

today but we will have no time to discuss the subject in if you give the ruling in favour because we are all very keen to get the Constitution (Amendment) Bill passed, though from the other side it has been alleged that we want to blockade its passage and they are sincere about it. So, Sir, even if you give your ruling in our favour we will have no time to discuss it. Therefore, my request to you will be that you may kindly keep your ruling pending so that the option should be left to us to pursue the matter in the best way we think in the next session.

MR. CHAIRMAN: I reserve my ruling.

### SHORT NOTICE QUESTION AND ANSWER

#### Unloading and loading of imported cement at Ports

8. SHRI BUDDHA PRIYA MAURYA:  
SHRIMATI MAIMOONA SULTAN:  
SHRIMATI KUMUDBEN MANI-

SHANKAR JOSHI: SHRIMATI

HAMIDA HABIBUL-

LAH: SHRI BISHAMBHAR NATH PANDE: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government propose to import 1.5 million tonnes of cement from Korea, Romania and Poland during the current year;

(b) if so, what are names of the ports where the imported cement is proposed to be unloaded;

(c) whether Government propose to entrust the job of unloading and loading to private parties;

(d) whether there are offers from the public sector undertakings to do the job more economically and efficiently; and

(e) whether any tenders have been invited in this connection and if so,

what are the rates of the tenders accepted?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) The total estimated quantity c.f cement to be imported during the current year (1978-79) from North Korea, South Korea, Poland and Romania is 18.17 lakh tonnes. Out of this, 4.66 lakh tonnes have been imported during the current year upto 31st July, 1978.

(b) Cement will be imported during the current year through the ports of Bombay, Calcutta/Haldia, Cochin, Goa, Kandla, Madras, Mangalore, Paradip and Visakhapatnam.

(c) to (e). Contracts for handling imported cement have been given to Public sector undertakings as well as private sector firms. During the current year, limited tenders were invited through the press from cement producers and public sector undertakings and contracts were awarded on the basis of lowest tenders. Public sector

undertakings were shown preference by offering them the contracts at the lowest tendered rates even in cases where the undertakings had tendered for higher rates. The approved tender rates presently in force for different ports are as follows:

Name of Port	Rs. per tonne
Bombay	38.50
Calcutta	85.50
Haldia	68.00
Cochin	57.00
Goa	36.00
Kandla	44.00
Madras	40.00
Mangalore	33.35
Paradip	38.00
Visakhapatnam	70.00

The question was actually asked on the floor of the House by Shri Buddha Priya Maurya.

**श्री बुद्ध प्रिय मौर्य :** श्रीमान्, जनवरी, फरवरी और मार्च से लेकर 31 जुलाई तक जितनी भी सीमेंट की अनलोडिंग और लोडिंग हुई है, उसमें माननीय उद्योग मंत्री जी ने पब्लिक सेक्टर का नाम डाला है उनका इस अनलोडिंग, लोडिंग में कितना हिस्सा आया है ? श्रीमान्, सीमेंट का जहाजों से अनलोडिंग हुआ और बाद में वह टुक या रेलों पर चढ़ाया गया, मेरी जानकारी में यह आया है कि जनवरी फरवरी या मार्च में उसका रेट 72 रुपये टन से 85 रुपये टन तक था । श्रीमान्, मेरी जानकारी में यह भी आया है कि कोई भी टेंडर उद्योग मंत्रालय ने इस काम के लिए नहीं मांगा था और श्रीमान् मेरी जानकारी यह भी है कि पब्लिक सेक्टर, विशेष तौर से सीमेंट कारपोरेशन आफ इंडिया ने, अपनी सेवा प्रदान की थी कि इस कार्य को हम बिना किसी मुनाफे या नुकसान पर कर सकते हैं, कास्ट बेसिस पर, और श्रीमान्, इसके अलावा और भी पब्लिक सेक्टर की एजेंसीज हैं, जैसे एस० टी० सी० है, फूड कारपोरेशन है, सेंट्रल चैयरहाउसिंग कारपोरेशन है, एम० एम० टी० सी० है जो विशेष कारणों से देश में एक तरह से बहुत ही सफल कारपोरेशंस माने जाते हैं । क्या मंत्रालय ने, जिस समय यह लोडिंग और अनलोडिंग का कार्य दिग्विजय सीमेंट कारपोरेशन या भारत डालमिया को यह काम सौंपा था और उन से ग्रैंड टेंडर के यह काम सौंपा था, पब्लिक सेक्टर से भी इसके बारे में जानकारी ली थी और क्या विशेष तौर से माननीय मंत्री जी श्री जार्ज फर्नेण्डो के मंत्रालय की कोई मीटिंग दिसम्बर सन् 1977 में करनी पड़ी थी जिस में सीमेंट कारपोरेशन आफ इंडिया के एक डाइरेक्टर ने अपनी सेवाएं प्रदान करने का कहा था और प्रस्ताव रखा था कि सीमेंट कारपोरेशन आफ इंडिया इस कार्य को कर देगा ? क्या उस मीटिंग की कार्यवाही का यह अंग है, क्योंकि श्रीमान् आप को प्थान होगा कि मैंने 10 करोड़ रुपये के भ्रष्टाचार का आरोप माननीय मंत्री पर लगाया है, उसका कुछ हिस्सा तो मैं आज ही, अगर समय दें, तो साबित कर सकता हूं इसमें 3 करोड़ रुपये का गबन हुआ है जो सीमेंट कारपोरेशन आफ इंडिया का रेट था और जो आज का टेंडर आया है—अभी कोई टेंडर मांगा है, उन्होंने बताया है—कलकत्ता का टेंडर 85 रुपये फी टन और बम्बई जो कलकत्ता से ज्यादा कीमती है, ज्यादा खूबसूरत है, ज्यादा सुन्दर है, रुपए की कीमत बम्बई में कम है बम्बईवाले कलकत्ता के, वहां पर टेंडर 38 रुपये का, आज के ही उन के उत्तर से; इसमें बहुत सा गोलमाल है । आज के ही इस उत्तर से उनके पता लगता है क्या कारण है कि बम्बई का टेंडर लोडिंग और अनलोडिंग का है 38 रुपये 50 पैसा फी टन, जैसा कि माननीय मंत्री जी ने बताया है, और कलकत्ता में सीमेंट की लोडिंग और अनलोडिंग का टेंडर है 85 रुपये फी टन । क्या कहीं ऐसा तो नहीं है कि अपन पुराने र्नाहों पर परदा डालने के लिए

उद्योग मंत्रालय जान बूझ कर ऊंचे टेंडर को स्वीकार कर रहा है ? क्या यह सही है कि जो टेंडर आए हैं उनका रेट केवल 38 रुपये फी टन के हिसाब से आया है लेकिन उस में कुछ नमक-मिर्च मिला कर—क्योंकि पहले जो बगैर टेंडर का काम दिया गया उसमें भारत सरकार का या भारत की जनता का या एक्सचेंजर का ज्यादा रुपया खर्चा हो गया—क्या उसको जस्टिफाई करने के लिए ज्यादा ऊंचा टेंडर बढ़ाया गया है, जो उस समय में था ? और बाकी बातों को इस बजह से मैं नहीं कहना उचित समझता क्योंकि उनके स्वयं एक पी० ए० इस में फंसे हुए हैं, उन के खिलाफ भी मेरे पास डाक्यूमेंटरी इविडेंस है, मेरे पास टेप-रिकार्डिंग है । उन के पी० ए० हैं, अपनी राजनीति में नाबालिग हैं, शायद 24 साल की उम्र है, डाएना-माइट केस में उन के साथ फंसे हुए थे । खैर, उस से वह बरी हो गए या बरी कर दिए गए या सरकार ने उनको माफ कर दिया क्योंकि उन के दिल की सरकार है । (Interruptions) मैं आ रहा हूं । आप खीख क्यों रहे हैं क्या आप पर पर्दा डालना चाहते हैं ।

**श्री शिव नारायण :** सवाल पूछिये ।

**श्री बुद्ध प्रिय मौर्य :** मैं पूछना चाहता हूं कि क्या यह सही है कि माननीय मंत्री जी के व्यक्तिगत ताल्लुकात नीलखा से है ? क्या यह सही है कि माननीय मंत्री जी प दिग्विजय सीमेंट कारपोरेशन को उंचे दामों पर कंट्रैक्ट दिया लोडिंग और अनलोडिंग का और यह नीलखा इस दिग्विजय सीमेंट कारपोरेशन के पब्लिक रिलेशन्स आफिसर है ? क्या यह सही है कि डालमिया सीमेंट से भी मंत्री जी के निजी सचिव के सोधे संबंध हैं ? क्या यह सही है कि पहले कोई टेंडर नहीं मांगे गये थे और पब्लिक सेक्टर ने अपनी सेवाएं देन को कहा था । उन को नहीं लिया गया और ज्यादा रेट पर लोडिंग अनलोडिंग करवायी गयी और क्या मंत्री जी बतायेंगे कि बम्बई और कलकत्ता के रेट्स में इतना बड़ा अन्तर क्यों है ? इसका कारण क्या है ?

**श्री जार्ज फर्नेण्डो :** सभापति महोदय, माननीय सदस्य ने कुछ सवाल उठाये हैं और कुछ बातें यहां कही हैं जिन में न निफे मस पर आरोप है बल्कि मेरे निजी सचिव पर, मेरे पर्सनल असिस्टेंट पर भी उन के आरोप हैं । सभापति महोदय, यह सीमेंट के लोडिंग अनलोडिंग के कंट्रैक्ट की सारी फाइलें मैं सदन में लाया हूं अगर आप की आज्ञा हो तो मैं यह फाइलें आप के सुपुर्द करना चाहता हूं ...

**श्री बुद्ध प्रिय मौर्य :** ले लीजिए ।

**श्री जार्ज फर्नेण्डो :** सभापति महोदय, मैं वह भी सुसाव देना चाहता हूं कि इस सदन के

विरोधी दलों की एक समिति बनायी जाय और उस के द्वारा जांच की जाय और माननीय सदस्य ने कई आरोप लगाये और कई अन्य बातें कहीं, जिन का मैं खुलासा करूंगा, लेकिन आरोप की बात अगर सच निकले तो जो भी सजा वह समिति देना चाहे मुझे दे और अगर माननीय सदस्य उस में झूठे साबित हों तो उन को जो सजा लेनी हो वह तय कर लें ।

श्री बुद्ध प्रिय मौर्य : हमें स्वीकार है ।

श्री जार्ज फर्नेंडीज : तो यह सारी फाइलें सभापति महोदय मैं आप के सुपुर्द करना चाहूंगा ।

श्री बुद्ध प्रिय मौर्य : श्रीमान, ले लीजिए फाइलें ।

SHRI V. B. RAJU: On a point of order, Sir. This is not a matter between the Minister and an hon'ble Member. The House needs to be convince<sup>^</sup> by a rational argument. It is not a question of challenges here, whether he is there or he is not there. Please convince the House.

SHRI GEORGE FERNANDES: I entirely agree with him.

MR. CHAIRMAN: Mr. George Fernande<sub>3</sub> will explain correctly.

SHRI GEORGE FERNANDES: The hon'ble Member has made very grave charges. I have got here all files pertaining to the awarding of the contract for unloading of cement.

MR. CHAIRMAN: Why not give an interview and discuss the whole thing?

SHRI GEORGE FERNANDES: No, Sir. These are not matters where private interview are concerned. As the hon'ble Member has used the floor of the House to make charges I believe that this House has some responsibility. Those who are Members of this House are making charges with a full sense of responsibility. So, Sir, I as a representative of the Government consider it my duty, not only to vindicate my honour but also the honour of the Government. Therefore, I made this suggestion that I shall submit all files pertaining to

the awarding of the contracts to you *K* you agree to my proposal. And I am also suggesting that a Committee of the House consisting only of the Members of the Opposition be set up to investigate into the matter. This is as a preliminary in so far as the charges are concerned.

I now come to the various points that the hon'ble Member has made. I have also said that I shall accept any punishment that this Committee would give m<sup>o</sup> and it is for the hon'ble Member who levelled the charges to decide what he would like to do.

Sir,, we have imported cement. We are continuing to import cement and it will be necessary to import cement for a little more time because just now we do not have adequate capacity to produce cement that the country needs. More investments have been done. In the course of the next two years much more investment will be made and we should be self-sufficient in cement. But till such time as we are not self-sufficient we shall have to import cement. So we decided to import cement in October-November last year. We asked the S. T. C. to do some scouting because, firstly, there are not many countries that are making this thing available for export. Secondly, with the kind of construction activity that is taking place in the countries of the Middle East, the price of cement has zoomed in the world market. So the State Trading Corporation, in which the hon. Member has great faith—and he referred to it just now—was asked to scout in the world markets and find out where cement would be available. After a lot of scouting, the State Trading Corporation was finally able to locate a little over a million tonne<sub>3</sub> of cement. The operation was conducted in utmost secrecy for the reason that when you go into the world market for buying a commodity that is there is short supply in the world, there is bound to be a price escalation and people are likely to

make a fast buck. So the operation was conducted by the State Trading Corporation in utmost secrecy. Even while the operation was going on in terms of contracting for cement, we had also to make arrangements for unloading of that cement as and when the Cabinet approved the proposal and the cement started coming in. The Cabinet approval was sought. Then, Sir, an inter-ministerial committee, consisting of the Ministry of Industry and the Ministry of Commerce, headed by the Secretary, Industrial Development, was set up to discuss and work out the whole logistics of unloading of cement. This committee had to interact with the Ministry of Shipping and Transport also because we had to decide which ports could take the cement in, because in the Bombay port, for example, 80 to 90 ships are lying in mid-stream. So we had to interact with the Ministry of Shipping and Transport to find out how exactly to organise the ships coming in and unloading of the cement.

Then, Sir, in the last several years, we have not imported cement. Cement was coming in paper bags. The dock unloading operation is a very problematic operation because unloading in the market is a very generally done with hooks. In the case of the paper bags of cement, there was no question of using hooks. Therefore, certain problems arose while discussing this in the inter-ministerial committee, which, as I said, was headed by the Secretary, Industrial Development. This inter-ministerial committee thereafter came to the conclusion that those parties that are, firstly, handling cement today in the country and, secondly, who have some experience of loading and unloading operations should be contracted and negotiations must be carried on with them to find out at which price the cement could be unloaded. Accordingly, Sir, a negotiating committee was set up. Four officers were involved in this negotiating committee. They are: the Joint Cement Con-

troller, the Finance Officer of the Cement Control Organisation—both from the Ministry of Industry—and two Group Executives from the State Trading Corporation, one dealing with Finance and the other dealing with Marketing. This negotiating committee of four negotiated with various parties who have experience of handling and marketing of cement. And, simultaneously, because a policy decision was taken that wherever a public sector undertaking was also able to handle this, we should make available the contract to the public sector undertaking, talks were also held with the public sector undertakings.

Taking into account all the factors, the contracts were entered into and the contracts varied from January to March, 1978. The contracts varied as follows: In Bombay, Rs. 72; in Calcutta Rs. 85.50; in Cochin, Rs. 75; in Goa, Rs. 50; in Haldia, Rs. 63.07, plus Rs. 36 for transport; in Madras, Rs. 75.60; in Mangalore, Rs. 40; and in Visakhapatnam, Rs. 79.50. Now, Sir, the hon. Member, was to say that the rates varied from Rs. 72 to Rs. 82—not Rs. 82; in fact, Rs. 85.50. Now, which are the parties that are involved? In Bombay, the contractors were Sri Digvijay Cement Company Ltd. and Messrs Dalmia Cement Bhamra Limited—Rs. 72; in Calcutta, the Associated Cement Company Limited, which is a private enterprise; and in West Bengal, the Essential Commodities Supplies Corporation, which is a public sector undertaking. Both charged Rs. 85.55 p. In Cochin, there was no private enterprise at all. It was the Kerala Small Industries Development and Employment Corporation which charged Rs. 75, that is Rs. 3 more than Bombay. In Goa, the Central Warehousing Corporation, which is a Government of India public sector undertaking, and the Associated Cement Company had the contract at Rs. 50. In Haldia Rs. 63.07 p. and Rs. 36, in all Rs. 99.07 p. was the contract which was taken by the Associated Cement Company, a pri-

vate sector undertaking, and the West Bengal Essential Commodities Supplies Corporation, a public sector undertaking of the Government of West Bengal; both at Rs. 99.07 p. In Madras, it was at Rs. 75.60 p, two companies, both in the private sector, the India Cement Limited, Madras and Dalmia Cement Bharat Limited. In Mangalore, the contract was taken at Rs. 40 by the Central Warehousing Corporation, a Government of India public sector undertaking, and the Associated Cement Company. And in Vishakhapatnam, the Andhara Cement Company, a private sector unit, and the Andhra Pradesh Industrial Infrastructure Corporation Limited, a public sector undertaking, both charged Rs. 79.50 p. So, Sir, where the contracts were given, there was no question of any company being favoured.

Now, why did the negotiating committee come to this conclusion? Firstly, Sir, cement was being imported for the first time in a number of years. There was no experience available in any of the companies, I private or public, in handling the import of cement. Negotiations were held. A total understanding was arrived by the people who had the expertise. It were the State Trading Corporation people who had the expertise, and these contracts were entered into.

Now, Sir, regarding the point made by the hon. Member that there were other organisations which could have taken, the STC is not equipped to handle cement and market cement. The STC, in fact, imported cement. Cement was not imported by any other organisation, by my Ministry or by any private party. Cement was imported by the STC. Two directors of the STC and two senior officials of the Cement Controller's office were the ones who negotiated the contracts for unloading of the cement. Now, Sir, regarding the Food Corporation of India and the MMTC, neither the Food Corporation of India nor the MMTC are marketing concerns. They

do not import cement or distribute cement or unload cement.

Finally, Sir, the hon. Member made a very significant point that the Cement Corporation of India's director was present in one of these meetings. Firstly, I was not present in many of the meetings, and I do not know whether the Cement Corporation of India's director was present in any of the meetings. Sir, I would like to state with all the emphasis at my command that firstly the Cement Corporation of India is not equipped to handle import and marketing of cement. It is concerned with setting up of the cement plants, and secondly, Sir, the Cement Corporation of India made no offer whatsoever, contrary to what the hon. Member has said. No offer whatsoever. It is equipped to handle...

SHRI BUDDHA PRIYA MAURYA: It is part of the proceedings of the meeting.

SHRI GEORGE FERNANDES: Sir, the files are in your custody.

SHRI BUDDHA PRIYA MAURYA: Bring the minutes of the meeting of December, 1977.

SHRI GEORGE FERNANDES: I do not think that we can enter into that kind of an argument. I am putting the files at your disposal.

In fact, the Cement Controller had a discussion with the Chairman of the Cement Corporation of India, who very emphatically said that the Cement Corporation of India is not equipped to handle an operation of this nature.

Then, Sir, the hon. Member has also said that in Bombay we have offered the contracts to unload cement at Rs. 38.50 p. while in Calcutta it is Rs. 85.50 P. Sir, I would only like to submit that in Calcutta Rs. 85.50 was awarded in the last contract to a public sector undertaking owned by the West Bengal Government, and in Bombay, this time, the contract has been given to the Maharashtra Small

Scale Industries Development Corporation. Even here in the awarding of the current year's contract, there were private parties and there was the Maharashtra Small Scale Industries Development Corporation.

When I discovered that in the last contract, the private parties had made some money, they had earned sizeable profits—as I said, the contract was awarded because of lack of handling experience and certain *ad hoc* rates were fixed by the negotiating team—when I discovered that they had made substantial profits, I decided, Sir, firstly, that the current year's contracts shall not be given to a private party, and, secondly, Sir,—my noting is on this file—I said that we must immediately get hold of these private sector companies which had made large profits and try to see if we can recover a part of that money. This, Sir, is the size of the problem. Now, the hon. Member has made charges against my office staff, against my personal staff. I can only leave them to a committee of the House to investigate.

श्री बुद्ध प्रिय मौर्य : सबसे पहले मैं आपसे निवेदन करना कि मंत्री जी स्वयं ब्रुपा कर रहे हैं कि यह लोडिंग, अनलोडिंग जितना भी हुआ है उसके सम्बन्ध में जितनी कमेटियों की बैठक हुई उनकी जो प्रोसीडिंग है और जो आर्डर हुए व तमाम सम्बन्धित फाइलें आपके संरक्षण में देने को तैयार हूँ। श्रीमन्, सबसे पहले मैं यह निवेदन करना कि तमाम फाइलें और मीटिंगों की प्रोसीडिंग यहाँ आ जाएँ तो जो मैं कह रहा हूँ उसमें एक शब्द भी गलत साबित हो जाए तो आप मुझे इस सदन से एक्सपैल कर सकते हैं।

(Interruptions)

श्री सीताराम केसरी : श्रीमन्, मेरा प्वाइंट आफ आर्डर है। प्वाइंट आफ आर्डर यह है कि इस सदन में जब मंत्री महोदय ने यह चुनौती दी है आपके सामने और इधर से भी जब चुनौती स्वीकार कर ली गई है तो मैं समझता हूँ कि सारी चीजें क्लीयर हो जाएँ इसलिये आप इसकी एक कमेटी जैसा मंत्री महोदय कहते हैं, गीव्राति-गीव्रा बैठा दी जाए। क्योंकि मेरे पास भी बहुत से केस उनके खिलाफ मौजूद हैं।

MR. CHAIRMAN: Don't bring in the Chairman unnecessarily.

श्री सीताराम केसरी : इसलिये मैं कहता हूँ कि जब उन्होंने खुद कहा है, स्वीकार किया है तो मान लेना चाहिये।

MR. CHAIRMAN: Mr. Maurya. Second supplementary.

श्री बुद्ध प्रिय मौर्य : श्रीमन्, मैं यह निवेदन कर रहा था कि सीमेंट की लोडिंग और अनलोडिंग में करोड़ों रुपया लगता है, खर्च होता है। अभी अभी मंत्री महोदय जी ने आंकड़े दिये हैं उनमें भी करोड़ों का अन्तर आता है। तब क्या यह उचित नहीं था मंत्री महोदय के लिये और उनके मंत्रालय के सम्बन्धित अधिकारियों के लिये कि सीमेंट के लोडिंग और अनलोडिंग के कार्यों में जिसमें करोड़ों रुपये का खर्च था, उसके लिये टेण्डर मांगे जाते। इसके लिये टेण्डर क्यों नहीं मांगे गये? पहला प्रश्न तो मेरा यह है। दूसरा प्रश्न यह है कि जब उन्होंने डालमिया कम्पनी से या प्राइवेट कम्पनियों से चर्चा की या उनके सम्बन्धित अधिकारियों ने बातचीत की और किसी फैसले पर आए तब फिर उन्होंने पब्लिक सेक्टर की कम्पनियाँ जिनका नाम मैंने पहले भी लिया जो कि लोडिंग और अनलोडिंग का कार्य इस देश में कर रही हैं और धरबों रुपये इसमें खर्च करती हैं तो क्या उनसे भी चर्चा की? अगर नहीं की तो क्यों नहीं की। सीमेंट कारपोरेशन आफ इंडिया जिसके जरिये से अरबों रुपये सीमेंट उद्योग पर खर्च हो रहे हैं और जो यहाँ सीमेंट पैदा करते हैं, जैसे डालमिया करती है वहाँ बड़े-बड़े विशेषज्ञ हैं और सीमेंट कारपोरेशन आफ इंडिया ने तो स्वयं अपनी सेवा आपित की है कि हम इस कार्य को कर सकते हैं तब सीमेंट कारपोरेशन को यह कार्य क्यों नहीं दिया गया? श्रीमन्, मैं यह भी जानना चाहता हूँ मंत्री महोदय से कि अब क्या उन्होंने कोई टेण्डर मांगे हैं या अभी भी सौदेबाजी पर छोड़ दिया है? क्योंकि इस कार्य के लिये जिसमें करोड़ों रुपया खर्च होगा उसके लिये टेण्डर मांगना ही उचित होगा। अगर उन्होंने टेण्डर मांगे हैं तो सबसे नीचे का टेण्डर कितने का है? यह बताने की कृपा करें।

SHRI GIAN CHAND TOTU: Sir, one small question.

MR. CHAIRMAN: No, no.

SHRI GEORGE FERNANDES: Sir, the hon. Member obviously has exhausted all his questions because, I have already answered the points that he has made just now.

SHRI BUDDHA PRIYA MAURYA: No, you have not answered.

SHRI GEORGE FERNANDES: I have already mentioned the current rates of contract. In so far as the current rates of contract are concerned ...

SHRI BUDDHA PRIYA MAURYA: I am talking of the tenders in January, February...

SHRI GEORGE FERNANDES: In so far as the current rates of contract are concerned, they were entered into consequent upon the calling of tenders. All cement handling from March this year has been done consequent upon calling of the tenders.

SHRI BUDDHA PRIYA MAURYA: No.

SHRI GEORGE FERNANDES: If I am misleading the House, there are ways and means of dealing with me. There, can be a motion of privilege against me, apart from the enquiry that I am proposing.

SHRI BUDDHA PRIYA MAURYA: I will bring it.

I

SHRI GEORGE FERNANDES: In so far as the current handling is concerned, it was done after the calling of tenders. In so far as the current rates are concerned. ...

SHRI BUDDHA PRIYA MAURYA: Did you invite tenders? My question is: Did you invite tenders for unloading and loading the cement in the months of January, February and March?

SHRI GEORGE FERNANDES: In so far as January, February and March are concerned, I have already stated that the entire operation of importing of cement in the first place was done by the State Trading Corporation with a high sense of secrecy for the reason that...

SHRI BUDDHA PRIYA MAURYA: My question is very specific...

SHRI SITARAM KESRI: Why secrecy?

SHRI GEORGE FERNANDES: Sir, you must allow me to answer the question. I said insofar as the im-

port was concerned, it was done, with a high sense of secrecy by the State Trading Corporation in order that the prices abroad may not go up. Now, so far as the unloading part was concerned, when we were, negotiating abroad, I said earlier, simultaneously we negotiated with a number of companies, both of the private sector and of the public sector. The State Trading Corporation was not in a position, was not prepared, to handle this job. The MMTC and the Cement Corporation of India were not in a position, were not willing, to undertake this job. Negotiations were held by a negotiating committee consisting of four officers, two of the STC and two of the Cement Controller's Organisation. These people negotiated with the private sector and the public sector. A number of people, cement manufacturers and a number of cement distributors came forward with their offers...

SHRI BUDDHA PRIYA MAURYA: Sir, I seek your protection...

SHRI GEORGE FERNANDES: Let me finish my answer first.

A number of companies come forward. I give an illustration of Bombay. In Bombay when negotiations were held with a number of companies ...

SHRI SITARAM KESRI: Sir, there is a straight question; Did he invite tenders?

MR. CHAIRMAN: Sitaramji, let him reply to Mr. Maurya. If you want to put any question, we will see later. Why are you unnecessarily interrupting him?

SHRI GEORGE FERNANDES: In Bombay when these negotiations were held by the negotiating committee a number of companies came forward with their offers. Among them were the Digvijay and the Associated Cement Corporation—ACC. Now, what happened? These two companies made their offers. Of these, the Digvijay's offer was the lowest. They quoted Rs. 72 per tonne whereas the

ACC quoted Rs. 79 per tonne. The negotiating committee called the ACC I people, because the ACC had a wider organisation, to offer them Bombay's unloading contract. A part of the Bombay contract was offered to the ACC at Rs. 75 per tonne. But the ACC said, we shall not touch it unless we get Rs. 79 per tonne. Therefore, it was allotted to the lower bidder, which was for Rs. 72 by the Digvijay. Under these circumstances ultimately talks were held with various companies and only that company which came with the lowest was given the tender...

SHRI SITARAM KESRI: He is not talking about tenders.

SHRI GEORGE FERNANDES: I have mentioned that talks were held with the companies. No tenders were invited; I said it earlier. Now, the honourable Member was saying that crores of rupees were involved. The total cement that we imported up to March 1978—January, February and March, 1978—was 2,93,000 tonnes, say 3 lakh tonnes. An average unloading contract of Rs. 70 per tonne means Rs. 2,10,00,000 for unloading 3 lakh tonnes of cement. I presume that all the workers were paid a salary. I presume the company had to undergo a lot of expenses in order to undertake this operation. Sir, the impression that is sought to be created earlier is that crores of rupees were swindled by these companies. The entire contract entered into with all these companies was to the tune of around Rs. 2 crores.

Then the honourable Member's question was whether I had discussions with Dalmias and Digvijays and in the process whether I had discussion with others. I had discussions with no company whatsoever. Only one company came to me, the head of one company came to me, and that company is the ACC; the top man of the Associated Cement Corporation came and said, Bombay contract is going to Digvijays at Rs. 72, you must give me a part of that contract. I told

the ACC man that the Cement Controller has a negotiating committee and they are handling it. I also told him; "I have been told that you are offering Rs. 79/- whereas the other company has offered Rs. 72/-. I am sure if you will also bring down your rate to the lowest, you will get your contract".

SHRI GEORGE FERNANDES: I have already answered this question. Since the hon.

श्री बुद्ध प्रिय मौर्य : श्रीमान् मेरे प्रश्न का उत्तर नहीं मिला। मैं उत्तर चाहता हूँ।

MR. CHAIRMAN: Today we are short of time.

श्री बुद्ध प्रिय मौर्य : मैंने जो निवेदन किया उसका उत्तर नहीं मिला। मैं समय नहीं खराब करना चाहता। लेकिन मैं मंत्री जी से जानना चाहता हूँ कि दम्बई में जो रेट आप ने दिया है वह है 38 का और पहले दिया था 72 के हिसाब से। तो यह अंतर कैसे आ गया? मेरा निवेदन यह है कि पहले टेंडर मांगे गये या नहीं, मांगे गये? नहीं मांगे गये तो क्यों और अब टेंडर मांगे गये हैं? यदि मांगे गये हैं तो क्यों?

Member has summed up his question, I will also sum up my answer. In the first place when cement was unloaded from January onwards, the entire operations in terms of import were done by the STC at the highest level by observing certain amount of secrecy—not certain amount, but the highest degree of secrecy. At the national level the unloading contract was given by direct negotiations with a number of cement manufacturing concerns and those dealing in cement. In so far as the subsequent contract is concerned, it was through tender advertised in newspapers. Why? Because we discovered that it was possible to get the cement unloaded at a lower cost after the experience of the first three months.

SHRI BUDHA PRIYA MAURYA: Sir, on a point of order.



MR. CHAIRMAN: No point of order now.

SHRI BUDHA PRIYA MAURYA: You can hear me.

MR. CHAIRMAN: You have put your supplementary. How can there be a point of order now?

SHRI BUDHA PRIYA MAURYA: On the statement of the Minister.

उन्होंने बहुत ही गुप्त तरीके से इंपोर्ट किया था सीमेंट को इस बयान पर मेरा व्यवस्था का प्रश्न है। श्रीमान्, उन्होंने खुद बयान दिया था अगस्त और सितम्बर 1977 में कि वह सीमेंट इंपोर्ट करेंगे। तो गोपनीयता का प्रश्न कहाँ से आ गया। जब सरकार ने बयान दिया अगस्त में कि वह सीमेंट का इंपोर्ट करेगी तो उस में यह गोपनीयता का प्रश्न कहाँ से आ गया यह मिनिस्टर का बयान है। उन्होंने बयान दिया था कि वह सीमेंट इंपोर्ट करेंगे। तमाम दुनिया के सामने यह बात आ गयी थी।

श्रीमती कुमुदबेन मणिसंकर जोशी : माननीय मंत्री जी ने बहुत विस्तार से इस प्रश्न का जवाब दिया कि दुनिया के बाजार में सीमेंट खरीदने के लिये जब हम ने तय किया तो गोपनीयता आवश्यक थी और खरीदने के बारे में तो गोपनीयता आवश्यक थी लेकिन जब उसको वहाँ से यहाँ लाना था तो मंत्री महोदय ने खुद स्वीकार किया है कि प्रथम स्टेज में हम ने वहाँ प्राइवेट कंपनियों से बात की और उनको यह काम दिया। उसके साथ साथ उन्होंने ने यह भी जवाब दिया है कि इस बारे में जब उन को पता चला कि प्राइवेट कंपनियों ने बहुत ज्यादा मुनाफा उसमें कर लिया है तब महाराष्ट्र स्माल स्केल ट्रेडिंग कारपोरेशन को अवसर दिया। तो मैं यह पूछना चाहती हूँ कि यह तो गवर्नमेंट ऑर्गेनाइजेशन है? (Interruptions) उस में जब डालमिया और दिग्विजय सीमेंट कारपोरेशन के साथ जब आप ने कॉन्ट्रैक्ट किया तो क्या उस समय महाराष्ट्र स्माल स्केल ट्रेडिंग कारपोरेशन को बुलाया था। उस के लिये उनका जवाब था कि नहीं बुलाया था। तो मैं जानना चाहती हूँ कि उनको उस समय क्यों नहीं बुलाया गया था? और मेरा दूसरा प्रश्न है कि यहाँ तो उस सीमेंट की कीमत करीब 300 रुपये पड़ती है जिस में 85 रुपये तो टैक्सोलॉजिग का चार्ज था, तो मैं जानना चाहती हूँ कि विश्व की जिस कंपनी ने उस को लोड कर के यहाँ भेजा होगा उसके चार्ज क्या थे, बोच का रेट क्या था और लॉडिंग और अनलोडिंग का चार्ज क्या था? इतना सब मिला कर मैटेरियल की कीमत क्या है वह मैं जानना चाहती हूँ?

MR. CHAIRMAN: Yes, Mr. Minister.

SHRI KALYAN ROY: Only one small question, Sir.

MR. CHAIRMAN: Today, there are 10 Special Mentions and also the other business. Therefore, let us try to adjust ourselves.

SHRI KALYAN ROY: One small question would not matter much.

MR. CHAIRMAN: I know how much time you will take. Yes, Mr. Fernandes.

SHRI GEORGE FERNANDES: Sir, for the loading and unloading of cement for the current year, when sealed tenders were invited, two firms which quoted in Bombay were the Digvijay and ACC. Digvijay quoted Rs. 38.50 while the ACC quoted Rs. 39.90. Thereafter, Sir,...

SHRI BUDHA PRIYA MAURYA: You have given the Maharashtra Corporation also.

SHRI GEORGE FERNANDES: No. Digvijay and the ACC quoted. Thereafter, We have given the contract to the Maharashtra Small-Scale Industries Corporation. Now, the honourable Member's question is this: At what point of time the Maharashtra Small-Scale Industries Corporation came into the picture? I would require notice and I will find out and I will answer that question, because, Sir, when the advertisements were inserted in the newspapers, there were applicants. Now, whether the Maharashtra Corporation was an applicant or not is a fact not known to me at the moment and whether the Maharashtra Corporation came later is not known to me. I can only tell the honourable Minister that the two Companies that then offered, that then quoted, for the unloading of cement, were (1) Digvijay—Rs. 38.50, and (2) ACC—Rs. 39.90. But we gave the contract to a public sector undertaking in Maharashtra.

SHRI BUDDHA PRIYA MAURYA: Last time it was Rs- 72 in Bombay.

SHRI GEORGE FERNANDES: As far as the Maharashtra Corporation is concerned, the honourable Member's question I am in a position to answer. The Maharashtra Corporation, the State Corporation, Maharashtra, quoted a much higher price than what was quoted by ACC and by Digvijay. But they were called and they were told that they could have the entire contract if they accepted the lowest price which they accepted.

Now, Sir, with regard to the second of the honourable Member's questions, about the overall cost, etc., we are importing cement and in 1977-78, we have contracted to import cement at prices varying from \$49 to \$54.1 and the import prices for the current year that they have contracted in—there has been a spurt in the prices in the world market—is between \$52.50 and \$65 per tonne. The additional cost of importing is about Rs. 300 per tonne. That was the reason why we took a decision to slightly increase the FOR destination price of cement by Rs. 17 per tonne. During the current year, the total subsidy that would be coming from the cement pool to meet the additional cost involved in importing cement would be Rs. 72 crores.

SHRIMATI HAMIDA HABIBUL-LAH: I want to know why during January-March the matter was kept secret, Sir. But then this cement was loaded or unloaded by the private companies and there was a difference of about 3.00 crores of rupees. I would like to know why this work was being done by them and whether any tenders were called for during that time. My other question, Sir, is slightly different. With regard to this loading and unloading business that has been going on, I would like to ask the honourable Minister whether it is not possible to entrust this work to the army during peace time. With their special discipline, etc., would it not be possible for them to do this job much cheaper and much better?

SHRI GEORGE FERNANDES: Sir, I am not sure whether the army could be called upon to do the unloading operations in the dock. I am preferred to put the suggestion to the Defence Ministry for whatever it is worth. But I am not personally convinced that the army could be called to handle the unloading of cement. Then, Sir, so far as the import is concerned, the total quantity imported was not ten lakhs, but from January to March, the total quantity was only 3 lakh tonnes. It was not 10 lakh tonnes, but it was only 3 lakh tonnes. As I said earlier, there were no tenders in the first case. In the first case, there were no tenders. This was done by direct negotiations with both the public and private sector companies which had experience in handling this kind of a material.

SHRI SAWAISINGH SISODIA:

Sir, it is very important\_\_\_\_\_

(Interruptions)

MR. CHAIRMAN: One hour is enough for Short Notice Question. Mr. Pande.

श्री रामानन्द यादव : मेरा क्वेश्चन था ।

श्री विश्वम्भर नाथ पांडे : माननीय सभापति महोदय, पहली बात तो मैं आप से इस बात की प्रार्थना करना चाहूंगा कि आप उद्योग मंत्री महोदय की बात को गम्भीरतापूर्वक लें जब उन्होंने एक बात यह कही कि सारे प्रश्न को लेकर वे सदन के सामने फाइल रखने को तैयार हैं, तब एक ऐसे महत्वपूर्ण प्रश्न पर जिसमें इतना मतभेद है, मैं समझना हूँ कि इस सदन की मर्यादा के अनुकूल होगा यदि सदन के सामने फाइल आ जाए और उद्योग मंत्री जो कह रहे हैं उस पर सदन अपनी एक राय कायम करके उन्हें दोषमुक्त कर सके । किमिनल दोष लगाने की बात नहीं है लेकिन ऐसा उन्होंने आकर किया है तो उसको स्वीकार करना चाहिए ।

अब प्रश्न आता है जैसा उद्योग मंत्री ने कहा कि यहां के इतिहास में पहली बार सीमेंट

के आयात की बात की गयी है (Interruptions) जो उद्योग मंत्री ने कहा उसको मैं ले रहा हूँ। उद्योग मंत्री ने यह कहा कि पहली बार सीमेंट के आयात की बात की गयी है बाहर से। पहली बार चीज तो यह मुझे मालूम नहीं कि उनको विदित है या नहीं कि चीन ने इतना अधिक सीमेंट का उत्पादन कर लिया है कि वह बाहर भेजने को तैयार है। सीमेंट के अलावा और चीजें भी वह बाहर भेजने को तैयार है तो क्या उन्होंने चीन वालों से इस संबंध में बातचीत की है, पीपुल रिपब्लिक से बात की है।

दूसरी बात, इसमें क्या परेशानी उनको थी कि ओपेन बल्गे टैंडर मांगा जाता कि हमें इनने सीमेंट की आवश्यकता है, तब किसी को यह शक करने को न होता कि चुपचाप, सीक्रेटली क्यों आफर दी गयी।

तीसरी बात, यह कि हमारे देश के जितने सीमेंट के कारखाने हैं उनकी उत्पादन क्षमता क्या है और क्या बाहर से आयात करने के पूर्व सीमेंट कारखानों के मालिकों को बुलाकर उद्योग मंत्रालय में, उन्होंने इस बात को पूछा या जांच पड़ताल की कि आपकी उत्पादन क्षमता जितनी है उसके अनुसार आप उत्पादन नहीं रहे हैं। इसके अतिरिक्त चूंकि अगर यहाँ सीमेंट का उत्पादन कम होता है, वह इस निर्णय पर पहुँचे हैं तो क्या उनके सामने कोई योजना है जिसके अनुसार सीमेंट की कमी पूरी हो सके। क्या उन्होंने प्लानिंग कमिशन में कोई ऐसी बातचीत की है जिसके अनुसार सीमेंट के उत्पादन की बढ़ि हो सके और देश की आवश्यकता की पूर्ति हो सके।

जहाँ तक लोडिंग, अनलोडिंग का प्रश्न है, उसके बारे में उन्होंने बहुत लोगों को आफर दिया। जिन लोगों को आफर दिया व सीमेंट के कारखानों के मालिक हैं, उन लोगों को आफर दिया गया अधिकतर, तो क्या उन्होंने जैसे बम्बई में गोदा मजदूरों की यूनियन है या और इस तरह की यूनियनों को कोई आफर दिया ताकि लोग सीमेंट की अनलोडिंग में हिस्सा ले सकें।

ये इस तरह के प्रश्न हैं कि जिन पर कृपया आप रोजनी डालें और यह भी देख लें कि इस में पिछले 2 वर्षों से जो सीमेंट का उत्पादन हुआ है, वह सीमेंट क्या जमाखोरों और मृत्ताखोरों के यहाँ तो नहीं चली गयी है। क्योंकि अब भी यह देखा जाता है कि अधिक मूल्य पर सीमेंट आसानी से प्राप्त हो जाता है, चार बाजारी में मिल जाता है। तो क्या बात है, क्यों ओपेन मार्केट में सीमेंट नहीं आ पाता और उसके लिए क्या उपाय आप करेंगे जिससे कि सीमेंट जो छुपा हुआ है, जमाखोरों और मृत्ताखोरों के पास, वह बाहर मार्केट में आ सके।

श्री जार्ज फर्नेन्डीज : सभापति महोदय, मैंने यह नहीं कहा था कि पहली बार हिन्दुस्तान में सीमेंट आयात किया गया है। मैंने यह कहा कि फिनहाल पिछले कई वर्षों में सीमेंट का आयात नहीं हो रहा था और इसलिए कागजों के बैग में आया हुई सीमेंट की अनलोडिंग का विशेष अनुभव यहाँ पर किसी को नहीं था। चीन के साथ हमारी इस सन्दर्भ में कोई बातचीत नहीं हुई है और न कोई उनसे बात करने का हमारा इस समय इरादा है। हमारे सीमेंट कारखानों की क्षमता वगैरह का जो सवाल है, इस समय हिन्दुस्तान में कुल सीमेंट की उत्पादन शक्ति दो करोड़ और अठारह लाख टन की है। हम यह आशा कर रहे हैं कि दो करोड़ टन सीमेंट का उत्पादन हम कर पावेंगे और अभी तक जिस रफतार से सीमेंट का उत्पादन कर पाए हैं, वह इस क्षमता का इससे पहले कभी नहीं हुआ था जो इस्तेमाल के आधार पर है। हमें आशा है कि जो रफतार इस समय चल रही है, इसमें बढ़ोतरी ला सकेंगे। माननीय सदस्य न प्रश्न पूछा कि क्या सीमेंट कारखानों के मालिकों से विशेष बातचीत करने के लिये प्रोत्साहित या प्रेरित किया गया है? यह सारे प्रयोग हम कर चुके हैं और अभी भी कर रहे हैं और कई क्षत्रों में उत्पादन बढ़ाने के लिये जो भी इन्सैटिव देने की जरूरत है वे भी हम दे रहे हैं। इसके अलावा सीमेंट के उत्पादन का करीब-करीब प्रति सप्ताह का मॉनिटरिंग करने का काम हमारे मंत्रालय में किया जा रहा है ताकि जहाँ-जहाँ कुछ कमी हमको दिखाई दे तो तत्काल उसका इलाज करने का काम हम कर सकें।

प्लानिंग कमिशन के साथ बातचीत करके उत्पादन वगैरह बढ़ाने का निर्णय लिया है। अध्यक्ष महोदय, आज हिन्दुस्तान में जहाँ दो करोड़ अठारह लाख का उत्पादन दिखाया गया है, उसको दुगुनी करने की योजना को आज हम अमल में लाने में लगे हैं। अगले पाँच वर्षों के भीतर हम यह आशा करते हैं कि हमारी सीमेंट उत्पादन शक्ति दुगुनी हो जाएगी ताकि हिन्दुस्तान का विदेश से सीमेंट आयात करने की जरूरत न पड़े और सीमेंट निर्यात करने की स्थिति में हमारा देश पहुँच सके। मुझे विश्वास है कि जो निर्णय लिये हैं और जिन्हें अमल में ला रहे हैं, उनके चलते हमको इस काम में कामयाबी मिलेगी।

जहाँ तक ग्लोबल टैंडर की बात आपने पूछी, अध्यक्ष महोदय, मैंने कहा कि सब से पहले जब हम सीमेंट लेने गये तो ग्लोबल टैंडर का सवाल नहीं उठाया चूंकि सीमेंट का जो मार्केट था वह इनका था कि उसको मद्देनजर रख कर स्टेट ट्रेडिंग कॉर्पोरेशन ने यह निर्णय किया वे जाकर बातचीत करके इस मामले को तय करेंगे। उसके बाद, महोदय, स्टेट ट्रेडिंग कॉर्पोरेशन ने ग्लोबल टैंडर की बात इस साल में सीमेंट आयात के मामले को लेकर जरूर की थी। लेकिन जो दाम हम लोगों के सामने आए, वे दाम बहुत अधिक थे जिसके चलते ग्लोबल टैंडर को एबन्डन करना पड़ा और निजी तौर पर नार्थ कोरिया, साऊथ कोरिया, पोलैण्ड, रोमानिया और रूस से जिनके यहाँ सीमेंट है, इस पर बातचीत करके सीमेंट लेने का काम स्टेट ट्रेडिंग कॉर्पोरेशन ने किया है।

आखिरी सवाल जो एक माननीय सदस्य ने किया कि क्या बम्बई में ट्रेड यूनियनों को कहा गया है कि वे सीमेंट का अनलोडिंग करें ? सभापति महोदय, हिन्दुस्तान का कोई भी ट्रेड यूनियन, बन्दरगाह वाले कोई भी ट्रेड यूनियन अभी तक माल जहाज से निकालन और जहाज में भरने के काम करने की स्थिति में नहीं है और मुझे नहीं लगता है कि किसी ट्रेड यूनियन को इसमें दिलचस्पी है । हम भी थोड़ा बहुत मजदूर आन्दोलन को जानते हैं, बम्बई डाक वर्कर्स मजदूर यूनियन को भी जानते हैं, मुझे नहीं लगता कि शीघ्र में काम करने वाले मजदूर कोई कान्ट्रैक्ट लेकर उस काम को कर सकते हैं । इसलिये हमने वह बात नहीं की है ।

श्री सीताराम केसरी : फाइल टेबल पर रखिये ।

श्री बुद्ध प्रिय मौर्य : सभापति महोदय, मेरा . . .

MR. CHAIRMAN: It is not to be recorded.

(Shri Budha Priya Maurya continued to speak)

12.00 NOON.

MR. CHAIRMAN: Order please.

श्री सीताराम केसरी : सभापति महोदय, मेरा आपसे निवेदन यह है कि मंत्री महोदय का यह तरीका है कि अपनी चोरी छिपाने के लिए कभी इस सभा में कभी उस सभा में ड्रामाटिक तरीकों से चाहते हैं अपना पार्ट अदा करना । मैं आपसे निवेदन करता हूँ कि जब उन्होंने फाइल टेबल पर रखने को कहा मैंने आग्रह किया फाइल टेबल पर रखें । कई मामलों में घपला इन्होंने किया है । एक चीज और बताता हूँ, इन्होंने जब 17 तारीख को सभापति जी . . .

श्री बी० सत्यनारायण रेड्डी : सभापति जी, मेरा पौइन्ट आफ आर्डर है . . .

(Interruptions)

MR. CHAIRMAN: Let me hear him first. Kindly resume your seat. Let him finish.

श्री सीताराम केसरी : मान्यवर, मेरा निवेदन है कि फर्नेन्डीज साहब\*\*\* बोल रहे हैं । 16 तारीख को . . .

श्री बी० सत्यनारायण रेड्डी : मेरा पौइन्ट आफ आर्डर सुनना चाहिए . . .

MR. CHAIRMAN: What is this? We have already taken one hour.

\*\*\*Expunged as ordered by the Chair.

श्री सीताराम केसरी : मेरा आपसे सिर्फ इतना निवेदन है कि . . .

SHRI DEVENDRA NATH DWIVEDI: Sir, I am on a point of order.

श्री बी० सत्यनारायण रेड्डी : मेरा भी पौइन्ट आफ आर्डर है, उसके लिए आप को समय देना पड़ेगा ।

SHRI DEVENDRA NATH DWIVEDI: Sir, I am on a point of order. I will just take two minutes.

MR. CHAIRMAN: You are also on a point of order. He is also on a point of order. Are you not prepared to wait for two minutes? Let me hear what Mr. Kesri wants to suggest. If you all raise points of order, we will have to sit for a longer time.

श्री सीताराम केसरी : मेरा आप से निवेदन है कि जार्ज फर्नेन्डीज साहब ने कुछ आरोप प्रत्यारोप पर इस सदन के सामने, घोषणा की कि वह, कोई भी कमेटी आप बना दें, तो उस के द्वारा इन्कार कराने के लिए तैयार हैं । फिर उन्होंने आज यह कहा, प्रश्न के उत्तर में, कि वह फाइल को टेबल पर रखने के लिए तैयार हैं । मैं आपसे निवेदन करता हूँ, जैसा कि मैं मानता हूँ, बोलते हैं; अभी हाल में शर्प-एज . . .

MR. CHAIRMAN: Don't use that word. That will be removed.

श्री सीताराम केसरी : मैं आप के सामने कहता हूँ, मैं उन को कह रहा हूँ ।

श्री बुद्ध प्रिय मौर्य : कहिए, सत्य कम बोलते हैं ।

श्री सीताराम केसरी : मेरी बात सुनिए । मुझे कहने दीजिए . . . (Interruptions) आपने करायी नहीं जानकारी . . . (Interruptions) उन्होंने 17 अगस्त को . . .

श्री अनन्त प्रसाद शर्मा : उनको कहने नहीं देते हैं, सर । उनको बठाइए ।

श्री सीताराम केसरी : 17 तारीख को उन्होंने इस सदन में एक जवाब में यह कहा कि शर्प-एज को अभी इन्होंने आर्डर नहीं किया है

और सभी बातें ये कंसिडर करेंगे। पर यह 16 तारीख को अपने प्रापण के पूर्व ही आलरेडी आर्डर कर चुके थे शाप-एज के लिए। तो इसलिए मैं कहता हूँ बहुत सी चीजों में घपला कर रहे हैं, बहुत बड़ी बेईमानी कर रहे हैं। इस में बहुत बड़ी बेईमानी है। यह क्या कहते हैं—अखबारों में छपवाते हैं। अपने किए को छिपाने के लिए वह चाहते हैं.....(Interruptions) इसलिए फाइल टेबल पर रखी जाए।

श्री बी० सत्यनारायण रेड्डी : सभापति जी, मेरा आपसे निवेदन है—इस सदन के कुछ रूल्स, कुछ रेगुलेशंस हैं कि नहीं? यहाँ जब कभी सदन में कोई समस्या उठ जाती है तो हर एक आदमी, आप की इजाजत हो या न हो, उठ कर अपनी कहने लग जाते हैं। इस सदन के रूल्स और कुछ मर्यादों का पालन होना चाहिए। मैं एक चीज और लाना चाहता हूँ आपकी नोटिस में और किसी एक ही चीज का, झूठी चीजों को, गलत चीजों को बार बार दोहराया जाता है, जिनमें कोई सत्यता नहीं है। इसलिये मेरा आपसे निवेदन है कि रूल-रेगुलेशन्स का पालन हाँ आपको ऐसी व्यवस्था करना चाहिए और जो हाउस का समय है उस समय का ध्येय नहीं करना चाहिए। हमने यहाँ पर बहुत से महत्वपूर्ण कामों को खत्म करना है, इसलिये हाउस का फिजूल की चीजों पर अपना समय बर्बाद नहीं करना चाहिए।

MR. CHAIRMAN: Yes, Mr. Dwivedi, please be brief, we have to take up the other work also.

SHRI DEVENDRA NATH DWIVEDI: Sir, I will not take more than two or three minutes.

Mr. Chairman, Sir, I am on a point of order. It has nothing to do with the merits of the case because I have not gone through the case. It deals with the Rules of procedure and the manner in which the business is being conducted in this House. Sir, this is the third time that hon. Mr. George Fernandes has come forward with a proposal, with a suggestion, that the House appoint a committee to go into the allegations that have been made against him by another hon. Member of this House, Mr. Maurya. Sir, only the other day...

(Interruptions)

MR. CHAIRMAN: Am I to suspend "to all the work now?"

SOME HON. MEMBERS: Yes.

MR. CHAIRMAN: No.

SHRI DEVENDRA NATH DWIVEDI: Sir, the point that I am trying to make is that only the other day this House heard with rapt attention a very impassioned plea by Mr. George Fernandes that no committee can be appointed to go into the allegations made against Morarjibhai by the former Home Minister and vice versa. He made a long speech and he said that there is no *prima facie* case, that there is absolutely no question of Parliament appointing a committee to go into that matter. Just 48 hours later Mr. Maurya made a certain charge and...

SHRI BUDDHA PRIYA MAURYA: Rs. 10 crores.

(Interruptions)

SHRI DEVENDRA NATH DWIVEDI: Let it be Rs. 10 crores or Rs. 100 crores, that is not the point.

Just 48 hours later when Mr. Maurya made a certain charge, he comes forward, indulging in a kind of Gimmickry of which he is the pastmaster, and says, let the House appoint—a committee. The following day again he comes forward and says, let the Rajya Sabha appoint a committee. Then somebody, probably it was I, who got up and said, let the matter be referred to the Privileges Committee. Then he said, all right, let the matter be referred to the Privileges Committee. And, today, in relation to another matter, again, the brave George Fernandes comes forward, in order to prove his honesty, and says, let the committee be appointed. But, how is the committee going to be appointed? It has something to do with the Rules of Procedure. If he wants a committee to be appointed—he is a Minister—and if he is an honourable man then there is only one course open, namely, let him ask the Leader of the House to get up and propose that this House appoint a 15-man committee to go into the matter. Let the House appoint a 15-man committee of those Members who

are the Members of the Privileges Committee—the manner in which we had done in the case of Shri Subra-manian Swamy—those ten Members plus another five Members. Let them constitute the committee. Now, somebody has to propose it under the Rules. Somebody has to get it passed. Sir, I think he is indulging in a kind of gimmickry and he is not actually interested in the appointment of a committee. He is just making a brave offer only and thereby he is misusing the forum of this House. (*Interruptions*). Sir, my point of order is that he is misusing the forum of this House for political propaganda and he is indulging in a kind of bravado. Therefore, Sir, my point of order is that if Mr. George Fernandes is interested in the appointment of a committee, you, Mr. Chairman, either ask the Leader of the House to propose, or allow us to suspend the rule. Sir, I move for the suspension of the rule and, with your permission, move a resolution and my resolution is as follows.-

"Whereas...

MR. CHAIRMAN: No, no.

SHRI DEVENDRA NATH DWIVEDI: Sir, I am just seeking your permission I am only seeking your permission. You have allowed Mr. Dinesh Goswami and Mr. Bhupesh Gupta to read the motion yesterday. So let me read the motion and you can disallow, Sir...

(*Interruptions*)

DR. BHAI MAHAVIR: Where is the point of order?

SHRI DEVENDRA NATH DWIVEDI: I sought your permission, Sir, for the suspension of the rule.

AN HON. MEMBER: Can a motion be read on a point of order?

SHRI DEVENDRA NATH DWIVEDI: I am on a point of order ----- (*Interruptions*). Sir, my motion is: Whereas Mr. George Fernandes, Minister of Industry...

(*Interruptions*)

SHRI SADASIV BAGAITKAR: He is standing on a point of order. Under what rule is he reading the motion. Has he sought Chairman's permission to read it?

SHRI DEVENDRA NATH DWIVEDI: ----- requested the Rajya Sabha to appoint a committee of the House to enquire into...

(*Interruptions*) MR.

CHAIRMAN: No, no.

SHRI BUDDHA PRIYA MAURYA: You may disallow, Sir, but...

SHRI BIPINPAL DAS: You can disallow but he has to read the motion.

SHRI DEVENDRA NATH DWIVEDI: ... to enquire into certain allegations made against him by one of the Members, Shri B. P. Maurya, and this House hereby resolves....

(*Interruptions*).

DR. BHAI MAHAVIR: We want your ruling, Sir, whether he can read it.

SHRI DEVENDRA NATH DWIVEDI: ... to appoint a committee of the House consisting of the following ten Members:

1. Mr. Ram Niwas Mirdha.
2. Mr. A. R. Antulay.
3. Mr. M. Anandam.
4. Mr. Bhupesh Gupta.
5. Mr. Bhishma Narain Singh.
6. Mr. Bipinpal Das.
7. Mr. p. Ramamurti.

8 Mr. G. Lakshmanan.

9 Mr. Bhola Paswan Shastri. 10. Mr.

Kamlapatj Tripathi.

The Committee should be given all facilities by the Government. The Committee is empowered to call for evidence both oral and documentary. Shri Ram Niwas Mirdha will be the Chairman of the Committee. The Committee shall present its report to

the House by the end of the year 1978. Sir, I move that you allow to suspend the rule and admit this motion so that we should here and now appoint a committee so that the bluff of Mr. George Fernandes may be called...

(Interruptions).

SHRI GEORGE FERNANDES: I have no objection, Sir.

SHRI ANANT PRASAD SHARMA: On a point of order...

(Interruptions).

SOME HON MEMBERS: Let it be passed  
No point of order

(Interruptions).

SHRI ANANT PRASAD SHARMA: Let me complete.... (Interruptions). It is not the first day, Sir. This is another day that Mr George Fernandes has come out with a proposal. Now my friend has moved his proposal. I second it. Let it be passed by the Houses.

SHRI SUNDER SINGH BHAN-DARI: There is nothing before the House, Sir...

MR. CHAIRMAN: Let me make the position very clear. I have not allowed Mr. Dwivedi to move any motion or Resolution...

SHRI DEVENDRA NATH DWIVEDI: On a point of order, Sir...

MR. CHAIRMAN: Let me say....  
(Interruptions).

SHRI BIPINPAL DAS: Sir, on a point of order. With all respect to the Chair, I fail to understand how the Chair can disallow the Motion when the origin of the Motion is a Member of the Government, Mr. George Fernandes, Mr. George Fernandes has made a proposal. We have only concertised it. (Interruptions). We have only concretised it. How can you disallow the Motion? I do not understand it.

(Interruptions).

SHRI SUNDER SINGH BHAN-DARI: There is no Motion. There is a procedure for that. Come out with the procedure.

SHRI BIPINPAL DAS: Let him say.

(Interruptions).

SHRI GEORGE FERNANDES: Sir, as far as I am concerned, these files are in your hands. You can do whatever you want to do with them. (Interruptions).

MR. CHAIRMAN: Should I proceed or not?

(Interruptions).

श्री श्री सत्यनारायण रेड्डी : सभापति जी, इसके कुछ रूल्स और रेगुलेशन हैं। किसी भी मोशन को लेने के लिये उनका पालन करना लाजमी है। कोई भी मोशन बिना रूल्स और रेगुलेशन के हाउस के अन्दर पास नहीं किया जा सकता। प्वाइंट ऑफ आर्डर उठा कर (Interruptions) कोई बात कह दे तो उसे मोशन नहीं कहा जा सकता . . . . ;

(Interruptions).

MR. CHAIRMAN: if you are keeping quiet, I will proceed. It was the hon. Minister, Mr. George Fernandes, who made a proposal on his own.

SHRI ANANT PRASAD SHARMA: And we accept that.

MR. CHAIRMAN: Even now, if he is prepared to form a Committee, it is upto him. (Interruptions). Please hear me. When I hear you, you are not prepared to hear me. He has made a suggestion that he is prepared to place all the files with the J Chairman. I am not prepared to accept this position. I do not want any flies to be with me and I do not want to be an arbitrator on it. Secondly, when files are placed on the Table of the House, they become public documents. Then, perhaps, it may be difficult for us to agree here. Therefore, if he is accepting it, let him suggest the names of the Members who should be the Members of the Committee.

n. regard to Mr. Dwivedi's point of order, let me make it very clear. If I have understood him correctly, he wanted to raise a point of order i pertaining to this subject. In the meantime, he started moving a Motion which I never allowed. He is a lawyer and he must know that he should not put me in difficulty unnecessarily. Mr. Fernandes has made an offer. You have a discussion. You form a Committee. Then, he will place those files before that Committee and then other things will follow. (*Interruptions*).

SHRI GEORGE FERNANDES: I have a suggestion that all the Leaders of tie Opposition Parties constitute themselves into a Committee. I shall appear before that Committee.

SHRI GIAN CHAND TOTU: Sir, you have to say whether you are accepting it. (*Interruptions*)

MR. CHAIRMAN: Papers to be laid On the Table.

(*Interruptions*).

(*Interruptions*)

#### **PAPERS LAID ON THE TABLE**

**I. (a) Report (1976-77) and Accounts of the Bihar State Forest Development Corporation Limited, Patna and related papers.**

**(b) Report (year ended the 30th June, 1JH7) and Accounts of the Kerala Forest Development Corporation Limited, Kottayain and related papers.**

**n. Report (1974-75) and Accounts of Ibe Tamil Nadu Forest Plantation Corporation Limited Tiruchirapalli and related papers.**

**III. Ministry of Agriculture and Irrigation (Department of Food) Notification.**

THE MINISTER OF STATE IN THE  
MINISTRY OF LABOUR AND PAR-

34 RS—a

LIAMENTARY AFFAIRS (DR. RAM KRIPAL SINHA): Sir, on behalf of Shri Surjit Singh Barnala, I beg to lay on the Table:—

I. (i) A copy each of the following papers, under sub-section (1) of section 619A of the Companies Act, 1956:—

(a) Second Annual Report and Accounts of the Bihar State Forest Development Corporation Limited, Patna, for the year 1976-77, together with the Auditors' Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(b) Third Annual Report and Accounts of the Kerala Forest Development Corporation Limited, Kottayam, for the year ended the 30th June, 1977, together with the Auditors' Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(ii) Statements (in English and Hindi) giving reasons for the delay in laying and for not laying simultaneously the Hindi versions of the Report mentioned at (i) above. [*Placed in Library. See No. LT— 2738/78 for (i) and (ii).*]

II. (i) A copy (in Hindi) of the First Annual Report and Accounts of the Tamil Nadu Forest Plantation Corporation Limited, Tiruchirapalli, for the year 1974-75, together with the Auditors' Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(ii) A statement (in English and Hindi) giving reasons for not laying earlier the Hindi version of the above Report along with the English version. [*Placed in Library. See No. LT-2753/78 for (i) and (ii).*]

III. A copy (in English and Hindi) of the Ministry of Agriculture and Irrigation (Department of Food). Notification Nos. G.S.R. 413(E)/ Ess. Com./Sugar to G.S.R. 416(E)/ ' Ess. Com./Sugar, dated the 16th