

DR. (SHRIMATI) NAJMA HEP-TULLA: He has not replied to my point. What about the reservation for the minorities, for the Scheduled Castes and the Scheduled Tribes?

SHRI JAGANNATH KAUSHAL: Now the Doctor has asked me about reservation I would like to know whether the reservation provisions of the Constitution are applicable to the private houses also. Madam, obviously they are not. The Constitution only talks of public services. All that I can say is, since you have raised this point, we can certainly convey your suggestion to...

DR. (SHRIMATI) NAJMA HEP-TULLA: At least you can give an assurance to the House that you will look into the matter. It is the responsibility of the Government... (*Interruptions*).

SHRI JAGANNATH KAUSHAL: I am not going to enter into that discussion because ultimately the Constitution does not go beyond public services.

So far as your suggestion is concerned, we will look into it. (*Interruptions*).

Therefore, my very respectful submission to the House is, please accept the Bill at its face value. Our mentions are honest. Some of the hon. friend has said that we are trying to mislead,

“ब्राह्मों में धूल झोंक रहे हैं”

These are very strong expressions which you have the right to say, but they are not in good taste. We have come with an honest, straightforward Bill which, according to me, is totally non-controversial, in the interest of production.

I would, therefore, humbly request the House to pass the Bill.

THE VICE-CHAIRMAN (SHRI R. RAMAKRISHNAN): I will now put Shri Shiva Chandra Jha's amendment to vote.

The question is:

"That the Bill further to amend the Monopolies and Restrictive Trade Practices Act, 1969, be referred to a Select Committee of the Rajya Sabha consisting of the following members, namely;

1. Shri R. R. Morarka
2. SHRI S. W. Dhabe
3. Shri Suraj Prasad
4. Shri Shanti G. Patel
5. Shri Biswa Goswami
6. Shri Rameshwar Singh
7. Shri Hukmdeo Narayan Yadav
8. Shri Kalraj Mishra
9. Shri Hari Shankar Bhabhra
10. Shrimati Mohinder Kaur
11. Shri Shiva Chandra Jha

with instructions to report by the first week of the next Session." *The motion was negatived.*

THE VICE-CHAIRMAN (SHRI R. RAMAKRISHNAN): I shall now put the motion moved by Shri Jagan-nath Kaushal to vote.

The question is:

"That the Bill further to amend the Monopolies and Restrictive Trade Practices Act, 1969, as passed by the Lok Sabha, be taken into consideration."

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRI R. RAMAKRISHNAN): We shall now take up clause-by-clause consideration of the Bill.

*Clause 2 to 5 were added to the Bill Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI JAGANNATH KAUSHAL: Sir, I move;

"That the Bill be passed."

*The question was put and the motion was adopted.*

**HALF-AN-HOUR DISCUSSION ON  
POINTS ARISING OUT OF THE  
ANSWERS GIVEN IN THE RAJYA  
SABHA ON THE 15TH JULY, 1982 TO  
UNSTARRED QUESTION 734,  
REGARDING ALUMINIUM PRODUCED  
BY HINDALCO.**

THE VICE-CHAIRMAN (SHRI R. RAMAKRISHNAN): Half-An-Hour Discussion. Shri Kalyan Roy.

SHRI KALYAN ROY (West Bengal): Sii", you have given me a surprise. Let the House settle down a bit.

I want to raise a discussion on points arising out of the answer given in the Rajya Sabha on the 15th July, 1952, to Unstarred Question No. 734 regarding aluminium produced by HINDAL CO. Sir What is going on there? Let that meeting be over first.

THE VICE-CHAIRMAN (SHRI R. RAMAKRISHNAN): Order please. Now please proceed.

SHRI KALYAN ROY: Sir, we are discussing the Kuo oil deal tomorrow. The loss may be 10 or 12 crores of rupees. What we are discussing today is a massive dacoity, loot and plunder of the Government money by the biggest business house of the country—the house of Birlas. The amount would be Rs. 30 crores, out of which the Minister herself has admitted in this House Rs. 26 crores. The money which belongs to the Government, which should have been deposited since 1978, the house of Birlas, with their mighty power at their command, has been deliberately avoiding to pay, to my utter surprise and regret, with the connivance of the Calcutta judiciary. This is the shocking state of affairs which nobody would have believed if I had not have brought this to the House.

Sir, there are four big aluminium concerns—big or small. One is HINDALCO, belonging to the house of Birlas. Second is Indian Aluminium Company, belonging to a multinational. Third is Madras Aluminium and the fourth which they are trying to build up is Bharat Aluminium Company. Sir, in 1978 when there was a scarcity of aluminium, the Government under section 3 of the Essential Commodities Act—which we discussed a few weeks back in this House to give it more teeth—brought

the Aluminium Control Order. What does it mean? That means there are two prices. One is the retention price given to these four companies and the other is the sale price of aluminium ingots.

So, the retention price is fixed according to a very strict guideline which includes the cost of production. Cost of production means main inputs like electricity—which itself consumes 40 per cent of the cost of production—coal tar pitch, coke, etc., etc. The price which is given as retention price takes into account a reasonable profit. There has been no objection from either Birlas or the multi-national company. That this "reasonable profit" is objectionable. "Reasonable profit" is the cost of production plus 12-1/2 per cent return. Twelve and a half per cent return plus the cost of production is the retention price. These four companies are very very happy with this retention price.

Then comes the sale price. Under the Essential Commodities Act, all these four companies will have to deposit the difference between the retention price and the sale price because the cost of production in the four companies is not the same. All the four companies have different costs of production. So, whatever is the difference between the retention price and the sale price they will have to deposit in the Aluminium Regulation Account under the Essential Commodities Act and under the Aluminium Control Order. What is the motive? What is the intention? What is the aim in equalisation of prices? It is that the consumer of any aluminium will be able to buy that aluminium at the same price, so that there is no under-cutting among these four companies—Hindalco, Alcon, Balco and Madras Aluminium. It was introduced with the consent of the big monopoly houses. Sir, you will be shocked to know, the House will be shocked to know and the nation will be shocked to know that Birlas have accumulated Rs. 26 crores till 1980 and have refused to deposit the amount in the Aluminium Regulation account which is being done by the other three concerns. And they went to the High Court of Calcutta.

I Now the second chapter follows which, I I hope, the Law Minister will take serious

note of. It is shocking, it is something which, in a western country, would have led to a full-scale probe like Watergate. The Judge of the Calcutta High Court heard the cases in the months of March and April 1980, according to the statement laid on the Table of the House. I am quoting from what Mrs. Ram Dulari Sinha placed on the Table of the House:

"The case was finally heard by the Calcutta Court in the months of March and April 1980."

In 1980 the case was heard and finished. In February 1981 the Court made the rule against the Union of India absolute. This Judge, Sir, in February, 1981, without writing a line—maybe he was short of pencils or fountain pens or paper—had just verbally said that the Essential Commodities Act is *ultra vires* the Aluminium Control Order *ultra vires* and the Aluminium Regulation Account *ultra vires*. That is all. Naturally, I don't say that the Judge can't hold the Government wrong. They may go in appeal. I have nothing against it. Naturally, the Mines Department has done the correct thing. They wanted to file an appeal. I will read the reply given by Mrs. Sinha:—

"The honourable Judge has not, however, delivered a written judgement in the case so far in spite of having been reminded by the Counsels of the Central Government."

Can you ever dream of this? We talk about political corruption we talk about commercial corruption. What kind of corruption is this, Mr. Law Minister? What kind of sordid deal is this? What kind of a shameless transaction is this? That a judge gives a judgement in favour of the mighty monopoly houses in February, 1981 but refuses to write a line in order to prevent the Government of India from going to the Supreme Court. Till today when are discussing this, July 28, 1982, the Judge, in spite of repeated pleas, repeated petitions of the Government of India, has refused to write a line. Is it the way judges will behave? Does it show the integrity of the Judge? Is it the way the Government of India is going to tolerate this? A judgment, a verbal judgment involving Rs. 28 crores, but not a line till today

in order to prevent the Government of India from filing an appeal with the Supreme Court.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI JAGANNATH KAUSHAL): Although we are very unhappy over the situation and we have gone in appeal, I would request him to talk to the Judge.

SHRI SHRIDHAR WASUDEO DHABE: (Maharashtra): Judgement is not delivered. How do you feel about it? You should be happy that the matter is raised.

SHRI KALYAN ROY: I have understood him. (Interruptions) He has gone in appeal to the appellate. . .

SHRI SADASHIV BAGAITKAR (Maharashtra) : How will the appeal be accepted when there is no judgement? a

SHRI JAGANNATH KAUSHAL: I am only bringing the rule that while talking of the conduct of a Judge one should be rather careful.

SHRI KALYAN ROY: I appreciate your statement. What is happening? Sir, I appreciate the statement of the Minister. He said that he is unhappy. But is it not correct that whenever they filed an appeal in the appellate division in the Calcutta High Court, the High Court wanted them to have a paper book. What kind of a paper book could be prepared when the Judge had not given a written judgement? Let him deny it. The appellate division wanted to have the paper. How could a paper be prepared without the judgment? Sir, it is astounding. All right, these Rs. 26 crores. What about the rest Rs. 4 crores? According to Mrs. Ram Dulari Sinha, the second instalment, apart from Rs. 26 crores, comes from the latest pricing of December 3, 1981, i.e., over Rs. 11 crores Sir, that particular suit involved Rs. 24 crores. Now the second instalment is due after that period Rs. 5 crores. Has it been paid? No. The third instalment is due Rs. one crore more. Has it been paid? No. Then who would be paying? The poorest of the poor, the talisman in the words of Mahatma Gandhi and what a tiny little man G. D. Birla is, the mighty man who gives donation, builds a temple or a mosque in order to

go to Heaven! I do not know whether he will go to Heaven or Hell, but he loots, plunders the Government money to the extent of Rs. 28 crores. Sir, who suffers? not that we suffer. The Government of India wanted to make Balco a good public sector aluminium concern. Balco is directly hit because Hindalco does not pay. On the other hand, they are sabotaging the collection of revenue. They are sabotaging the Essential Commodities Act. They are sabotaging the development of the public sector. Is it hot scandalous? What is the Essential Commodities Act? Both the Law Minister and the Minister of State in charge of Steel and Mines are here.

What is there in the Essential Commodities Act for recovery of the money? Is there anything? We have been discussing again and again about the Essential Commodities—Act. Why has it not been applied properly? At least prosecution should have been filed against Birla. Why? What is the consideration? What happened in between? Who got what? What amount? Not that we want a share. Let them enjoy. Why no attempt has been made, if there is a lacuna in the law, to plug the loopholes in the Essential Commodities Act? There is no provision to recover the arrears or recover the money. Has not time come again to review it?

Lastly, Sir, before I sit down, I can understand if the Birlas come to the Government of India and say, "Look here at this particular situation, Give us some time. We will pay," That, I can understand, that plea also, even from the Birlas.

Mr. A. A. Rahim, Minister of State in the Ministry of Law, Justice and Company Affairs, stated this in reply to my question on the 19th of July, 1982, and I am quoting it. This is the financial condition of Hindalco. This is the balance sheet. The assets are:—

1979-80	117.69 crores.
1980-81	131.99 crores.
1981-82	201.96 crores.

The increase in the income of the company in the year 1981-82, the latest available, over 1971-72, amount to Rs. 126.70 crores. The percentage growth, how much? 257.4 per cent growth, Hindalco, according to the Minister of Company Affairs, And total

sale, investment, income have gone up. The income has gone up from Rs. 123 crores from 1979-80 to Rs. 175.19 crores. That means nearly Rs. 200 crores. What is the working capital? The working capital consists of the Government money, Rs. 26 crores, plus the money, Rs. 30 crores they have not paid to the U.P. S Electricity Board. That is the capital of the Birlas. The money which should have been paid to the Ministry of Mines and the money which should have been paid to the U.P. State Electricity Board together comes to about Rs. 45 crores, Rs. 50 crores. That is the working capital of poor, poor, poor, G. D. Birla. And the Government absolutely helpless because the Judge gave the judgement orally in 1980. Then the Government counsel goes and pleads with him and gives a written application pleading, "Please give us a chance to go to the Supreme Court." Till today when we are discussing it, the Judge has not given a single line. May I ask: Has he given a single explanation? Has Justice Mr. Sen, Justice of Calcutta, till today given a single explanation? Why for one-and-a-half years has he refused to give any written judgement? Why? What are the reasons? What is the cause? The nation's money is involved. I do not know if somebody else's money is involved or not. But the nation's money is involved. I congratulate the Minister of Mines for giving a very frank and honest intent. Every day we get such answers. I want to congratulate. I want to put it on record, every day we do not get full answers, she has given full answers and facts to the Opposition. They have not tried to suppress them. I congratulate her. We lost her as Labour Minister and we have her as the Mines Minister now. I would like the Government to have a thorough probe into the whole affairs, including, unfortunately, the role of this particular Judge v;?—vw the Hindalco.

Thank you. Sir.

Why is he murmuring?

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI KALP NATH RAI): Do not Shout. (Interruptions) Half-an-hour is over.

SHRI KALYAN ROY: See the behaviour of the Minister.

THE MINISTER OF STATE IN THE MINISTRIES OF INDUSTRY AND STEEL AND MINES (SHRIMATI RAM DULARI SINHA): Sir, I have listened to hon. Mr. Kalyan Roy with all seriousness. In reply to the Unstarred Question No. 734 put by the hon. Member on the 15th of July, 1982, I have given the facts and figures. Hence there is no need to go over the same facts again, I am happy that the hon. Member raised this issue in the House, which enables me to state certain issues clearly.

Under the Aluminium (Control) Order, 1970, retention prices of aluminium for the producers were to be fixed so that they could neither charge high prices nor were to incur any loss in supplying the commodity on controlled rates. The retention prices were to be fixed taking into account the cost of production and a return of net worth. For working this scheme, an Aluminium Regulation Account had been opened so that the producers whose retention prices were lower than the sale price deposited the difference into the account, whereas those producers whose retention prices withdraw the corresponding amount from the account.

Sir, HINDALCO owes to the Aluminium Regulation Account a sum of about Rs. 27 crores. These dues relate to different time periods consequent to the revision of aluminium prices. The major amount of Rs. 22 crores is a subject-matter of litigation in the Calcutta High Court. The second amount is around Rs. 1 crore. It relates to the price revision on 27th March, 1981. The third amount of about Rs. 4 crores till the end of June, relates to the price revision of December 3, 1981. HINDALCO have preferred an appeal before the Central Government Tribunal under clause 12 of the Aluminium Control Order against the pricing of December 1981. The matter is pending with the Tribunal. It will thus be seen that out of the total amount of approximately Rs. 27 crores, the liability of payment of Rs. 1 crore has not been challenged in any Court or Tribunal.

I may recall that the case was heard "by Mr. Justice D- K. Sen in April 1980. He finally on the 19th of February, 1981, made the rule absolute,

but the judgment giving the reasons for the order has not yet been pronounced up to now in spite of our best efforts. This has handicapped the Government in its efforts to bring the appeal for hearing and to have it disposed of. Sir, we have preferred an appeal before the Division Bench even without the written judgment of the trial court. Our officers have been frequently going to Calcutta and meeting the Central Government Counsels along with the officers of the Branch Secretariat of the Law Ministry at Calcutta to expedite the disposal of the matter pending there. We have also filed an application before the same Branch both for directing HINDALCO for immediate payment of Rs. 22 crores and for expediting hearing of the appeal. The matter was taken up by the Appeal Court on 27th July, 1982. It ordered HINDALCO to furnish a bank guarantee for a sum of Rs. 4 crores of a nationalised bank. Sir, the appeal itself is likely to be heard by the Division Bench of the Calcutta High Court on the 1st of September, 1982. Many of the issues relating to the nonpayment by HINDALCO into the Aluminium Regulation Account would be argued before the Court. The hon. Members would appreciate that since the issues are *sub judice*, any detailed discussion...

SHRI KALYAN ROY: Where is the paper-book?

SHRIMATI RAM DULARI SINHA: ...of these matters would not be in order and would be hit by the rule against discussing matters which are *sub judice*, that is, pending adjudication by the Court.

I will take this opportunity to inform the House of the serious crisis that the aluminium industry is now facing because of the peculiar behaviour of HINDALCO. Since the revision of price on December 3, 1981, the power tariff has gone up steeply for many aluminium producers. Hence legitimately a revision of retention prices of different producers is called for. Revision of retention prices re-

fleeing the increase in power tariff would result in increase in the sale price of aluminium. At present, the inflow into the Account is insufficient because of the deliberate non-payment of US dues by HINDALCO and we have been unable to pay the dues to producers whose retention prices are higher than the sale price. In such a situation, an increase of retention price of those who draw from the Aluminium Regulation Account will not give them any relief. On the other hand, HINDALCO if they persist with their unethical behaviour may get away with a larger amount. The entire pricing scheme, which is beneficial both to consumers and the industry as a whole, is in jeopardy today because of the non-cooperation of HINDALCO.

Government is seriously concerned about the whole situation and is trying to resolve the legal impasse through legal means. The Aluminium Control Order does not provide for any mechanism for recovery of arrears due because of the parent Act, that is to say, the Essential Commodities Act, which does not have any such provision, recovery of dues can be effected through a civil suit. It is, however, well known that the process is both time-consuming and expensive. Government is examining the whole matter to plug any loophole. I can assure the honourable Member and the House that we are taking all possible legal action to recover the dues from HINDALCO.

SHRI NIRMAL CHATTERJEE: Why don't you go to the Supreme Court? In a similar situation in the elections the Supreme Court could issue some orders to the High Court. So, why don't you approach the Supreme Court?

SHRI JAGANNATH KAUSHAL: The Division Bench said they will hear the appeal on the 1st September irrespective of any part-heard matter at No. 1. So by that time most probably either the judgment will be written or...

SHRI KALYAN ROY: What a pity! The Law Minister says most probably the judgment will be given.

SHRI JAGANNATH KAUSHAL: You know and I know the conduct of judges.

SHRI SADASHIV BAGAITKAR: Could not the Chief Justice of India help in the situation?

SHRI JAGANNATH KAUSHAL: DB and Supreme Court have the same power.

श्री शिव चन्द्र झा (बिहार) : मेरा पहला सवाल है कि हिंडालको और बिरला के सारे इम्पायर को यदि राष्ट्रीयकरण नहीं, तो कम से कम गांधियन ट्रस्टशिप के मातहत आप लाना चाहते हैं, या नहीं ?

दूसरा सवाल है कि क्या बिरला घराने ने एम. आर. टी. पी. एक्ट का कोई वायलेशन किया है, या नहीं ? यदि किया है कर्म-कर्म, तो उन मुद्दों पर आपने क्या-क्या कार्यवाही की है ?

तीसरा सवाल यह है कि आपसे कितना पैसा बिरला ने लिया है और उसमें से कितना आउटस्टैंडिंग लोन है ? इस के साथ ही आपने उसे बैकवर्ड एरिया में उद्योग स्थापित करने के लिये कितने लाइसेंस दिये हैं, तथा उसने वह उद्योग लगाये हैं, या नहीं ?

चौथा और आखिरी सवाल यह है कि क्या बिरला की पूंजी भारत से बाहर भी लगी हुई है ? यदि लगी हुई है, तो किन-किन उद्योगों में लगी हुई है और वह टोटल पूंजी कितनी है ?

श्रीमन्, वह उद्योग चलाने के लायक नहीं है, बिरला इम्पायर मंदिर व नवाने के ही लायक है। उसके लिये आप उसे बहाल कर सकते हैं।

SHRI SHRTDHAR WASUDEO DHABE: Mr. Vice-Chairman, this is a very serious matter. I am pained to find that the Law Minister is taking a light view of the matter and is expressing his helplessness. I don't think the Central Government is helpless when there is the question of corruption in judiciary coming 'n. Let it not be said in the House, in Parliament, what we have not done our duty. Is it not possible that there are allegations against this judge? I do not want to mention them. He has now gone over to another flat at a very high cost after this judgment. Is it not in the Law Minister's power to write to the Chief Justice of the Calcutta High Court to inquire and impeach the judge or dismiss him? A judge who has not given a judgment and has given a rule absolute holding the law *ultra vires* is something serious. It was thereafter the Division Bench of that High Court stayed the operation of the order. The matter was heard in April 1980 by the single judge and a judgment was given orally in February 1981, after such a long period. And the written judgment is not given even till today. And the Law Minister tells us that it is a bad precedent and that we should not even discuss the conduct of a judge. What a worse case can there be than this that such sort of judges are retained in the High Court! Nobody will have respect for the judiciary.

6 P.M.

Nobody will have respect for the judiciary. Immediate action must be taken at the appropriate level against that man who has not delivered a judgment for such a long time ev^n though the appeal is pending for final hearing. I would like to know whether the Minister of Steel and Mines has made a reference to the Law Ministry about the conduct of the Judge complaining that he is behaving in this way in this matter.

The hon. Minister said that the first order passed by the single Judge was an interim order allowing the company to deposit the difference between the sale prices and its retention prices^ in a nationalised bank and withdraw money therefrom against bank guarantees. The bank guarantee was given and the money was withdrawn. The amount was about Rs. 22 crores. After the judgment was given, no appscad is filed because the order declared the Act as *ultra vires*. On >asis of that judgment, though the operation of the stay order is there, the company has refused to pay further price which comes to Rs. 1 crore, but the Minister says it is Rs. 4 crores. Is not the Minister aware that Birlas can be prosecuted under the Essential Commodities Act and punished with fine and jail? If an ordinary dealer violates the kerosene order he is prosecuted under the Essential Commodities Act. Is Mr. Birla above the law? Why not the Government prosecute him? I would like to know why for violation of the Essential Commodities Act the Government cannot prosecute him.

Lastly, the company is getting electricity from the U.P. Electricity Board at reduced rate. Even then this big monopoly house is not paying it. Why don't you recover it from them? 's this the way the administration should go on? I would urge upon both the Ministers to recover the dues from the company immediately. Otherwise, why should they be given electricity at all? The industry is making so much profit. Please do not plead helplessness against one of the biggest industrialists in the country. Will the Minister give an assurance that Birla will be prosecuted for breach of the provisions of the Essential Commodities Act?

श्री लाडली मोहन निगम : (मध्य प्रदेश) : उपसभाध्यक्ष महोदय, मंत्री महोदय का बयान, और उसके साथ उठाए गए मुद्दे, दोनों में कहीं कोई सामंजस्य नहीं है।

श्रीमती राम दुलारी सिन्हा : क्या कहा ?

श्री लाडली मोहन निगम : आपने जो बयान दिया है—जो लिखित उत्तर दिया था और आज जो बयान दे रही हैं, दोनों में कोई सामंजस्य नहीं है।

श्रीमती राम दुलारी सिन्हा : आप कल्याण राय जी से पूछ लीजिए है कि नहीं ?

श्री लाडली मोहन निगम : मेरा एक छोटा-सा प्रश्न है। जो आदमी 37 करोड़ दवा सकता है—37 करोड़ का 47 लाख रु० ब्याज हो जाता है—47 लाख रु० से हिन्दुस्तान के किसी भी आदमी को वह खरीद सकता है। मेरा सिर्फ कहने का मतलब यह है कि अगर आपको ऐसा लगता है कि आप के हाथ बंधते हैं, क्या आप उसके ऊपर फौजदारी के तहत कोई क्रिमिनल प्रोसीडिंग्स नहीं चला सकते ?

दूसरा प्रश्न इसके साथ है और उसका प्रावधान आवश्यक वस्तु अधिनियम के अंतर्गत आता है, उसमें क्या आचरण है आपका कि उसके ऊपर मुकदमा आप चलाने नहीं जा रहे हैं? मैं उन बातों को नहीं दोहराऊंगा जो धाबे साहब ने कहीं। आज जैसा आपने तसलीम किया कि जजेज के बारे में अब वह बात नहीं रही है जसे पहले रहती थी, जब आप बकालत करते रहे हों, आज तो दिन-प्रति-दिन स्तर गिर रहा है, तो फिर जब स्तर एक तरफ गिर रहा है दूसरी तरफ लट चल रही है, लूट को रोकने का कोई साधन आपके पास नहीं है, अगर आप कुछ रोज के लिए भी, दफा 151 में भी इस बिड़ला को आपने बंद कर दिया होता तो मैं समझता आपके अन्दर नीयत ठीक है वरना बदनीयती है आप के दिमाग में।

तीसरा प्रश्न जुड़ा हुआ है इसी से कि बिजली का पिछले जमाने में उसके ऊपर 9 करोड़ का था अब तो बढ़ते-बढ़ते न जाने कितना हो गया होगा... लागत खर्च से कम मूल्य में आप दें और उसके बाद भी वह चुकाता नहीं तो बिजली भी नहीं बन्द कर सकते। एक तरफ आपका पैसा दबा ले, एक तरफ कोर्ट के हुक्म के बाद पैसा दबाता चला जाय, दूसरी तरफ आप अपने को बिलकुल असहाय पाते हैं, आप उसके ऊपर कोई कार्यवाही नहीं कर सकते। मैं आपसे कहना चाहता हूं कि अगर दूसरे कारखानों में थोड़ी सी भी कहीं अनियमितता होती है तो आप उनको ताबे में ले लेते हो सिक इंडस्ट्री के नाम पर। इसके ऊपर इतना पैसा बकाया है। मैं राम दुलारी जी से चाहूंगा कि वह आज ही घोषणा करें कि सरकार इस कारखाने को अपने ताबे में लेने जा रही है। आपका पैसा भी बचेगा, मजदूरों का भी हित होगा और चत्तर प्रदेश की सरकार को दिवालिया होने से आप बचा लोगे। वैसे अगर आप कुछ नहीं करते तो आपकी नीयत पर सड़क पर चलने वाले हर आदमी को शक होगा। (समाप्त)

श्रीमती राम दुलारी सिन्हा : हमारी नीयत बिलकुल साफ है।

श्री हुक्मदेव नारायण यादव : (बिहार) उपसभाध्यक्ष जी, माननीय राम दुलारी जी की नीयत साफ है, उसमें हमें कोई शक नहीं है लेकिन जिस सरकार में आप हैं उस की नीयत साफ नहीं होने के कारण उसका कोई फल नहीं निकलने वाला है। मंत्री जी ने अपने जवाब में कहा कि हम कीमत तय करते हैं लागत को देखकर, उनको मुनाफा भी हो और खरीदने वाले को घाटा भी



न लगे। तो कीमत निकालने की सरकार के पास कौन सी एजेंसी है जो लागत खर्च निकालती है कि लागत खर्च इतना है और उस पर कितना प्रॉफिट है। आप बताइये कि लागत कितनी आती है बनाने पर और बेचने में कितना प्रॉफिट होता है। दूसरा मेरा प्रश्न यह है कि केन्द्रीय सरकार के ट्रिब्यूनल में इन के खिलाफ मुकदमा दर्ज है। ट्रिब्यूनल में मुकदमे का जल्दी फैसला हो इसके लिए सरकार की ओर से क्या-क्या कार्यवाही की गयी अब तक? यह सरकार बतावे। मेरा तीसरा सवाल यह है कि अदालत में केस का जल्दी निबटारा हो जाय, इसके लिए आप क्या कर रहे हैं। इतने कानून आप बनाते हैं। कानून बनाने वाला ही कह रहा है कि इसके ऊपर यह कानून लागू नहीं हो रहा है। रामायण युद्ध में हम सुनते थे कि ब्रह्मास्त्र, अग्निबास्त्र चलता था। आप कानून बनाने वाले हो अगर बिड़ला के ऊपर आपका कोई अस्त्र नहीं चल रहा है तो यहां नीयत का सवाल है। कानून में आप ऐसा प्रावधान कर सकते हैं या नहीं, कानून में ऐसा संशोधन कर सकते हैं या नहीं कि इनके खिलाफ और इतने जैसे जो दूसरे एकाधिकारी बड़े लोग हैं, जो पैसे का गोलमाल करते हैं, उनको पकड़ा जाय? आप ऐसी कार्यवाही करेंगे या नहीं? यह भी सरकार बताये कि विदेशों में जो बिड़ला के कारखाने हैं उनमें इन की जो पूंजी लगी हुई है और हिन्दुस्तान में जो इनकी हिस्सा-पूंजी लगी हुई है उनमें विदेशी कारखानों में उन की हिस्सा पूंजी ज्यादा है और हिन्दुस्तान के उनके कारखानों में उनकी अपनी हिस्सा-पूंजी कम है और राष्ट्रीय बैंकों और वित्तीय संस्थानों की पूंजी ज्यादा लगी हुई है। इसी हिन्दालको में उनकी हिस्सा-पूंजी 1 प्रतिशत से कम

है। जहां तक मैं जानता हूं वह 0.46 परसेंट है और वित्तीय संस्थानों की 20 प्रतिशत से ऊपर है। तो सरकार की पूंजी जब 20 प्रतिशत लगी हुई है, सरकार का पैसा लगा हुआ है तो सरकार को उस कारखाने को अपने हाथ में लाने में क्या आपत्ति है? अगर सरकार ऐसा नहीं कर सकती तो आज इस सदन में यह कह दे। गांधी जी का जमाना था जब हम लोग गाते थे :

रघुपति राघव राजा राम,

प्रतिपावन सीता राम,

ईश्वर अल्ला तेरो नाम,

सब को सन्मति दे भगवान।

आज इन्दिरा गांधी के जमाने में अब लोग गाया करेंगे :

रघुपति राघव राजा राम,

पारन पावे सीता राम

बिड़ला टाटा तेरो नाम,

सब को सम्पत्ति भगवान।

श्रीमती राम दुस्तारी सिन्हा :

उपसभाध्यक्ष जी, मैं समझती हूं कि मैंने सारी बातों का जवाब दे दिया है। बहुत से माननीय सदस्यों ने अपनी बातें कही हैं जो इस मौके पर मुझे माफ़ नहीं जंचती हैं। मेरे बयान के सम्बन्ध में श्री शिव चन्द्र झा ने जो बातें कही हैं मुझे इर्रैलेवंट लगी हैं, लेकिन मैं उनको सलाह दूंगी कि जो दो-तीन सवाल उन्होंने किये हैं वे उन्हें क्वेश्चन के रूप में दें और स्टांड या अनस्टांड जिस रूप में भी वे आयेंगे मैं उनका पूरा जवाब दूंगी। धाबे ने जी कहा कि क्या इसकी जानकारी ला मिनिस्टर और ला मिनिस्ट्री को है, तो मैं कहना चाहती हूं बिड़ला मिनिस्टर

The Law Minister and the Law Ministry is in full knowledge of the case concerned.

जो कुछ इस तरह के सवाल होते हैं उन को लेकर हम ला मिनिस्टर के यहां कानूनी

सुधार के लिए जाते हैं और उनसे सलाह मशविरा करते हैं और इसलिये आपको इतमिनान होना चाहिए कि उन को इस की पूरी जानकारी है।

श्री लड्डो मोहन निगम : उसमें 20 परसेंट पूंजी सरकार की लगी है। उसकी आप रखवाली करेंगी या नहीं।

श्रीमती राम दुलारी सिन्हा : आपकी इस बात को ला मिनिस्टर ने सुन लिया है अच्छे तरीके से और इसलिये माननीय सदस्यों को अधिक कुछ कहने की आवश्यकता नहीं है।

निगम जी ने कहा कि हमारे आज के जवाब में और उस दिन के अनस्टाईड क्वेश्चन के जवाब में कोई तारतम्य और सामंजस्य नहीं है। इस संबंध में मैं इतना अवश्य कहूंगी कि उस दिन के अनस्टाईड प्रश्न का उत्तर और आज के उत्तर में पूर्ण सामंजस्य है।

जहां तक हुक्मदेव नारायण जी के प्रश्न की बात है कि देश में कितनी हिन्डालको की पूंजी है और विदेशों में कितनी है, इसके लिये आप कोई दूसरा सवाल पूछ लीजिए। इस सवाल का दायरा तो लिमिटेड था और मैंने उस का पूरा जवाब दे दिया है। निगम जी ने इसके राष्ट्रीयकरण की बात उठायी है। उसको भी सरकार ने नोट कर लिया है। मैं आप सब लोगों को धन्यवाद देती हूँ।

THE VICE-CHAIRMAN (SHRI R. RAMAKRISHNAN): Half-an-hour discussion is completed.

#### MESSAGE FROM THE LOK SABHA

##### The Governors (Emoluments, Allowances and Privileges) Bill, 1982.

SECRETARY-GENERAL: Sir, I have to report to the House the following message received from the Lok Sabha signed by the Secretary of the Lok Sabha:

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business In Lok Sabha, I am directed to enclose herewith the Governors (Emoluments, Allowance and Privileges) Bill, 1982, as passed by Lok Sabha at its sitting held on the 28th July 1982."

Sir, I lay the Bill on the Table.

THE VICE-CHAIRMAN: The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at twelve minutes past six of the clock till eleven of the clock on Thursday, the 29th July, 1982.