

रक्षा हो सकती है। उसके बारे में विचार करेंगे क्योंकि बम्बई में चन्द लोकल ट्रेन्स के अन्दर वह प्रयत्न किया गया है। उसका अच्छा नतीजा निकला है। जो सुझाव रखा है उस पर विचार करेंगे।

दूसरा जो सवाल है, उसके बारे में तो कोई दो राय नहीं हो सकती।

**श्री उपसभापति :** आर्डर प्लीज। सारा समय इसपर लेंगे। आगे भी प्रश्न हैं।

**श्री रामेश्वर सिंह :** मैं हाउस का ध्यान दिलाना चाहता हूँ . . .

**श्री उपसभापति :** आप प्रश्न पूछिये।

**श्री रामेश्वर सिंह :** वह प्रश्न ही है। जो प्रश्न पूछा गया है रेल मंत्री जी से वह उसी के संदर्भ में है। मंत्री महोदय से पूछा गया है कि पांच-छह महीनों में जो घटनाएँ घटी हैं चोरी और डकैती की, मेरा यह कहना है कि मुगलसराय देश का ऐसा भाग है जहाँ तीन-चार करोड़ की चोरी होती है और वहाँ पर हर साल मर्डर होता है। माननीय भूतपूर्व रेल मंत्री महोदय ने आपातकाल में तीन ऐसे बदमाश स्मगलर्स को छोड़ दिया जो पकड़े गये थे और आज भी वहाँ तीन-चार करोड़ की चोरी हो रही है। इस पर सरकार क्या विचार कर रही है?

**प्रो० मधु दण्डवते :** अगर माननीय सदस्य की आपातकालीन परिस्थिति के वक्त जिन लोगों ने इस प्रकार का बुरा काम किया है और उन लोगों के जरिये काम चलता है, ऐसी उनकी जानकारी है, अगर यह जानकारी मुझे दे देंगे, तो जरूर आवश्यक कार्यवाही करेंगे। यह मैं आपको आश्वासन देता हूँ।

### Donations to Political Parties by Public Sector Undertakings

\*3. SHRI RABI RAY:  
SHRI M. P. CHENGALRAYA  
NAIDU:  
SHRIMATI KANAK  
MUKHERJEE

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

(a) whether Government are aware that many public sector undertakings have been making donations to political parties for political reasons; and

(b) if so, what are the names of the public sector undertakings which have made, such donations during the last one year?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) Government is not aware of "any public sector undertaking having made any donation as such to any political party for political reasons and "such an action would amount to an offence under section 293A of the Companies Act, 1956.

However, IOI Government Companies had made payments for advertisements in the souvenirs brought out by some political parties between 1st January 1974 and 31st March 1977. The question whether such payments amounted to donations within the meaning of section 293A however is a controversial one and may depend on the facts of each case and the benefit derived by the company compared to the payments made.

(b) The information is being ascertained and will be placed on the Table of the House.

The question was actually asked on the floor of the House by Shrimati Kanak Mukherjee.

SHRIMATI KANAK MUKHERJEE: Mr. Deputy Chairman, sir, my first submission is that there is a mistake in the main question itself. The actual question was to know about such donations during the last five years and not during the last one year only.

Now, Sir, the Fourth Report of the Committee on Public Undertakings is with me. This is an adverse report. It says, page 21, I quote:

"While the Committee note that the public undertakings are making handsome donations for purposes of relief for natural calamities such as the Andhra Cyclone, they disapprove of the practice of making donations to political parties for political purposes. For example, a sum of Rs. 10,000 was spent for advertising in souvenir issued by A.I.C.C. Chandigarh in 1975 by the Bongaingaon Refinery and Petrochemicals Ltd. This is highly improper and illegal and responsibility should be fixed for taking action under advice to this Committee. The Ministry of Company Affairs should also be informed".

Further it says:

"The Committee also find that one or two undertakings have not specified the names of the parties to whom the donations have been given. The reasons are not difficult to understand. However, the Committee require that requisite information should be furnished in details within a month."

Again in the summary part of the same Report the same conclusion has been drawn that the political parties to whom the donations had been given, their names have not been disclosed. Therefore, Sir, my question is, when will our Government supply the names of the parties to whom the donations had been given and the undertakings who had given these donations?

In conclusion the Report says • •

MR. DEPUTY CHAIRMAN; You need not read all this, Madam. Do not read all this, ask the question.

SHRIMATI KANAK MUKHERJEE: My question is: Will the hon. Minister be pleased to disclose the names of those parties to whom the donations have been made by the public sector undertakings? Is the Government aware of the fact that the Public Undertakings Committee has made an adverse comment against such practices? And in this respect what steps is the Government going to take? This is my humble question.

SHRI SHANTI BHUSHAN: As I have already said, so far as donations and such other things are concerned, no instance of a Government company having given any donation to a political party for political purposes is within the knowledge of the Government. I have already said that so far as advertisements in party souvenirs are concerned, according to the information possessed by the Government, IOI Government companies had given advertisements in party souvenirs, but whether such advertisements to party souvenirs, in law, amount to a donation within the meaning of Section 293A so as to be actionable is a matter of controversy. The Calcutta High Court, in some case which arose out of a private complaint, had held that such an advertisement to a party souvenir did not amount to a contravention of Section 293A. So far as the Department is concerned, it may be that it may depend upon individual facts... (Interruptions).

MR. DEPUTY CHAIRMAN; Order please.

SHRI SHAATI BHUSHAN: 'So that that matter is under consideration. If the hon. Member wants the names of these IOI Government companies which had given advertisements in party souvenirs to be disclosed, a statement can be laid.

**श्री सीताराम केसरी :** उपसभापति महोदय, आपके द्वारा ईमानदार सरकार के ईमानदार मंत्री जी से मैं वह जानना चाहता हूँ कि विगत असेम्बली के चुनावों में जनता पार्टी ने किन किन उद्योगपतियों से चन्दा लिया, इसको वह बताने की कृपा करें।  
 . . . (Interruptions) . . . आप यह बतलाइये कि क्या जनता पार्टी की सरकार ने विभिन्न राज्यों में असेम्बलियों के चुनावों में बिना उद्योगपतियों से कोई पैसा लिए, ये ही चुनाव लड़ा है। और यदि चन्दा लिया है तो किन-किन से चन्दा लिया है वह आप बता लायें।

**श्री पीलू मोदी :** एक केसरी कम्पनी थी।

**श्री शान्ति भूषण :** माननीय उपसभापति महोदय, पिछले असेम्बली के चुनावों में किसी कम्पनी ने कोई चन्दा जनता पार्टी को दिया हो चुनाव लड़ने के लिए ऐसा मेरी जानकारी में नहीं है क्योंकि किसी कम्पनी का चन्दा देना किसी पोलिटिकल पार्टी को, किसी राजनीतिक दल को धारा 293 ए के अनुसार वर्जित है। अगर कोई कम्पनी किसी पोलिटिकल पार्टी को चन्दा दे तो उसके खिलाफ कानूनी कार्यवाही हो सकती है।

SHRI VIREN J. SHAH: The hon. Minister has mentioned a<sup>Dout</sup> IOI public sector undertakings or companies under the Government having given advertisements to political parties for souvenirs. May I know whether the hon. Minister will take the trouble to find out whether at that time any Minister belonging to the then Government forced or compelled or advised or suggested to any of these IOI public sector undertakings to give advertisements, and if so, what are the facts thereof?

SHRI SHANTI BHUSHAN: Sir, I have no information on this. I would require a specific notice of the question if one is asked.

SHRI VIREN J. SHAH: sir, it arises from the question. Why is a notice required?

MR. DEPUTY CHAIRMAN: Next question, Shri Kulkarni.

**Site for the location of public sector fertiliser complex in Maharashtra**

\*4. SHRI ARVIND KULKARNI: t  
 SHRIMATI USHI KHAN:  
 SHRI T. BASHEER-  
 SHRI GURUDEV GUPTA:  
 SHRIMATI LEEA DAMO-  
 DAR A MENON: f

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to refer to the answer to Starred Question 1 given in the Rajya Sabha on the 24th April, 1974 and state;

(a) whether any meeting was subsequently held between him, the Minister, the Chief Minister of Maharashtra and some members of Parliament regarding the location of a public sector fertilizer complex in Maharashtra;

(b) if so, whether the Central Government have since taken any final decision regarding the location of the fertilizer complex; and

(c) whether any report has been received from the expert Committee; which had been asked to review the sites already examined and also new sites, offered by the Maharashtra Government; if so, what are the salient recommendations made therein?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) to (c) A statement giving the required information is laid on the Table of the House.

The question was actually asked on the floor of the House by Shri Arvind Ganesh Kulkarni.