

with this line only in consultation with the Planning Commission. And I have already replied to an earlier question that we would require the Planning Commission's clearance of this line.

SHRI VAYALAR RAVI: Sir, the Minister said that the cost would come down to Rs. 4.55 crores for this project. Already everything is available for this 52 k.m. line project with the General Manager for the construction and that will reduce the expenditure further.

The material available with him already is lying idle somewhere in Kerala. Will you take the whole thing into account including the expenditure to be incurred on the rails? The second part of my question is this. Will you please do this yourself without consulting the Planning Commission?

PROF. MADHU DANAVATE: Sir, as far as consultation is concerned, we cannot take up the project unless of course we get a clearance from the Planning Commission. So, that question does not arise.

As far as the earlier part of the question is concerned, I have already cleared that point by saying that we have taken all the factors into account by which the original cost of the estimate could be reduced to some extent. That is the reason why we are proceeding with this.

SHORT NOTICE QUESTION

Tenders invited by O&NGC for purchase of Truck Tractors

S.N.Q. 2. DR. SUBRAMANIAM SWAMY: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Oil, and Natural Gas Commission called for tenders for the purchase of truck tractors;

(b) whether the called tenders were opened on March 3, 1976;

(c) whether the contract for 24 trucks was awarded to Maruti Heavy Vehicles Limited;

(d) whether the price charge by the Maruti Limited was almost twice as high as the lowest tender price; and

(e) whether the contract award was irregular?

THE MINISTER OF PARLIAMEN-TARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) and (b). The ONGC invited tenders on January 16, 1976 for Truck Tractors with opening date of the tenders as March 4, 1976.

(c) The contract for 12 Truck Tractors without oilfield equipment and 2 Truck Tractors with oilfield equipment at a total c.i.f. value of Rs. 73,47,707.00 was placed by the ONGC with the approval of the Government with M/s. Maruti Heavy Vehicles Ltd.

(d) At the time the order was placed, the quotations of M/s. Maruti Heavy Vehicles Ltd., for the said Truck Tractors were the lowest.

(e) The question as to whether there was any irregularity etc., in the award of the contract is presently under investigation by the Central Bureau of Investigation.

DR. SUBRAMANIAM SWAMY: Mr. Speaker, Sir, I would like to ask in view of the fact that the CBI has been asked to look into this case presumably it means that there is a *prima facie* case. The question is what are the terms of reference? It is clear that these trucks were not manufactured by Maruti but were imported from a foreign company, namely, International Harvester. Secondly, in addition to the price paid by the government, these companies have paid commission to the Maruti Company. Whether this aspect of the matter is also included in the terms of reference made to CBI. Further, I would like to know as to how much commission was paid and where has that commission been deposited?

SHRI RAVINDRA VARMA: As the hon. Member has said it is quite clear that these trucks were not being manufactured by M/s. Maruti Heavy Vehicles Ltd. It is a question of importing these. The question of commission as well as the other matters that the hon. Member has raised are the matters on which investigation will take place. Since the matter is under investigation by the CBI, it would not be proper for me to refer to any individual or any particular instance. The whole range of the transaction is such that there are apparently many things that have happened and many things that were done that are abnormal and these need looking into. It is precisely for this reason that the present government has considered it necessary that the matter must be investigated by the CBI.

DR. SUBRAMANIAM SWAMY: I am glad that the government has decided to throw the terms of reference quite wide. I would also like to know—in terms of persons—how wide these terms of reference would be. Whether the CBI will fix responsibility in terms of undue influence and misuse of authority? Whether the investigation would reach upto the level of Minister and see whether the former Prime Minister was also involved in this undue influence?

SHRI RAVINDRA VARMA: It is a limited case. It is not something relating to all the transactions that the previous government were responsible for. This is a matter where tenders were invited. A certain date was stipulated. Some tenders were received on time, and some tenders were not received on time. The Maruti tender, for instance, is one that was received later than the date fixed for the final tender. In spite of the fact that it was received much later, it appears from the records that we have, that the Ministry of Petroleum took particular interest in seeing to it that this matter was examined by the Tender Committee. This is a long

story. I will not call it a long saga. I will call it a long story with sufficient intrigues. There were repeated efforts to get tenders re-done and negotiations with parties which had tendered and not tendered, and eventually a decision was taken to the effect that the number of trucks should be scaled down so that the order might be placed on Maruti. For instance, the total expenditure was to be of the order of Rs. 1.76 crores. The original provision was for Rs. 1.29 crores. But when it was discovered that the quotation that was given by Maruti may go up to Rs. 1.76 crores, there was a further review, and this resulted in reduction in the number of trucks that were to be ordered. At different points, in this way, all along the line, you will find that many things were done which are not normally done, and that is precisely why effort is being made to look into the whole question to find out who is responsible, what interest was shown, in whose favour etc. It is obvious that the then Minister for Petroleum has written to the ONGC asking for consideration on many occasions, and these matters will be looked into and whatever may be the result of the investigation will receive the consideration of the Government.

DR. VASANT KUMAR PANDIT: How many number of tenders were received, from whom and what were the prices quoted?

SHRI RAVINDRA VARMA: In the beginning,—it almost seems biblical to start in this fashion—In the beginning, 21 timely offers were made and 8 offers were received late. But afterwards, as I said, at different stages it was decided to reopen and renegotiate with tenderers as well as those who did not tender in time. Therefore, it is very difficult to say the number at a particular point unless the hon. Member wants me to state at every stage how many were considered. A few were considered, but they

were considered in such a manner that there was renegotiation after the figures tendered by one particular party became known. Then there was renegotiation and opportunity was given to retender. These were the kind of irregular actions which often come to light in the Public Accounts Committee and, therefore, all these matters will be looked into.

श्री श्रीम प्रकाश त्यागी : मैं माननीय मंत्री जी से जानना चाहता हूँ कि श्री. एन. जी. सी. ने ट्रक ट्रैक्टरों के लिए टेन्डर्स इन्वाइट किये और जिन फर्म्स ने टेन्डर्स दिए उनके सम्बन्ध में क्या कोई मापदण्ड या आउट-लाइन निर्धारित की गई थी कि किस प्रकार की फर्म्स से टेन्डर्स आने चाहिये और क्या जिन फर्म्स ने टेन्डर्स दिए वह मारुति की तरह से ट्रक नहीं बनाती थीं, कहीं बाहर से लेकर देती थी या कुछ ऐसी फर्म्स भी थीं जो ट्रक ट्रैक्टरों बनाती थीं और उन्होंने टेन्डर्स दिए थे ?

SHRI RAVINDRA VARMA: Most of the tenders were from people who were to import them, since this kind of trucks were not manufactured in this country by anyone who submitted tenders.

श्री निर्मलचन्द जैन : जब सी० बी० आई० को इन्वायरी करने के लिए कोई कैस दिया जाता है तो उसको टर्म्स ऑफ रेफ्रेन्स नहीं देनी पड़ती बल्कि लाइन आफ ऐक्शन देना होता है तो क्या इस केस में जो इर्रेग्युलैरिटीज़ हुई हैं उनके सम्बन्ध में सी० बी० आई० को कहा गया है कि इन लाइन्स पर इन्वेस्टिगेट करना है ?

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SHRI RAVINDRA VARMA: It is very difficult for me to say. I do not think the hon. Member would want that the success of the enquiry and the efficiency of the enquiry should in any way be affected by what I state here. That would be giving an opportunity to those who want to play with evidence. Therefore, it is not in the public interest to state this.

SHRI SAMAR GUHA: Whether it is a fact that the appointment of the Chairman of the ONGC who was formerly a sugar industrialist in Hyderabad, was a political appointment? Whether he was responsible to act as an instrument to deal with the Maruti under 'X' 'Y' 'Z' of higher authorities? If so, whether the Government has made an enquiry about the role of the gentleman and whether the Government thinks that such a man with so many complaints against him should continue to run the ONGC?

SHRI RAVINDRA VARMA: The question is one of damages and not particularly about the chairman of the ONGC. The hon. Member is a very senior Member and has made certain statements and given some information about that person. These will be borne in mind.

SHRI K. S. CHAVDA: May I know whether the ONGC had got the tractor?

SHRI RAVINDRA VARMA: It is a very important question. The delivery schedule for truck tractors with oil field equipment was 31-3-1977; for the two truck tractors without oil field equipment it was April 1977. No delivery has so far taken place, and the trucks have not been delivered to the ONGC. The letter of credit covering the supply of 10 truck tractors without oil field equipment has expired on 24 April 1977, and for the remaining two truck tractors the letter of credit is valid upto 24 July 1977.

श्री कंबर लाल गुप्त : मंत्री महोदय ने अभी बतलाया कि जो टेण्डर पहले बुलाये गये थे उनमें माहति लि० का नाम नहीं था। क्या मंत्री महोदय बतायेंगे कि यह निर्णय किस ने लिया कि दोबारा टेण्डर लिये जायें, नेगोशियेशन्स का निर्णय किसने लिया—क्या यह पोलिटिकल निर्णय था ?

इस कम्पनी ने समय पर ट्रक नहीं दिए, इस बात को दृष्टि में रखते हुए कान्ट्रैक्ट में जो पैनल्टी क्लॉज है, क्या उसके अन्तर्गत कोई कार्यवाही आपने की है ?

SHRI RAVINDRA VARMA: As for the first part of the question, I have stated earlier that the tender from Maruti was not received in time. The last date for opening the tender was 4th March 1976. Technical evaluation of the tenders received had been completed by the tender committee on 8th June 1976. It was *inter alia* observed by the tender committee that the rate of Messers. Maruti quoted was Rs. 45,19,72.85 on fob basis inclusive of commission and exclusive of training charges indicated as US dollars 14,580, they were the lowest among the technically acceptable offers for truck tractors without oil field equipment. It was forwarded to the ONGC by the Ministry of Petroleum on 25th May 1976 stating that the firm had claimed that the harvester truck tractors being offered by them not only met the technical specifications in full but were also the cheapest. In the letter from the Ministry of Petroleum it was also pointed out that the then Minister of Petroleum had minuted that "if that was so it would be in ONGC's interest to consider this offer also....."

SHRI K. SURYANARAYANA: May I know whether it is on record that at any stage any technical officer concerned has brought it to the notice of the Minister or any higher officer that it was out of the way and there were irregularities in this?

SHRI RAVINDRA VARMA: It had been pointed out on one or two occasions that perhaps what was being suggested was not the best thing. If the hon. Member wants me to state in detail about every point of the case, it may be prejudicial to the enquiry.

SHRI YADVENDRA DUTT: I want to know whether any payment, either partly or fully, has been made to the Maruti Heavy Vehicles Limited without receipt or delivery of these tractors and if so, what is the amount?

SHRI RAVINDRA VARMA: I would like to have notice for this question because the exact amount is not known to me.

SHRI RAM JETHMALANI: Mr. Speaker, Sir, I assume that CBI is carrying on the investigation very efficiently. In every case, even a case involving lesser offence, the Government has always insisted that the detention of the suspect in custody is necessary for the purpose of interrogation and effective investigation. I want to know from the hon. Minister whether the Government has taken a policy decision that investigation against the criminals involved in this particular case shall proceed without their being in custody even for a single day. Has it struck the hon. Minister as odd that Mr. Sanjay Gandhi appears before the court and obtains anticipatory bail in every case. I want to know who are the prosecutors appointed by the Government who are opposing these bail applications. Are these opposed at all?

SHRI RAVINDRA VARMA: I do not know whether you are allowing the second part of the question. As far as the first part of the question is concerned, the investigation is precisely to identify who is responsible and to what extent he is culpable. When it is still being investigated, it is not possible for us to say who is the guilty person.

SHRI DHIRENDRANATH BASU: I want to know from the hon. Minister why the balance orders for the tractors have not been cancelled.

SHRI RAVINDRA VARMA: The orders have not been cancelled, but delivery has not been made as against the order.

MR. SPEAKER: Since the delivery has not been made, why the orders have not been cancelled by your department.

THE PRIME MINISTER (SHRI MORARJI DESAI): It is not possible to cancel the orders so easily because there are charges to be paid. Therefore, it has to be dealt with very carefully. Does he want us to follow the same method of the previous Government?

श्री भारत भूषण : इन्टरनेशनल हार्वेस्टर के यहां वोल्टास एजेंट है। क्या इनके लिए वोल्टास ने भी टेंडर दिया था ?

SHRI RAVINDRA VARMA: There is no record to show that Voltas had given any tender.

WRITTEN ANSWERS TO QUESTIONS

सीतामऊ और मानसा रेलवे आउट एजेंसियों (पश्चिम रेलवे) का बन्द किया जाना

* 121. डा० लक्ष्मी नारायण पांडेय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पश्चिम रेलवे की सीतामऊ और मानसा रेलवे आउट एजेंसियों में भारी घोटाले हुये थे और इन्हें बन्द किया गया था;

(ख) क्या इन एजेंसियों के प्रबन्धकों अथवा संचालकों अथवा जिन व्यक्तियों को ये एजेंसियां दी गई थीं उन्होने न केवल रेलवे को ही लूटा है अपितु काफी संख्या में जाली रेलवे बिलिटियां बना कर जनता को भी लूटा है;

(ग) क्या इस मामले में कोई जांच की गई है; और

(घ) यदि हां, तो अब तक क्या कार्यवाही की गई है ?

रेल मंत्री (प्रो० मधु बंडवते) : (क) जी हां ।

(ख) सीतामऊ आउट एजेंट द्वारा रेलवे स्टेशन पर आगे भेजने के लिए परेक्षण की सुपुर्दगी किये बिना 49 रेलवे रसीदें जारी की गई थीं । इसके अलावा 16 मामले माल की गलत घोषणा के थे । मनासा आऊट एजेंसी के मामले में, बुकिंग के बाद रेलवे स्टेशन पर कुछ परेक्षणों की सुपुर्दगी करने में केवल विलम्ब हुआ था ।

(ग) जी हां ।

(घ) जहां तक मनासा आऊट एजेंसी का संबंध है, उस का ठेका समाप्त कर दिया गया है और मनासा आऊट एजेंसी के ठेकेदार से रेलवे की वाजिब रकम की वसूली के बारे में कार्यवाही की जा रही है । सीतामऊ आऊट एजेंसी के संबंध में की गयी जांच पड़ताल के परिणामस्वरूप सीतामऊ आऊट एजेंसी के ठेकेदार के विरुद्ध दो अपराधिक मामले दर्ज किये गये हैं और उन के बारे में मंदसौर के न्यायिक मजिस्ट्रेट के न्यायालय में कार्यवाही चल रही है । सीतामऊ आऊट एजेंसी बन्द की जा चुकी है