

When I went to Bangkok, I had an occasion to discuss with the Ministers of these countries and also with other Ministers and we are making all-out efforts so that our import and export trade in the eastern region is fostered.

SHRI VAYALAR RAVI: You can see the new development in the world foreign trade market—grouping of different countries in different areas. Of course, we are not in any of these groups. In this context, may I know whether you have any long range view or policy regarding these different group of nations like EEC, ASEAN and what is the long term policy you are adopting and whether any diplomatic hurdles are there in this regard?

SHRI MOHAN DHARIA: The Commerce Ministry functions very much in close cooperation with our External Affairs Ministry. To be frank with a view to have coordinated efforts, the Prime Minister has constituted a Cabinet Committee, where the Ministers of Finance, External Affairs, Steel & Mines, and Agriculture are there and the Minister of Commerce happens to be the Chairman of that Committee. So, naturally, whatever efforts are required to be made, they are being made in a concentrated and also in an integrated manner. So far as the various groups like EEC and ASEAN are concerned naturally they have formed their associations. We have to deal with them. We try to deal with the countries bilaterally or we try to deal with the associations. But ultimately it is the interests of the country that are to be served and that is our approach.

Sale of Imported Polythelene and Rubber Compounds in Black Market

*352. **SHRI JYOTIRMOY BOSU:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) whether it has been alleged that 'Asian Cables Corporation, Bombay'

under the control of Goenkas of Duncan Brothers Calcutta, had sold off, in 1969 imported polythelene and rubber compounds in the black market;

(b) if so, the details thereof;

(c) whether any investigations have been made into the allegations; and

(d) if so, the findings thereof and action taken thereto?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI ARIF BEG): (a) to (d). A Statement is laid on the Table of the House.

Statement

(a) to (d). There were allegations that M/s. Asian Cable Corporation, Bombay, under the control of Goenkas of Duncan Brothers, Calcutta, disposed of about 326.704 M. Tonnes out of 980 Tonnes of imported low density polythelene moulding power during the period 1968 to 1969, under cover of diversification programme by falsely showing it in the form of manufactured products, namely, polythelene pipes and sheets etc. The complaint did not mention anything pertaining to rubber compounds. An investigation was conducted by the C. B. I. According to the C. B. I. this offence had taken place after Shri R. P. Goenka had taken over as one of the Directors of the Company. On conclusion of the investigation, the C.B.I. found the material adequate to launch prosecution under Section 120 IPC read with Sections 420 and 477 A of the IPC and Section 5 of the IMPEX Act (criminal conspiracy, cheating and falsification of accounts). The C.B.I. consulted the Ministry of Law and recommended to the CCI&E the prosecution of 16 persons, which did not include Shri R. P. Goenka and Shri A. K. Raman, Works Manager. On a representation of the Company, on which further legal advice was taken, it was decided by the earlier

Government not to take action against these 16 persons as well.

As there was conflicting opinion with regard to involvement of Shri R. P. Goenka and also the prosecution of others in respect of this allegation, it was felt necessary by the new Government to have the matter re-examined by the Law Ministry. A request has accordingly been made to the Department of Personnel (Ministry of Home Affairs) to take up the matter to the Law Ministry and to take suitable action.

SHRI JYOTIRMOY BOSU: Sir, in Fourth Lok Sabha, on 25th of February, 1974, in reply to my question No. 501, the then Foreign Trade Minister, Mr. Chattopadhyaya, a great friend of these Goenkas,....

(Interruptions)

SHRI K. LAKKAPPA: Sir, he is linking Mr. Chattopadhyaya, a Member of the other House to a group. It is highly improper, irregular and irrelevant.

MR. SPEAKER: Let it be impersonal. Please go on, Mr. Jyotirmoy Bosu.

SHRI JYOTIRMOY BOSU: I have not referred to a Member of Rajya Sabha. I have referred to a Minister who is answerable to this House.

SHRI C. M. STEPHEN: He is no more a Minister. There must be a limit to this kind of thing. He is not a Minister answerable to this House. He was a Minister. The question is, he is making an imputation which can be defamatory from the political angle, whether you are going to allow it or not, and anything that this Gentleman is saying is going to be allowed or not. We also can do it.

MR. SPEAKER: Merely saying that he is a friend of Goenkas does not become defamation unless he goes further.

SHRI JYOTIRMOY BOSU: I asked,

"Is it or is it not a fact that 2500 tonnes of imported polythelene were imported at the rate of Rs. 3.50 per kg.—landed cost—and sold in the black market at Rs. 7.50 per kg. making a black profit of Rs. 88 lakhs?"

Under our pressure, the matter was referred to the CBI and it was replied:

"There are three cases pertaining to the misuse of imported raw materials by M/s. Asian Cables. These three cases are:—

(i) Misuse of copper where licences were obtained during the period November 1962 to October 1964...."

MR. SPEAKER: Please come to the question.

SHRI JYOTIRMOY BOSU: I want to make an observation:**

SHRI K. LAKKAPPA: He cannot make aspersions against the House like this. (Interruptions).

SHRI JYOTIRMOY BOSU: In reply to another question of mine, Shri Mohan Dharja replied:

"Government shall take severe action against those who indulge in misuse of imported goods."

DR. HENRY AUSTIN: How many questions can he put?

MR. SPEAKER: I cannot have one rule for him and one rule for you. Did you stop it? You objected to my interference.

SHRI JYOTIRMOY BOSU: In reply to my question No. 2431 on 1st July, 1977, it was revealed that for black-marketing and earning Rs. 88 lakhs. "Case ended in conviction on 24th November 1975. The company was sentenced to pay a fine of Rs. 200 and the two other accused were fined Rs. 400 each!"

**Expunged as ordered by the Chair.

SHRI JANARDHANA POOJARY: On a point of order. Is it not an aspersion on the judiciary?

MR. SPEAKER: Don't be in a hurry. He has not said anything about the judiciary.

SHRI JYOTIRMOY BOSU: My question is, an appeal is pending for a very long time. Why is it that the present government has not expedited it and ensured that the convictions are commensurate with the crime committed? Why is there delay? How soon would they be able to bring the case into the surface again?

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI MOHAN DHARIA): Mr. Bosu has brought before the House a very serious matter. I am equally concerned when I look at the fact that on 24th November 1975 two ex-Directors were convicted with a fine of Rs. 400 and Rs. 200. I think those in authority at that time have derelicted from their duty by not moving the higher court to have stricter punishment.

SHRI JYOTIRMOY BOSU: Because of money. (*Interruptions*).

SHRI MOHAN DHARIA: Sir, unfortunately when it was brought to my notice, the time limitation and everything was over and naturally nothing was possible. Then, when it was again brought to my notice that when the matters were referred to CBI and because of the difference of opinion between the Additional Solicitor General and CBI, the then Minister, Mr. Chattopadhyaya took a decision in 1976.

SHRI JYOTIRMOY BOSU: Do not mention his name.

SHRI MOHAN DHARIA: A decision was taken that the intention to launch a prosecution should be dropped. When it was brought to my

notice, I felt that again it was something serious and that was the reason why I moved the Home Ministry to refer the whole matter again back to the Law Ministry and if we could see that any offence could be established, I am of the opinion that they should be necessarily prosecuted. I can assure the House that whether it is Goenkas or somebody else, if they have committed any offence and if the Law Ministry is of opinion that they should be prosecuted, they shall be prosecuted.

SHRI JYOTIRMOY BOSU: My second supplementary is: Because of Shri R. P. Goenka of Duncan Brothers, the man who was arrested the other day, and his father, Shri K. P. Goenka of Duncan Brothers close involvement with the erstwhile Ruling Party and its leaders and Foreign Trade Minister....

(*Interruptions*)

SHRI K. LAKKAPPA: Do not cast political aspersions. Recently in the Writers building, Mr. Jyoti Basu invited all the industrialists including this man to discuss and to appease these industrialists.

SHRI JYOTIRMOY BOSU: It was not political, it was theft.

SHRI GAURI SHANKER RAI**

SHRI K. LAKKAPPA: You punish them, but don't cast political aspersions.

MR. SPEAKER: Do not record.

(*Interruptions*)@

SHRI JYOTIRMOY BOSU: Sir, I am regulating the House on your behalf. Sir, Mr. Lakkappa is a very unusual Mysorian.

It so happen that although the beneficiaries were Shri R. P. Goenka and family and the Company was owned by them, the prosecutions have been launched against the employees and

phony Directors. It was said by the then Foreign Trade Minister, Mr. D. P. Chattopadhyaya that the name of Mr. Goenka was not there simply because Goenkas were not owners of Asian Cables at that particular time. Then I brought a Privilege Motion.

MR. SPEAKER: That is all right. What is your question?

SHRI JYOTIRMOY BOSU: The fact is, I have the Report of the Industrial Licensing Policy Enquiry Committee Appendices, Volume II, June 1969, for the year 1966-67 which proves that Mr. R. P. Goenka and Mr. K. P. Goenka were the owners at the material time.

MR. SPEAKER: But what is the question that you ask?

SHRI JYOTIRMOY BOSU: The question is why is it that the prosecution has not touched them so far? Will you give an assurance on the floor of this House that the real beneficiaries, viz. R. P. Goenka and K. P. Goenka will be prosecuted and put behind the bars?

SHRI MOHAN DHARIA: It is most unfortunate. I would not like to politicalize the issue; but then, when the Government is being charged with protecting the industrialists and monopolists, I think this is the forum to expose these lies that are being said against the Government. So, there is nothing wrong; if, by telling the truth, untruth is being exposed, there is nothing wrong. Coming to the assurance, I have already assured the House that this matter is now being examined by the Law Minister; and those, i.e. whosoever are found to be guilty, they shall be prosecuted.

MR. SPEAKER: Mr. Gauri Shanker Rai,

SHRI JYOTIRMOY BOSU: This R. P. Goenka, this Law Ministry and (Interruptions)

MR. SPEAKER: No, no. Mr. Gauri Shanker Rai.

SHRI K. LAKKAPPA: Mr. Bosu has uttered a word.**

MR. SPEAKER: No, no.

SHRI K. LAKKAPPA: You can go through the proceedings, Sir, if you want. It is a serious contempt of the House, involving breach of privilege.

MR. SPEAKER: If that is so, I will look into the matter. Please, Mr. Lakkappa, I am on my legs; I will go through the proceedings. And if he has said

"entire House", I will expunge it.

श्री गौरी शंकर राय : मान्यवर, मैं मंत्री जी से निश्चित रूप से जानना चाहता हूँ, केटेगोरिकली, कि श्री आर.पी.गोयन्का और श्री ए. के. रमन, वर्क्स मैनेजर, इन दोनों लोगों के ऊपर प्रोसीक्यूशन कैसेज किस के कहने पर, एट हूज इन्स्टैंस, छोड़ दिये गये थे ?

SHRI MOHAN DHARIA: On the advice of the Ministry, that the evidence against them was not adequate...CBI recommended prosecution of only 16 others. And before the matter was referred...(Interruptions).

MR. SPEAKER: Question 353, Mr. Mallanna.

(Interruptions)

SHRI KANWAR LAL GUPTA: It is not good, Sir.

MR. SPEAKER: There is hardly one minute. M. Mallanna has stood up for a supplementary. Mr. Mallanna was asking a supplemen-

tary. He has also raised it. It is not your monopoly.

(Interruptions)

श्री मोहन धारिया : अध्यक्ष जी, मेरा जवाब पूरा नहीं हुआ । मैं यह कह रहा था कि ला मिनिस्ट्री ने जो लसाह दी, उस के अनुसार पहले जो मिनिस्टर थे, उन्होंने यह फ़ैसला दिया, मगर जिस वक़्त मैं ने यह देखा कि यह फ़ैसला ठीक नहीं है कि जो डाइरेक्टर हैं या बड़े बड़े लोग हैं, जो मालिक हैं, उन को छोड़ देना और नीचे वालों के खिलाफ़ शिकायत करना, तो मैं ने होम मिनिस्टर साहब के पास इस को एगज़ामिन करने के लिए भेजा और उस में जो गुनागाहगार होंगे, उन के खिलाफ़ कार्यवाही की जाएगी ।

SHRI KANWAR LAL GUPTA: (rose).

MR. SPEAKER: The Question Hour is over. Mr. Kaushik, Papers to be laid on the Table.

(Interruptions)

श्री कंवर लाल गुप्त : मैं मंत्री महोदय से यह पूछना चाहता हूँ कि यह सवाल ला

मिनिस्ट्री का नहीं है, इसलिए जो तथ्य उस के पास हैं, उन की बेसिस पर क्यों वे सी० बी० आई० से इन्क्वायरी कराएंगे ?

MR. SPEAKER: No. no. Now Papers to be laid. The Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

Vacant Posts of Chairmen or Managing Directors in Public Sector Undertakings

*350. DR. V. A. SEYID MUHAMMAD: Will the Minister of FINANCE be pleased to state:

(a) the names of public sector undertakings where the posts of Chairmen or Managing Directors are lying vacant; and

(b) since when each of these posts is lying vacant and the reasons therefor?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). The required information is given in the statement annexed.

Statement

Statement showing the names of Public Sector Undertakings with out Chairmen or Managing Directors and reasons thereof.

Post	Date of vacancy	Reasons therefor and present position
1	2	3
I. Vacant posts for which selections are yet to be made		
1. Managing Director, Andaman and Nicobar Forest and Plantation Development Corporation.	17-9-77	Selection is under consideration.
2. Managing Director, Bharat Dynamics Ltd.	31-8-77	Selection to be made. Ad hoc appointment made.
3. Chairman and Managing Director, Bharat Ophthalmic Glass Ltd.	1-11-77	Previous incumbent has resigned and fresh selection is yet to be made.
4. Chairman & Managing Director Central Inland Water Transport Corporation.	18-11-77	Selection to be made. Ad hoc appointment made.