

is the truth? Is he a Constitutional authority or is he waging a war against the Members of Parliament, against the Prime Minister, that he is circulating to the Members of Parliament a letter he had sent to the Prime Minister?

**SHRI H. R. BHARDWAJ:** Sir, this is not true that there is any warlike situation. It is a very peaceful Government. (Interruptions).

**SHRI G. SWAMINATHAN:** The Government is very peaceful but the Chief Election Commissioner is not peaceful.

**THE PRIME MINISTER (SHRI P. V. NARASIMHA RAO):** Mr. Chairman, it is better not to comment on these matters. We have to find solutions to these problems when they arise. This is a question of interpreting the Constitution. The Chief Election Commissioner interprets it in one way, we interpret another way. There must be some methods of coming to some consensus on this. We are trying this. I would request hon. Members not to take it up at this stage.

\*28. [The Questioner (Shri Ashok Mittal) was absent. For answer vide col. ....infra.]

**Offers of Companies other than HAL for the Modernisation Project of Penicillin**

\*209. **SHRI CHIMANBHAI MEHTA:**

**SHRI ANANTRAY DEVSHANKER DAVE:**

Will the Minister of **CHEMICALS AND FERTILIZERS** be pleased to state:

(a) whether Government's attention has been drawn to the news-item published in the Indian Express dated 7th July, 1994 under the caption "HAL tie-up plan with Max-GB in rough weather";

(b) if so, what is Government's reaction thereto;

(c) whether it is a fact that the modernisation project for Penicillin G is being negotiated with Max-GB exclusively, ignoring open tendering norms;

(d) if so, the reasons therefor;

(e) the details of other bidders for modernisation project whose offers

have not been considered, though technologically and financially more beneficial for HAL; and

(f) the details of all the offers received by HAL and the Ministry for the Modernisation of the plant?

**THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI RAM LAKHAN SINGH YADAV):** (a) to (f) A Statement is laid on the Table of the House.

**Statement**

(a) Yes, Sir.

(b) to (f) A Memorandum of Understanding (MOU) has been entered into between ~~Hal~~ **Mustan Antibiotics Limited (HAL)** and **MAX-GB** for technology upgradation in the existing Penicillin plant of HAL through a joint venture collaboration. The Joint Venture is subject to approval of the Government which has not yet been given. The matter relating to the proposed joint venture between HAL and MAX-GB is now before the Hon'ble High Court of Delhi at New Delhi through Writ Petitions No. CW 3160/94, 3161/94 and 3181/94. The Show Cause Notices for these Writ Petitions have been received by this Ministry only on the 5th August, 1994. The Union of India is the first respondent in the said three Writ Petitions, the other respondents being HAL, MAX-GB and Managing Director, HAL.

**श्री राम लखन सिंह यादव :** उत्तर सभा पटल पर रखा गया है लेकिन इसके बाद मैं आपका ध्यान राज्य सभा क्लर्क आफ प्रोसिजर एंड कंडक्ट आफ बिजनेस, पेज-17, पर धारा 47(2) XIX की ओर दिलाना चाहता हूँ जिसमें कहा गया है—

"It shall not ask for information on a matter which is under adjudication by a court of law having jurisdiction in any part of India."

इसके साथ साथ मैं आपका ध्यान... (व्यवधान)

श्री चिमनभाई मेहता : 12 बज जायेंगे।

MR. CHAIRMAN: Pleased let the Minister speak.

श्री राम लखन सिंह यादव : इसके साथ साथ लोक सभा में जो डिबेट हुआ है 1959 में, उस पर जो स्पीकर का रुलिंग हुआ है, उसकी ओर मैं आपका ध्यान दिलाना चाहता हूँ।

"The hon. Members know that before investigation are started, they may not be in a position to give any information—"

"But if the information is followed up by a case launched in court of law, it becomes *sub judice*. Therefore, it is no good putting this question."

मैं आपका ध्यान इस ओर दिलाना चाहता हूँ कि जो प्रश्न पूछा गया है उसके संबंध में तीन पार्टियों ने दिल्ली हाई कोर्ट में केस दाखिल कर दिया है।

MR. CHAIRMAN: Mr. Minister, the Question Hour is over.

SHRI CHIMANBHAI MEHTA: Sir, he has already laid the statement on the Table and then he is talking like this.

MR. CHAIRMAN: I understand it became *sub-judice* afterwards.

SHRI CHIMANBHAI MEHTA: No, no. It is laid on the Table today. Why is he saying it is *sub judice*? Just because he wanted to avoid the supplementaries he has done this.

#### Inspection Bungalows of MES

\*261. SHRI RAM NATH KOVIND: Will the PRIME MINISTER be pleased to state:

(a) what are the aims and functions for which MES (Military Engineering Service) Inspection Bungalows were set up;

(b) what are the criteria and conditions

to be fulfilled in sanctioning of these Bungalows;

(c) the number of MES Inspection Bungalows in existence and operation in the country alongwith the total number of Suites/ Rooms; i.e. Bed capacity;

(d) what has been the total expenditure on maintaining and running these Bungalows and what has been the corresponding revenue from occupancy of these inspection Bungalows separately from occupants on duty tour and occupants not on duty during the last three years;

(e) whether the charges for occupation of Inspection Bungalows have been suitably revised due to increase in cost of maintenance, if so, to what extent;

(f) how many new MES inspection Bungalows have been added during the last three years and how many old Inspection Bungalows have been closed down; and

(g) what action is envisaged or is being taken to curtail the operation of MES Inspection Bungalows in the interest of economy?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI MALIKARJUN): (a) to (g) MES Inspection Bungalows have been provided at various stations for the convenience of the officers and subordinates who have to tour on duty in connection with planning and inspection of works services. There are in all 133 Inspection Bungalows which have altogether 475 suites with 950 beds. These are intended to be a facility to touring officers.

Before taking a decision to establish an Inspection Bungalow in a Station, various factors such as work load, number of officers visiting the station, the distance from the nearest MES Inspection Bungalow, availability or alternative accommodation etc. are taken into account.

The details of estimated expenditure incurred on the maintenance/upkeep of incurred Bungalows and the actual revenue earned therefrom during the preceding 3 years is indicated in the statement attached (See below)