTP Act. Also, more work will have to be done by the Commission.

SHRI SHYAMNANDAN MISHRA : When the recommendations made by the Commission are not being implemented, what is the use of increasing their strength?

SHRI RAGHUNATHA REDDY : There is no immediate proposal to expand the commission. The matter is under consideration, having regard to the work the commission will have to do in future. That is the only stage we have reached.

SHRI S. N. MISHRA : Section 62 of the MRTP Act lays an obligation that the report made by the MRTP Commission shall be laid before the House. Has there been any amendment of the Act and if not, may I know why the report has not been laid on the Table of the House as required by that section?

SHRI RAGHUNATHA REDDY : The first question I have answered in reply to Mr. Dandavate.

Non-supply of Lubrication Oil to Small-Scale Industries by Indian Oil

*186. **KUMARI KAMLA KUMARI :** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state :

(a) whether Indian Oil is not supplying lubrication oil regularly to small-scale industries; and

(b) if so, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) : (a) The Indian Oil Corporation has been meeting, after due verification, including by the Indian Institute of Petroleum, the genuine requirements for lubricating oils of all such small scale industries who have approached them for supplies. The requirements of

small customers are generally being met through IOC's dealers and distributors.

(b) Does not arise.

कुमारी कमला कुमारी : इंडियन प्रायल द्वारा छोटे पैमाने के उद्योगों को मशीनी तेल की सप्लाई कम हो रही है यह हमारी जानकारी में है जबकि माननीय मंत्री महोदय कहते हैं कि ऐसी कोई बात नहीं है और उन्हें कम सप्लाई होने का प्रश्न ही नहीं उठता क्योंकि उन्हें ठीक सप्लाई हो रही है लेकिन जैसा मैंने पहले भी कहा हमारी नीतिज में यह है कि उस की सप्लाई ठीक नहीं हो रही है।

SHRI H. R. GOKHALE : I must say with respect to the hon. Member that her impression is wrong. But there is a reason for this impression. There is a strong possibility of misuse of this as edible oil. People go on making huge demands, and if these huge demands are fully met, they convert this for the purpose of using it as edible oil which, we are advised, is very dangerous and leads to cancerous growth. Therefore, a strict watch is maintained on the supplies. If and when the requirements are found to be genuine, supplies are made. There is no case where supply is not done when the demand is genuine.

SHRI DINESH CHANDRA GO-SWAMI : Has it come to the notice of the Government that some of the IOC dealers sell the lubricants at exorbitant rates at the black market? If so, what steps have been taken in this regard?

SHRI H. R. GOKHALE : It has not been brought to our notice. If the hon. Member brings any particular case to our notice, we will certainly look into this.

SHRI HUKAM CHAND KACHWAI
rose.

MR. SPEAKER : He functions very well even without lubrication!