

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;