

of all the facts and circumstances of the case the Central Government decided to rescind the original reference *vide* its order dated the 9th December, 1977.

A copy of the said order which speaks for itself is laid on the Table of the House.

COPY OF THE ORDER

No. 4/3/78-MII

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND
COMPANY AFFAIRS DEPARTMENT OF
COMPANY AFFAIRS

5th Floor, A' Wing, Shastri Bhavan, Dr.
Rajendra Prasad Road.

New Delhi the 9th December, 1977

WHEREAS on 2nd December, 1975, the Central Government, in exercise of its powers conferred by Sub-section (1) of section 27 of the Monopolies and Restrictive Trade Practices Act, 1969 (Act 54 of 1969) referred to the Monopolies & Restrictive Trade Practices Commission, for an inquiry, certain matters regarding:

- (1) Andhra Prabha (Private) Limited, Vijayawada;
- (2) The Indian Express Newspapers (Private) Limited, Bombay;
- (3) The Indian Express Madurai (Private) Limited, Madurai.

AND WHEREAS the Commission is now seized of the matter and has posted the reference to 16-12-1977 to consider the question whether the Commission has jurisdiction to consider applicant's objection that reference by Central Government to the Commission under section 27 was *mala fide*.

AND WHEREAS the Central Government on reconsidering the matter in its entirety, is now of the opinion that the mere fact that the

profits and other funds of the companies were being utilised in speculative business, would, without anything more, not be sufficient ground for the division of the undertaking or undertakings, not being directly germane to the problem of monopoly;

AND WHEREAS the Central Government is also now satisfied that no public interest is involved in the facts and circumstances of the case;

NOW THEREFORE the Central Government by virtue of the powers vested in it and all other powers enabling it to do so, hereby rescinds the said reference dated 2nd December, 1975 made to the Monopolies and Restrictive Trade Practices Commission.

THIS RESCINDING ORDER would not absolve the companies covered by the reference from their liability, if any, to be proceeded against at any time hereafter for contravention of any provisions of the law on their part.

BY ORDER and in the name of the
PRESIDENT OF INDIA.

Sd/—

(C. KHUSHALDAS)

Deputy Secretary to the Govt, of India

A.C. Chair Car attached to Amritsar-Bombay Deluxe Train

*714. SHRI S. A. KHAJA MOHIDEEN:
Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that air-conditioning was out of order in an A.C. Chair Car coach attached to the Amritsar-Bombay Deluxe train on the 29th June, 1978;

(b) if so, whether Government propose to refund the fare charged from the passengers for providing air-conditioning; and

(c) if the answer to part (b) above be in the negative, what are the reasons therefor?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): (a) Yes, Sir.

(b) Under the extant rules, refund is admissible in such cases.

(c) Does not arise.

Posting of personnel clerk in Mathura

*715. SHRI SURENDRA MOHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received any complaint that a person declared medically unfit as senior Train Clerk in class A/3 has been posted as Personnel Clerk in Mathura against a vacancy which is to occur in August, 1979; and

(b) if so, what are the details in this regard?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): (a) Yes, Sir.

(b) A Senior Train Clerk was declared medically unfit for that post in March, 1965. Under the rules, such staff have to be given alternative employment. This employee is being utilised in the Train Clerk's Office at Mathura Junction for preparation of returns and statements. A long-term posting will be made when a suitable vacancy arises.

Amendment of the Hindu Marriage Act, 1955

*716. SHRI F. M. KHAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state;

(a) whether it is a fact that the Law Commission has recently re-

commended that irretrievable breakdown of marriage should be introduced as one of the grounds of divorce in the Hindu Marriage Act, 1955; and

(b) if so, what is Government's reaction in this regard?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) Yes, Sir.

(b) The recommendation of the Law Commission is under examination.

Production of polyester fibre

*717. SHRI SYED NIZAMUDDIN:

DR. LOKESH CHANDRA:

SHRI KRISHNA NAND JOSHI:

SHRI GIAN CHAND TOTU:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what are the names and what is the share capital, capacity and production during the last three years of the companies producing polyester fibre and dimethyl terephthalate in the country; and

(b) whether Government propose to issue more licences for increasing production of these items?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and (b) A statement is laid on the Table of the Sabha.

†Previously Starred Question 567 transferred from the 10th August, 1978.