

के सदस्यों को उचित मुआवजा एवं क्षतिपूर्ति न देने के संबंध में उनको एक पत्र लिखा था ; और

(ख) यदि हां, तो इस मामले में सरकार द्वारा क्या कार्यवाही की गई है ?

भ्रम तथा पुनर्वास मंत्रालय में राज्य मंत्री (श्रीमती मोहसिना किदवाई) : (क) जी, नहीं ।

(ख) हरियाणा सरकार, जो इस मामले में संबंधित सरकार है, से इस मामले में जांच करने और आवश्यक कार्यवाही के लिए अनुरोध किया गया है ।

Sale of spurious 'Nirma Washing Powder'

@1222. SHRI SUKOMAL SEN;

SHRI YOGENDRA SHARMA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the news item in 'India Today' (September 1-15) that a sales-girl belonging to M/s. Hindustan Lever was caught in Bombay on July 27, distributing 'spurious' packets of Nirma Washing Powder;

(b) whether Government are aware of the fact that the issue was settled by the court;

(c) whether M/s. Hindustan Lever assured that they had destroyed the controversial leaflets and printing blocks used to make them, got rid of all stocks, and undertook not to do this kind of research in future; and

@Previously Unstarred Question 364, transferred from the 7th October, 1982.

(d) if so, what are the reasons MRTP Commission has not *suo moto* taken note of this unfair trade practice and proceeded against this conspiracy?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI GHULAM NABI AZAD): (a) Yes, Sir,

(b) and (c) It has been reported by M/s. Hindustan Lever Limited that in connection with certain market research operations carried out by the company at Bombay and Ahmedabad for developing detergent powder, advertisements for the proposed product of the company as also for Nirma were distributed to consumers to ascertain in the efficacy of these advertisements. However, this led to some misunderstanding and complaints were filed by Nirma at Bombay and Ahmedabad alleging that Hindustan Lever had violated their copyright by printing a leaflet containing their advertisement and that they suspected that Nirma supplied to the consumers in the course of this research was spurious. M/s. Hindustan Lever has also reported that this matter was amicably settled out of court and that an agreement was signed under which Nirma representatives confirmed that the misunderstandings had been removed and the Hindustan Lever agreed that they will not, in future, reprint the Nirma advertisement.

(d) The MRTP Commission has directed *suo moto* investigation to find out the truth or otherwise of the press report in question and to ascertain whether Hindustan Lever is indulging in any restrictive trade practices in respect of detergents.

Holding of bye-elections to the vacant Lok Sabha seats from J and K State

1223. SHRI DHARM CHANDER: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state by when Government propose to hold bye-elections to the Lok Sabha from the State of Jammu and Kashmir for the two seats which fell vacant recently?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI JAGANNATH KAUSHAL): The Election Commission has stated that it is aware of the existence of only one vacancy in the Lok Sabha from 1-Bara-mulla constituency in the State of Jammu and Kashmir. The Commission had sent a programme to the Chief Electoral Officer, Jammu and Kashmir for holding the bye-election in November, 1982. The Chief Electoral Officer has however, communicated to the Commission the State Government's desire to fill the vacancy simultaneously with the general elections to the Legislative Assembly of Jammu and Kashmir.

Acceptance of advice tendered to various Government Departments by Ministry of Law, Justice and Company Affairs

1224. SHRI SANGDOPAL LEPCHA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the advice tendered by his Ministry is binding on all Government Departments; and

(b) if so, whether in cases where the Administrative Departments or Ministries do not follow the advice of his Ministry, the fact of non-acceptance of such advice is made known to his Ministry giving reasons therefor?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI JAGANNATH KAUSHAL):

(a) and (b) Under the Government of India (allocation of Business) Rules 1961, this Ministry is responsible for advice to ministries on legal matters, including interpretation of laws, legal proceedings and conveyancing. It is for the Ministries concerned to seek the advice of this Ministry. The nature of the advice given by this Ministry and the action taken by the Departments on the basis of such advice, are internal matters pertaining to the transaction and disposal of government work, which by their very nature are secret.

Calling of Extra-Ordinary Meeting of Apparels Export Promotion Council

1225. SHRI SANGDOPAL LEPCHA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Delhi High Court has passed an interim order on the 25th August, 1982 in a case "Promod Chopra and others Versus Apparels Export Promotion Council";

(b) if so, whether the above interim order prevents the Company from calling an Extraordinary General Meeting for amendments in the Articles as already directed by the Company Law Board under the Companies Act, 1956; and

(c) whether Government propose to cancel this Company's Section 25 Licence for continued default of directions issued under Section 25(8) of the Act to amend the Articles to allow voting rights to Associate Members?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI GHULAM NABI AZAD): (a) Yes, Sir.

(b) No, Sir. However, the Honourable Court has ordered maintenance of *status quo* until the disposal of the suit.

(c) The matter being *Sub-judice* there is no such proposal.

Deletion of a name from the voters list in District Muzaffarnagar (U.P.)

1226. SHRI G. C. BHATTACHARYA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Election Commission of India has received a representation from Shri Bashir Ahmed, Ex-M.L.A., P.O. Kairana, District Muzaffarnagar, Uttar Pradesh, against S.D.O. Kairana for cancelling his name from the voters list of Kairana Nagar Palika, District Muzaffarnagar;