

III. A copy (in English and Hindi) of the Ministry of Finance (Department of Revenue and Insurance) Notification \ G.S.R. No. 1022, dated the 22nd September, 1973, under section 46 of the Finance (No. 2) Act, 1971. [Placed in I Library. See No. LT-5776/73.]

IV. A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue and Insurance):—

(i) Notifications G.S.R. Nos. 495(E) and 496(E), dated the 9th November, 1973, together with an Explanatory Memorandum thereon.

(ii) Notification G.S.R. No. 497(E), j dated the 9th November, 1973, toge- j ther with an Explanatory Memoran- j dum thereon.

(iii) Notification G.S.R. No. 498(E), dated the 9th November, 1973, j together with an Explanatory Memorandum thereon.

[Placed in Library, See No. LT-5862/73 for (i) to (iii).]

#### **CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE**

##### **Circumstances leading to the withdrawal of application by Messrs. Century Spinning and Weaving Company Limited from the Monopolies and Restrictive Trade Practices Commission**

SHRI KRISHAN KANT (Haryana): Mr. Chairman, Sir, I beg to call the attention of the Minister of Law, Justice and Company Affairs to the circumstances leading to the withdrawal of the application regarding fibreglass unit by Messrs. Century Spinning and Weaving Company Limited from the Monopolies and Restrictive Trade Practices Commission.

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): Mr. Chairman, Sir, . . .

SHRI KRISHAN KANT: Sir, it is an insult to this House that the Calling Attention is being replied to by the Deputy Minister. There are questioners from all sides and the Minister of Law, when he is not busy otherwise, should have come to the House.

SHRI BEDABRATA BARUA: The Minister is expected any moment. Mr. Chairman, Sir . . .

[Mr. Deputy Chairman in the Chair]

The Century Spinning and Manufacturing Co. Ltd. gave on the 25th January 1972, a notice under Section 21 of the M.R.T.P. Act for substantial expansion by manufacturing new articles, viz., Rods (Glass), Textile Yarn and Rovings/Chop Strand Mat, in the new Unit to be established at Mathura (U.P.).

According to the MRTP Rules, Century published the substance of its Notice in the Times of India dated the 7th April, 1972. The Department of Company Affairs received 34 objections to the proposal. These objections were from a number of small-scale units engaged in the fabrication of fibre glass products, the Fibre Glass Manufacturers Association and Federation of Associations of Small-scale Units. Fibre Glass Pilkington Ltd., a foreign company, the only existing manufacturer of fibre glass in India, also represented against the proposal. As these objections related to some fundamental issues and appeared to justify a further enquiry into the company's proposal by the MRTP Commission, it was decided to refer it to the Commission for an enquiry in terms of Section 21(3)(b). This reference was made on the 24th May, 1972. The investigation of the proposal by the Commission came in the earlier stages to be tied up with the general examination which was being made by the Commission into inter-connections among important Birla companies, in regard to a few other matters referred to the Commission earlier. This inter-connection study itself was bogged down in procedural delays because

[Shri Bedabrata Barua] some of the companies had moved writ petitions before Delhi and Calcutta High Courts questioning the authority of the Commission to call for certain information. Century also posed a similar issue though this matter was disposed of through a personal hearing given by the Commission. Both the writ petitions were ultimately dismissed by the respective High Courts. Subsequently, some of the Birla companies agreed that the Commission could proceed with the enquiries into the proposals referred to it on an assumption that they were inter-connected. This was also done in the case of Century's proposal.

The Commission was expected to submit its report on or before the 21st August 1972, but for the reasons expressed above and several other reasons connected with the conduct of the enquiry, the Commission had to extend, from time to time, the limit for submission of its report by making orders under Section 30(2).

The Commission fixed the public hearing initially for 3rd and 4th September 1973. On the 30th August, 1973, the company applied to the Commission for postponement of the hearing for a period of 6 weeks to enable it to make a representation to the Central Government stating that it did not need approval under the MRTP Act for setting up a plant to manufacture fibre glass. The claim of the Century was that fibre glass yarn was in the same category as artificial yarn, one variety of which, viz., rayon yarn, was already being produced by it and that the proposed setting up of a unit would, therefore, come within the provisions of Section 21(4) of the Act. Under Section 21(4) it is inter alia laid down that if an undertaking is not dominant undertaking and if the expansion relates to the production of the same or similar type of goods, approval to the scheme of expansion under the M.R.T.P. Act is not necessary.

The Commission granted the requested postponement in order to enable the company to obtain Government decision on

this basic issue about applicability of the Act. The representation of the company was considered by the Department of Company Affairs. The Department came to the conclusion that the company's proposal fell within the provisions of Section 22 rather than Section 21 of the M.R.T.P. Act and would, therefore, require prior approval under that section. Following this decision of Government, the Commission again fixed the public hearing of the case for 19th and 20th November 1973. Notices of the hearing were given to various parties including the objectors to the proposal.

The company made another representation to the Department of Company Affairs on the same plea and on the 15th November 1973 sought discussion with the concerned officials in regard to its claim that its proposal was under section 21 (4). There was also a suggestion to Government to request the Commission to further postpone its hearing. This suggestion was not accepted in view of the fact that the Commission had already allowed postponement once before and the application had been pending for a long time. However, the company's request for a discussion with the Department was agreed to and 27th November 1973 was fixed for the discussion. The company made an application to the Commission stating that since the company had again, represented to the Department of Company Affairs, the question of its appearance before the Commission on the 19th November 1973 did not arise and requested for grant a postponement of the public hearing. The Commission expressed its inability to do so in view of the fact that Government had already taken a decision in the matter and that the public hearing could not be postponed again to the inconvenience of the numerous parties who had been notified about the public hearing.

On the 16th November, the Department of Company Affairs received a letter from Century formally withdrawing the application under the M.R.T.P. Act and

stating that as their contention was that approval under the M.R.T.P. Act was not necessary, it would be inconsistent if they participated in the public hearing which the Commission had fixed. They expected to make their legal submission before the Department of Company Affairs on the 27th November regarding their plea for exemption under section 21(4) of the M.R.T.P. Act. In view of the withdrawal of the application, the Commission had to cancel the hearing fixed for 19th and 20th November 1973. All the parties which were scheduled to appear at the public hearing were informed accordingly.

Thus, the company has withdrawn its application under section 21 primarily on the plea that it does not require any approval from the Central Government under the M.R.T.P. Act. Since the application is withdrawn by the party the entire proceedings including the inquiry by the Commission stand cancelled. However, it is reiterated that the question of the party going in for the manufacture of the proposed new items without obtaining approval under section 21 or 22 of the M.R. T.P. Act, as the case may be, does not arise. In fact, according to the procedure followed, the industrial licence under the Industries (Development and Regulation) Act will not be issued until the party obtains approval under section 21 or 22 of the M.R.T.P. Act. or the Central Government is satisfied that such approval is not necessary by virtue of some provision in the Act itself.

SHRI JOACHIM ALVA (Nominated): It is a long statement. We should have been given a copy.

SHRI KRISHAN KANT: Sir, the main question is that the Monopolies Commission had given full opportunity to the Century Spinning and Manufacturing Company to plead their case with the Department of Company Law. The Department of Company Law rejected the application and that is why a hearing was fixed by the Commission. But now the Department of Company Law has again agreed 42  
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to hear M/s. Century Spinning and Manufacturing Company. Why did they agree to hear them again? The hon. Minister has said that until approval under section 21 or 22 is given, no licence will be given. But the question is, the first decision of the Department of Company Law was that it fell under section 21(4) and that it has to be heard by the Commission. Why are they trying to give a new opportunity now? Why are they trying to give a new opportunity? That is the main thing, because the whole experience has been that out of all the applications only ten per cent are referred to the MRTP Commission. Others are cleared by the Company Law Department or sue motu. You are trying to treat the Commission as a superfluous thing and make it completely sterile, because according to the Press note which they issued after they received the application for withdrawal, they were left with five or six cases. Why did the Department of Company Law agree to hear the company again when they had once rejected it? The same thing had once happened earlier in regard to the linoleum company. The real thing is when the applications of the Birlas and Keshoram had been cleared unanimously by the Commission on the condition that the equity participation should be so changed that the Birlas do not keep control over these companies, they are trying to pressurise the Government not to accept the unanimous recommendation of the Commission which is very rare in the Commission's history. This new experience of the Company Law Department having agreed to hear them when once they were rejected, and frustrating the work of the Commission shows how the Government is under pressure to give facilities to the Birlas, to give them more concessions and to let them produce things. If it is not so, why did they accept a second time the plea on the basis of which the Company Law had given its verdict that they did not find any justification to hear again. It was on this plea, they withdrew the application and the hearing had to be cancelled? This has become a rather frequent thing that the monopoly houses, larger

[Shri Krishan Kant]

houses, bigger houses, go to the Commission and withdraw their applications, so that the Commission's work gets frustrated and the Government seems to be becoming a party to it. That is very clear from this fact. Up till now may I know why the Government has not referred to the Commission any cases under section 27 for the break-up of larger houses? Are they serious about break-up of larger houses and the implementation of section 27 of the MRTP Act? This thing they must make very clear, because the way things are going, there seems to be a slide-back in the whole approach to the MRTP Act, the working of the MRTP Commission. I would like to know these things. No important case has been referred to them during the last three months which shows the Commission is on the verge of collapsing. Before it completely collapses, does the Government want it to become sterile so that they can scrap the thing and come out with a policy that they do not want MRTP Commission? My friend, Mr. Mishra, raised objections yesterday that the MRTP was coming in the way of production. It is wrong to say that, because the number of cases referred to the MRTP Commission are few and far between. May I know the intentions of the Government about these various matters?

MR. DEPUTY CHAIRMAN: We are discussing Century Spinning and Weaving Mills.

SHRI KRISHAN KANT: I hope the Minister will clarify the position so that we know in which direction we are going.

MR. DEPUTY CHAIRMAN: Let us confine ourselves to the Century Spinning and Weaving Mills.

SHRI BEDABRATA BARUA: So far as this company is concerned, it was never allowed to go out of the scope. . .

SHRI NIREN GHOSH: The matter encompasses some very relevant things.

MR. DEPUTY CHAIRMAN: No, we cannot encompass everything. That way anything can be compassed.

SHRI BEDABRATA BARUA: So far as this particular application is concerned, the Government has taken a firm decision that section 22 applies, and therefore, considering that this is a new undertaking at Mathura, the question of exemption does not arise. That is the position and the Government sticks to that position. Regarding the withdrawal of the application. I would like to make it very clear that it has not been withdrawn due to any action on the part of the Government. The application was withdrawn by the company itself and when a company decides to withdraw an application, the Government has no choice in the matter. So, Sir, . . .

SHRI JOACHIM ALVA : It is a fabulous Company and it can do whatever it likes.

SHRI BEDABRATA BARUA: I would like to make it very clear also that when the withdrawal is done by the Company, the Company might have anything in mind. But so far as the Government is concerned, the withdrawal of the application restores us to the same old position that we had taken that clearance under Section 22 would be necessary and I would like to reassure the House that this undertaking, Messrs. Century Spinning and manufacturing Company Limited, is registered under Section 26 of the MRTP Act and all companies which are registered under Section 26 of the Act would have to obtain clearance under Section 21 or Section 22 before the grant of a letter of intent or a licence. So, even if the application is withdrawn, whenever a fresh application is made with regard to this matter, approval under the MRTP Act would be necessary.

Then, Sir, regarding the other matters...

SHRI KRISHAN KANT: Sir, he has not referred to my other question. Once they have rejected, why should they hear the Company again? Why should they fix the date? They have already fixed the 27th November. What is his reply to this?

SHRI BEDABRA/A BARUA : Sir, I think I have already made the position very clear. So far as this application is concerned, it is this Department, that is, the Government which referred it to the Monopolies Commission and when they asked for an adjournment in August in order that they could place their views, the Government did communicate its views. But when a party comes to the Government asking for a hearing, for a discussion, the Government usually allows the discussion without any prejudice to the view that the Government had taken. So, what I want to make clear is that our having a discussion with the party and allowing them to have a discussion with us did not lead to the withdrawal. The withdrawal was consequent upon the refusal of the Monopolies Commission to allow them an adjournment. Later on, the hearing was allowed and so, whatever hearing is given to them on the 27th would not prejudice the work of the Monopolies Commission because the Commission proceeded on the other presumption that once an application is withdrawn, there is no question of the application being considered either by the Government or by the Commission.

SHRI KRISHAN KANT: Sir, I read out the Press note issued by the Commission. They have stated that they wanted an adjournment on the plea that the Department of Company Law was agreeing to hear them again on November 27 which means today and it was on that plea that they wanted the adjournment. The Government wants to hear a party which it has already rejected. The statement of the Minister says that. That is why this withdrawal. Once you take a final decision, why do you give time to these monopoly houses to hear their pleas again and again on a firm decision, on a

firm policy decision, of the Government? This is how you give them the leeway and time to manipulate.

He has not replied to this part of my question, Sir.

SHRI BEDABRATA BARUA: The raised a particular point as to whether the classification of goods was under the provisions of the Industries (Development and Regulation) Act, or the MRTP Act. We have said that it would be under the Monopolies Act. On all these matters, when a party wants to be heard, when it wanted hearing, we hear first what they have say. They wanted a discussion and they usually heard according to the principles of natural justice and under the usual conditions we do allow a discussion and we do not say that our minds are closed on that. But, at the same time, I have said on behalf of the Government that the question of giving them the licence due to a hearing being given does not arise and the Government sticks to its view that Section 21 would apply. This being a new undertaking, Section 21 would not apply, but Section 20 would apply and in that case, we will continue to subject them to the provisions of the MRTP Act.

MR. DEPUTY CHAIRMAN : Yes, 1 Kalyan Roy.

SHRI A. G. KULKARNI: Sir, I have submission to make.

MR. DEPUTY CHAIRMAN : No : mission now, please.

SHRI KALYAN ROY (West Bengal) Sir, I would like to get a clarification from the honourable Minister. I want to know whether their attention has been drawn to an item in "The Economic Times" of 21st November, 1973, which gave the headline: "Rethinking on Larger Houses".

The Government may be re-thinking policy on larger houses. This indication has been given by the Prime Minister himself. Is this a part of rethinking ;

[Shri Kalyan Roy]

the Century Spinning and Weaving Company belonging to the Birlas who were ailing the time refusing to furnish information to the Monopolies and Restrictive Trades Practices Commission and who were taking adjournments after adjournments? Is this now a part of re-thinking that the Company Law Administration has come to a secret understanding with the Birlas that they should first withdraw the application from the MRTP and the Government will oblige the Birlas by allowing them to produce fibre-glass? Here is an unfortunate, interesting and sordid drama where the main characters are out of the stage. Mr. G. D. Birla met some of the Ministers and some of the top officials and he was assured that this particular fibre-glass which will play havoc with small scale industries. . .

SHR H. R. GOKHALE: Mr. G. D. ever met me.

SHRI KALYAN ROY: Is it not a fact that just three days before the hearing was to take place, suddenly the application was withdrawn, and the MRTP Chairman and others were completely stunned and they had to send messages to Calcutta, Asansol, Bombay and other places to the parties who had already left Calcutta by that time? What was the hurry, unless they were assured? How is it that once the Government has rejected the application, once the adjournment has been accepted, they accepted it on exactly identical grounds? My charge is that it is definitely a part of the re-thinking on the part of the Government of India to allow the houses of the Birlas and the Tatas to expand—may be for some political considerations and other reasons. It is a contempt MRTP. Is the Government serious at the MRTP should continue to function? If it is not, it is better to scuttle to abolish it, to destroy it, rather than making it a ridiculous body.

SHRI H. R. GOKHALE: Sir, there are my assumptions made, which are factually incorrect. No one from the Birlas—much less Mr. G. D. Birla—ever approach-

ed me. And I am sure he never approached my colleague also. It is a matter of fact. I want to state this categorically that there is no question of any re-thinking on this issue. We are quite positive in our mind that unless clearance is obtained under sections 3J or 22 of the MRTP Act, this concern cannot get an industrial licence. Therefore, our position remains as it was ever before.

In the beginning the matter went to the Monopolies Commission. We referred to the Monopolies Commission, because we always took the view that clearance under section 22 was essential before the application for grant of industrial licence can be considered, in spite of their saying that they did not require any clearance under section 22 of that Act. They were trying to rely on sub-section (4) of section 21. We rejected their contention that what they want now to manufacture is a similar product as is being manufactured before, and, therefore, no clearance is necessary. That was their contention, and we rejected it outright. Even today, I want to take the House into confidence that whatever happens, there is no question of the House getting the necessary industrial licence unless clearance under section 21 or 22 is obtained. . .

SHRI CHANDRA SHEKHAR: Are these identical or are these different?

SHRI H. R. GOKHALE: They are not identical. . .

SHRI CHANDRA SHEKHAR: Does the Commission come into the picture under both the sections?

SHRI H. R. GOKHALE: Yes. But the Commission has no jurisdiction to decide. It is the Government which has to decide. We are of the view that this requires clearance under section 21 or 22. Section 21 refers to expansion, and they were relying on sub-section (4). Sub-section (4) says that if you want to expand in respect of the products which are similar, then it is not expansion because it is not a dominant undertaking and, therefore, clearance

under the M.R.T.P, is not required.' We do not accept that position also. We said that it was not in the same line or similar line. Even if Section 21 applies, clearance under Section 21 is necessary. More than that, we said that actually they were to set up a new undertaking. We said that they were to set up a fibre glass manufacturer which was, really a new unit. It creaking of the same corn-but it was a new unit and Section 22 applied and therefore clearance under Section 22 was to be obtained. They pleaded their case before the Monopolies Commission which they have lost by their act of withdrawing the case. The Government's mind is very clear. We think that Section 21 or 22 applies and the question of granting a licence does not simply arise.

**SHRI KALYAN ROY:** Is it not a fact that the proposal for setting up the unit will come within the provisions of Section 21 (4) of the M.R.T.P, which relates to expansion of production in (the same or similar line? If it is expansion of the same company, anti relates to the production of similar type of goods, then M.R.T.P, does not come in the picture and approval of the scheme under M.R.T.P, is not necessary.

**SHRI H. R. GOKHALE:** We are not accepting the contention that it is expansion of the same company.

**श्री नवल किशोर :** श्रीमान, ब्रह्मा साहू ने कहा कि 34 प्रायोजकता प्राप्ति के और कुछ फंडामेंटल प्रिन्सिपल्स उनमें इनक्लूड थे। 5 डिटेल्स में नहीं, मोटे तौर पर जानना चाहता हूँ कि वे किस तरह के प्रायोजकता के और उनमें क्या फंडामेंटल प्रिन्सिपल्स इनक्लूड थे ?

हमरी बात में यह ज्ञानना चाहता हूँ कि वह जो फाइबर ग्लास है उसको प्रोडक्शन कंपैक्ट्री इंडिया में कितनी है और इसकी डिमांड कितनी है और बिजला जी ने जो एक्सपोजन की बात कही—उसे एक्सपोजन की बात मानिए, चाहे नई यूनिट मानिए—गैप को देखते हुए

कितने प्रोडक्शन के बास्ते उन्होंने एक्सपोजन की थी ? आप बिजला जी को एक्सपोजन को परमीशन दें या न दें, उसमें मेरा इन्टरेस्ट नहीं है, मेरा इन्टरेस्ट यह है कि जो गांग है कन्ट्री की उसको पूरा होना चाहिए। अगर आप समझते हैं कि स्माल स्केल यूनिट्स फाइबर ग्लास को प्रोड्यूस कर सकती हैं तो आप इन्वैस्टमेंट बर दीजिए कि यह चीज स्माल स्केल यूनिट्स के अन्दर ही बनाई जायेगी, उसके बाहर नहीं बनाई जायेगी।

आपने कहा कि रीविजिन की बात नहीं है। रीविजिन से क्या मतलब है, किस एक्टिविटी-इंगू का मतलब है, मैं नहीं जानता। प्राइम मिनिस्टर ने अपनी इन्स्ट्रुक्शन्स के बारे में कहा कि इस कन्ट्री में प्रोडक्शन बढ़ना चाहिए और इसमें कोई किड नहीं है। मैं जानता हूँ कि मोनोपोली कमीशन बनने के बाद भी मोनोपोली हाउसेज की तादाद बढ़ ही रही है, घट तो नहीं रही है। एक बात ध्यान रखें मैं यह जानना चाहता हूँ कि यह एम्प्ली-केशन 25-1-72 को आई थी, मच नवम्बर 1973 हो गया, एक साल इस महीने से ज्यादा हो गया। अगर यह स्पष्ट है मोनोपोली कमीशन की या कम्पनी ला एफेयर्स की मिनिस्ट्री के काम करने की कि एक-एक एम्प्लीकेशन में दो-दो साल का टाइम लगना है और उसके बाद आप यह उम्मीद करें कि प्रोडक्शन बढ़े और मोनोपोली तो यह बात समझ में आने वाली नहीं है।

**श्री चन्द्रशेखर :** धन्य हो नवल किशोर जी। अगर आप गुन रूढ़े होंगे तो आपको मालूम होता कि देर बिजला जी की बख्त से हुई, मोनोपोली कमीशन की बख्त से नहीं।

**श्री नवल किशोर :** मैंने खब सुना। But it also shows the inefficiency of the Ministry.

**SHRI BHDABRATA BARUA :** As has been mentioned in the statement, the company itself filed objections about the inter connections. They went to the High Court, Calcutta, and the Delhi High Court in writ petitions. Later on, they sought time for other reasons. As has already

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been stated before the House, there were a number of objections. When the licence is considered, all these objections will be taken into consideration. I am not in a position to tell all the details now. The main objection of the small producers was that down-line production will also be controlled by the Birlas. They will not only be producing fibre glass yarn, but they will be producing the finished articles also which have great consumer utility and which are being produced by a number of small scale producers now. Their objection was not that more fibre glass would be produced; they would be very glad if the item is produced in larger quantities. They did raise certain points and they were placed before the Commission. Before hearing it, it would be necessary for the Commission to find out the demand and production of fibre glass. I am not in a position to give the details just now. This is certainly a consumer item the production of which is very necessary. The Government has to decide on the basis of a number of factors, economic and other matters also, on the basis of the industrial policy resolution, etc. The decision has to be arrived at after taking all these things into consideration.

SHRI NIREN GHOSH (West Bengal) : I would like to know whether the Minister is aware that the so-called abolition of the managing agency system has not abolished managing agency? They are continuing de facto, if not de jure. And that is why larger houses are holding companies even now continuing though not legally but de facto. Such being the position, we on the Opposition, stand for the confiscation and nationalisation of monopoly houses, Indian and foreign. The Government says "No, curbs should be put so that concentration may not take place". But every year, every Session, the questions and replies in Parliament reveal that concentration of economic power is taking place. So the M.R.T.P. Act has just become an Act to hoodwink the public and is not brought out into the open.

I would invite the attention of the Minister to the last part of the statement. Today they are giving a hearing to the Birlas. And they say "Unless otherwise ..."—this is what they said if I remember correctly— "...if the Government decides otherwise this will attract the clauses of the M.R.T.P. Act". So the escape door is there in the Minister's statement. And if the Birlas now say that we will produce only fibre glass, not the other items that he related in the first part, and it falls on similar lines, what will happen? Is he aware that the Birla Jute Company has become the owner of linoleum carbide, staple fibre, alloy steel, cement and what not. And you will be surprised to know that one Birla applies for alloy steel in Bengal, another Birla, though of the same group and same managing agency, applies for it from a different place. This licence is granted in Bihar. Bihar is backward and I would be glad if Bihar is industrialised. But the whole question is that these monopoly houses, these larger houses, are being given a free hand. If you want to run it yourself, you can confiscate it and run it. That is a separate proposal. But why are you playing in these things? This thing is in Mathura. U.P. election is there. It is known that the Prime Minister has met Tata and Birla. And after that you are sticking to your argument. How can you give a hearing this very day on the same arguments which you had rejected? What was there for you to give again a new hearing? Is it not to encourage the Birlas? Is it not to find some escape door? Is it not fact that the Prime Minister said already that the Government's primary policy is, "Do not repeat M.R.T.P. Act? It is useless"? Production is necessary. Is not the Government aware that in several industries only 40 per cent to 50 per cent of the capacity is being utilised? If the capacity of the various industries is fully utilised, at least up to 80 per cent, production can go up. When the Prime Minister talks, she does not talk of that fact. It is only to give a green signal to the monopolists that this is being done. It is clear from the very fact that you have agreed to give a new hearing after they



had withdrawn their application, after they had once, been rejected. To this day it is open to suspicion. No amount of argument would be able to take away the suspicion from the public mind. I would like to know what has happened to the Commission that is going into the entire Birla affair for three or four years. Shri Chandrasekhar is there. We were there. What has happened to it? Tatas and Birlas are expanding like anything.

MR. DEPUTY CHAIRMAN : Are you interested in putting the question.

SHRI BEDABRATA BARUA : Sir, I have already made it clear and the hon. Minister. has made it clear that the question of leaving an escape route does not arise. We have placed all our cards on the Table. We have placed all the facts at the disposal of the House. We have also stated that they would have to obtain monopoly clearance. I do not think laying allegations would do. I also deny all the other allegations that have been made.

SHRI NIREN GHOSH : I have invited your attention to the last sentence.

SHRI BEDABRATA BARUA : It is written there that unless the Government . . .

SHRI NIREN GHOSH : We cannot say that...

MR. DEPUTY CHAIRMAN : Now, let him answer.

SHRI BEDABRATA BARUA : I have already explained that last sentence. It says that—unless the Central Government is satisfied that such approval is not necessary by virtue of—some provisions in the Act itself. There is no question of leaving any loophole. Whatever I have said stands there. No loophole has been left out. I have already explained it before this House. Both Minister and myself have explained it.

श्री चन्द्रशेखर : माननीय उपाध्यक्ष महोदय, एक व्यवस्था का प्रश्न है। वह जो सवाल उठाया श्री नीरेन घोष और श्री कृष्ण कान्त ने कि यह वक्तव्य जो पढ़ा है सदन के सामने उसकी आखिरी पंक्ति यह कहती है कि यह देखा जायेगा, सरकार यह देखेगी कि इसका एकाधिकार आयोग के मायने ले जाना जरूरी है या नहीं। वक्तव्य में यह लिखा हुआ है कि अगर गवर्नमेंट इसमें संतुष्ट हो जाती है तो परिस्थिति बदल जायेगी। दूसरी तरफ दोनों मंत्रियों के जो यहां मौखिक वक्तव्य है उनमें यह कहा है कि जो सरकार ने इस पर निर्णय लिया है उस निर्णय पर अडिग है, अटल है। आपकी मैं व्यवस्था चाहूंगा कि जो लिखित वक्तव्य है और जो मौखिक भाषण है मंत्रियों के, उनमें अगर अंतर हो, गतिरोध हो, यह तो कौन बात सदन सही माने। मेरे जैसा आदमी जो कानून नहीं पढ़ा है उसको कठिनाई हो जाती है क्योंकि संसदीय परम्परा में कानूनी दावपेंच ही नहीं, नैतिक मूल्यों और अभिव्यक्तियों का भी अर्पण स्थान होता है। मैं आपसे जानना चाहता हूँ कि उनके वक्तव्य और भाषण, दोनों की तुलना कर के हम को कृपा कर के बतला दोजिये कि मेरा जैसा सदस्य किस को सही माने, आखिरी वक्तव्य सही है या जो मंत्री महोदय भाषण कर रहे हैं, वह सही है। आपने मुझे रोका और कोई बात मेरी समझ में न आये, तो मैं आप की शरण में जा सकता हूँ, और कोई दूसरा रास्ता नहीं है।

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE) : You say that there is a difference in what I say and what I stated in the Statement. Now, actually there « no difference because you cannot isolate the last sentence from what precedes it. If you see the sentence just before the last sentence, it says this: However, it is reiterated (reiterated because it was already said before) that the question of the party going in for the manufacture of the proposed new items without obtaining approval under Section 21 or Section 22 of the Monopolies and Restrictive Trade Practices

[Shri H. R. Gokhale] Commission Act, as the case may be, does not arise. Then only the procedure is stated. An industrial licence is granted according to the procedure followed. Then procedure is shown there. An industrial licence under the Industries (Development and Regulation) Act will not be issued until the party obtains approval under section 21 or 22 of the Act. Having said that approval under section 21 and 22 is necessary, it is clear that even according to the procedure they cannot go in for this object without obtaining approval.

SHRI NIREN GHOSH : Sir, a point of order.

SHRI H. R. GOKHALE : There is no change.

श्री चन्द्र शेखर : उपाध्यक्ष महोदय जी, मंत्री महोदय ने सफाई दी है उसमें क्या सफाई हो गई। पहले उन्होंने धारा 22 के अन्दर इनको मानोपरी आयोग के सामने भेजा था और अब उन्होंने कहा कि 21 या 22 दो में से किसी के अन्दर है। दोनों में अन्तर है या नहीं, यह मैं ज.प.से पृथक्ता हूँ। पहले उन्होंने कहा था कि सरकार का निश्चित मत है कि एकाधिकार ऐक्ट की 22 वीं धारा के अन्दर यह आता है। अब माननीय मंत्री जी यह कहते हैं कि हम यह निर्णय करेंगे कि यह 21 में आता है या 22 में आता है। तो पहले की जो पोजीशन थी सरकार की उस में और आज की पोजीशन में अन्तर है या नहीं? सरकार जो चाहे निर्णय करे, एक नहीं पांच फैक्ट्री बनाने को दे दें बिस्वा को, मैं उसे रोक नहीं सकता, लेकिन सवाल यह है कि सरकार ने जो आज से 15 दिन पहले राय रखी थी क्या आज उस में कोई परिवर्तन हुआ है या नहीं, उपाध्यक्ष महोदय, मैं आप से यही जानना चाहता हूँ दोनों कर्षणों को सुनने के बाद।

MR. DEPUTY CHAIRMAN : There is no change because . . .

SHRI CHANDRA SHEKHAR : Why?

MR. DEPUTY CHAIRMAN : I will tell you. Because, even in the statement he says Government will . . .

SHRI CHANDRA SHEKHAR : Do not go by the statement alone. Government had taken the position that it attracts the provision under section 22. Now the Government is shifting its position—whether it comes under section 22 or section 21. This is a limited question, whether it is a shift or not because the Government was categorical that it attracts section 22 of the MRTP Act. Now their position is that they are in two minds, whether it will come under section 21 or under section 22. This is what I say. I do not quarrel on any other point. But to this limited extent here is a shift in the position of the Government.

SHRI KRISHAN KANT : Before you ask the Minister . . .

SHRI NIREN GHOSH : I am on a point of order . . . (Interruptions) . . . It is this, Sir. Government says, we say categorically it will attract the provisions of the MRTP Act but at the same time it says "Unless Government decides otherwise". This is a contradictory thing. The Government cannot take such a contradictory position. So I want to know whether it is in order or whether Government will give a categorical assurance that even if one single item—fibre glass—is taken it has to be cleared. Because, it will take that position. Nylon yarn is also yarn fibre; you can have a petrochemical complex. So, under any pretext, this application or anything similar to that would have to be cleared under the MRTP Act. Would you give that promise? If you do not, you are not in order in this.

SHRI KRISHAN KANT : Before you ask the Minister, I would like to ask, through you, why a second chance was given to him, because Mr. Gokhale has come now. The Deputy Minister said, under natural justice anybody can apply and we have to hear him. Is there a question of finality about it?

MR. DEPUTY CHAIRMAN : You cannot be repeating the same thing.

SHRI KRISHAN KANT : The whole confusion has arisen because of this. Again and again they go on applying and they go on giving in. Is there a finality about natural justice because Birlas remain for ever to violate the laws of the land? Let the Minister reply to this.

SHRI A. G. KULKARNI : The Minister says he mentioned about precedents. Precedents he has stated. But in the last sentence he has stated "Unless the Government is otherwise satisfied." That means you have put an escape clause because of high pressure of Birlas. That is a fact which will come out. Nothing else is there.

SHRI H. R. GOKHALE : With the utmost humility, according to me there is no divergence in what the statement says and what I have said in the House. I think the statement makes it absolutely clear that in this case the provisions of the MRTP Act are attracted. That is why I dealt with some elaboration on the contention which the company was making. The contention was that (they were covered by 21 (4) and since it is in the same or similar line of production, clearance is not necessary. We rejected that; that is our position. We did not accept their contention.

SHRI A. G. KULKARNI : What is "Unless the Government . . . . " ?

SHRI H. R. GOKHALE : I will come to that. I cannot give the answer in one sentence. I am covering everything. Therefore even assuming that it was section 21 which was applicable, we did not accept their contention that it is the same line. Therefore, clearance is necessary. But our position is positive from the beginning and even today that section 22 is attracted because they are asking for a new undertaking. Therefore, permission under section 22 is necessary. On that position we are absolutely firm and we have not changed it. In either case they cannot get an industrial licence unless the monopolies clearance is given, and about that we stated in the procedure.

(Interruptions)

SHRI NIREN GHOSH: If it is a subsidiary ...

SHRI H. R. GOKHALE : It is not a subsidiary. The question whether it is a subsidiary is a hypothetical question. It is not a subsidiary. They want only one more unit of the existing company and even that we say is a new undertaking though it belongs to the same company. If we did accept their contention that a new unit cannot be said to belong to the same company, then every big house entering into a new venture by making a separate unit will try to escape the provisions of the Monopolies and Restrictive Trade Practices Act. We are conscious of that. That is why we are saying that we will not allow this and even if there is any doubt in the minds of hon. Members I think that doubt should be cleared because after all I have made a categorical statement.

With reference to hearing there is no question of hearing. The Act does provide for a hearing in certain circumstances and this case instance is not one in which a hearing is required. But people go on making representations, legal submissions and factual representations. As Government or Ministers we cannot just say we will not receive your representations. You can certainly blame us if we have acted on those representations. I can assure you that we are not going to act on them because we have made it clear that this is our policy that permission under 21 or 22 is required. If Members of Parliament—in this case no Member of Parliament has come up, let me make it very clear—come forward and make pleas can we say that we will not listen to you? We listen to everything but remain firm.

SHRI BHUPESH GUPTA : Sir, on a point of order.

MR. DEPUTY CHAIRMAN : The Minister has made it amply clear.

SHRI BHUPESH GUPTA : Now Sir, 9 suggestion was made about natural justice. First of all, the question of na-

[Shri Bhupesh Gupta]

tural justice does not arise at all in a procedural matter of this kind. That should be made absolutely clear. The hon. Minister said that if representations are made then they listen to everybody.

MR. DEPUTY CHAIRMAN : Where is point of order, Mr. Bhupesh Gupta?

SHRI BHUPESH GUPTA : The point of order is this. He should clarify this. Has the Birlas been told—he should frankly tell us—that no representation will be entertained on this point and that the matter is finally settled ? I want to know whether he has made this clear.

MR. DEPUTY CHAIRMAN : It is not a point of order; you are just trying to make a point. I am calling the next Member.

SHRI BHUPESH GUPTA : The point of order is the reply that he made does not clarify that; on the contrary suggestions are made as if in such cases representations having been made will be considered by the Government pending a decision. He said that they will not change their policy but what I want to know is whether the Birlas have been told that no representation will be entertained.

MR. DEPUTY CHAIRMAN : You are asking for a clarification, it is not a point of order. Dr. Mahavir.

DR. BHAI MAHAVIR (Delhi) : Firstly I would like to know the number of applications which are pending with the Government for grant of licences in respect of production of this commodity that is, fibre-glass. Since when these have these applications been pending and how long would it normally take for an application of this type to be decided ? Sir. I would also like to know the investment that a unit of this type calls for because a reference has been made —

MR. DEPUTY CHAIRMAN : Please confine yourself to the subject matter of

the motion; otherwise if you ask a wide question like this it will . . .

DR. BHAI MAHAVIR: I would like only to submit that mention has been made of small-scale manufacturers who objected to the consideration of this particular application. Mention was also made of a firm, I think Pilkington; obviously it was foreign collaboration. In order to understand what the Minister has explained I would like to know whether this is something which has been or which is being produced on small scale and if so whether there are other applications also which are pending before the Government for the grant of licence for this because possibly only such applicants would be interested in filing objections against the grant of a licence to the Century Mill. Personally I think the Government needs to make it very clear; Century or no Century, you need to make it clear that if there is any consumer product which can possibly be produced on small scale the Government would grant licence to the small-scale units and not to large-scale units. If we are honest in our endeavour to scatter economic power and if we do not want the concentration to continue, as it has been continuing up till now with added impetus, my question to the hon. Minister is : How many collaboration units are there? If there are other collaboration units, may I know whether the Government considers this technology to be one for which further collaboration can be considered or granted? - That is the second point which I want to be particular about. Scale of production and collaboration and if it is technology which is known to us...

SHRI NIREN GHOSH : I may inform Dr. Bhai Mahavir that it is known to us. The knowledge exists in our country.

DR. BHAI MAHAVIR : If we have the technology, will the Government give an assurance that further collaboration will not be permitted, when we have the technology and we can stand on our own

feet in respect of technological requirements? The third point on which I seek clarification is whether fibreglass is one of those products which are considered essential even in the present situation of shortage of resources. When we do not have enough resources to put into essential products, do you consider it necessary that we should go in for this product? The point, in other words, is whether the Government considers this as a luxury or as a necessity which the ordinary man, the middle-class person requires and, therefore, should be provided. The total resources of the country are limited. Which agency of the Government, the Company Law Board, the Company Law Department or the MRTP Commission or the Ministry, which of these is concerned with a decision on the overall question as to whether this particular thing is necessary in the present situation of shortage of resources and economic difficulties? The last point I beg to submit is that despite what the hon. Ministers have said, at least they should admit that the Government's statement should have been worded better. Right at the tail-end of the statement you have said something which practically undoes what you have said in the beginning. In the end, you say if the Government thinks that such approval is not necessary, of course, everything will be cleared. This is something with which we are not satisfied.

MR. DEPUTY CHAIRMAN : He has made it very clear. I think what he has said on the floor of the House is good enough for hon. Members because that forms part of our proceedings. He cannot go back on it. I think he has been very categorical on that, about the last sentence.

SHRI TIEDABRATA BARUA : All the points that have been raised, except the last one, concern other Ministries— DGTD, Industrial Development Ministry and all that.

s MR. DEPUTY CHAIRMAN : Except one question which he asked and which

you can probably answer from general knowledge, as to whether it is a luxury item or it is a necessity.

DR. BHAI MAHAVIR : Why not? At least this is very relevant. He said there were a number of objections. Now, he should give some information about the objectors and the nature of their objection, whether it is something which is produced by small-scale industry with foreign collaboration, whether the Pilkington company is producing it or not.

SHRI BEDABRATA BARUA : I can only speak from general knowledge about it. With the little information that I have about it, I can say that the fibreglass is not something that is produced in the small scale.

DR. BHAI-MAHAVIR : Mr Barua, you read from a statement and I have asked certain questions which arise from your statement itself. Then how can you inform the House from your general knowledge?

MR^ DEPUTY CHAIRMAN : Let him answer.

SHRI BEDABRATA BARUA : I said I was speaking from general knowledge because the small scale producers were mostly consumers of fibreglass produced by Messrs Pilkington Glass Works which cannot be considered small scale producer. The small producers were consumers or they were taking the fibreglass and then producing goods from it for the consumption of the public.

As for the second question of the hon'ble Member, it can be considered a luxury item but I do not know. That is a matter of opinion. There has been some controversy over it. Since you ask me, I would say that it would be an item which would be required by vast sections of the people and, therefore, it may be necessary.

DR. BHAI MAHAVIR : Who decides whether this should be permitted or not—the M.R.T.P. Commission or the Ministry of Industrial Development?

SHRI BEDABRATA BARUA: We do not know how many applications have been made.

DR. BHAI MAHAVIR: Although you think it is a luxury item, you have no objection to the investment of resources in this.

MR. DEPUTY CHAIRMAN: Dr. Mahavir, the Ministry of Law and Company Affairs is not dealing with the M.R. T.P. Act. Actually they are only concerned with expansion and the monopolies. Fresh applications are considered by the Ministry of Industrial Development. Therefore, evidently he is not in a position to give you information.

DR. BHAI MAHAVIR : We expect the left hand of the Government to know what the right hand is doing. At least we are not accustomed to asking only through pigeon-holes.

MR. DEPUTY CHAIRMAN: You are raising wider questions which do not concern him. Then it becomes difficult.

DR. BHAI MAHAVIR: I put it to you, Sir. A firm like the Century Spinning and Weaving Mills, they make an application. Supposing that application is cleared by the Monopolies and Restrictive Trade Practices Commission. Then the firm is in a position to go ahead with the setting up of the plant. Then where does the question whether it is necessary and is in the overall interest of the economy or not come in. Is there nobody who will apply his mind?

MR. DEPUTY CHAIRMAN: Even when it is cleared by the Company Law Administration it has to go to the Ministry of Industrial Development.

श्री चन्द्र शेखर : उपसभापति महोदय, काफी कंप्यूशन इस मामले में है। वहीं कोई अधिकार नहीं है कम्पनी को कि अपनी एप्लीकेशन विद्वा करे। बल्कि उसमें यह है कि कमीशन जो इन्फार्मेशन मांगे अगर न दें तो उसको सजा हो सकती है। लेकिन मेरी समझ में नहीं आता कि अधिकार के अंदर कम्पनी ने, जब इतनी देर तक आयोग जांच कर रहा था...

MR. DEPUTY CHAIRMAN: That is a separate question that you are asking. But I will permit you.

श्री चन्द्र शेखर : उपसभापति महोदय, मैं सेपरेट सवाल का अधिकार नहीं मांगता, लेकिन आपकी कृपा अपनी चाहता हूँ कि यह तो पता चले कि किस अधिकार के अंदर इस कम्पनी ने अपनी दरखास्त जब चाहे तब दी और जब चाहे वापस ले ली, क्योंकि मुझे खयाल है जब यह ऐक्ट बना था तब से फिर—मैंने अपनी याददाश्त को दोहराया— इस ऐक्ट में कोई ऐसा प्रावजन नहीं है कि दरखास्त दीजिए और दरखास्त वापस ले लीजिए। यह प्रावजन तो है कि आपने दरखास्त दी और जांच हो रही है और जो आपने बातें पूछी जाएं, अगर आप न बताएं तो इसमें आपको सजा हो सकती है। कमीशन को और सरकार को यह अधिकार है कि जो कम्पनी ऐसा करे कि कमीशन को खबर न दे उसको सजा कर सकती है, लेकिन यहाँ उल्टा हाल हो गया। जिस मन्ना ने ऐक्ट बना था, उपसभापति महोदय, उसके विपरीत बात हो गई। इसलिए मैं आपके सामने यह बात लाता हूँ कि वह मन्ना दिखायी नहीं पड़ती न केवल सरकार बिलकुल निरुत्साहित और हतोत्साहित मानूम पड़ती है, बल्कि आयोग भी ऐसा मालूम पड़ता है। मैं मंत्री महोदय से जानना चाहता हूँ, किस धारा के मुताबिक उस कम्पनी को यह अधिकार है कि जो एप्लीकेशन गई थी और जिस पर सरकार की भी सहमति थी उसको वापस लेकर सारे आयोग की कार्यवाही को नाकाम कर दे ?

SHRI H. R. GOKHALE: Sir, I do not think this raises a very vital question because it is, according to me and with

respect to the hon. Member, very simple. Why was an application made? You know, they want to go into this project and they cannot go into this project, at least so they thought at that time, without getting permission from the Company Law Department.

SHRI CHANDRA SHEKHAR: That is not the only purpose of the MRTP Act. with great respect to the Minister.

SHRI H. R. GOKHALE: May I finish? Therefore, when this is considered by the Government, the Government says, "We cannot allow you because you are a monopoly house. You are governed by sections 21 and 22. Therefore, we would like to refer this to the Monopolies Commission, particularly because in this case some 34 objectors, including some small-scale sector people, are there. Therefore, we cannot grant you this application unless the Monopolies Commission examines it." Now if the party which had applied earlier comes and says, "we do not want to apply now; you do not give us this project; we are withdrawing the application", how can we stop them from withdrawing the application? We cannot force them to undertake this project whether they like it or not. On the contrary, we say, "If you like to have it, you can have it only on our terms, i.e. under the Monopolies and Restrictive Trade Practices Act. When you get clearance from the Monopolies Commission, then we will consider whether you can get it or not." If they do not want to pursue with the application, there is nothing to compel them to go on with the application. It means that the project is dropped.

SHRI CHANDRA SHEKHAR: No, Mr. Deputy Chairman, the hon. Minister has raised a very vital point. This Act is not only for granting licences. This Act is mainly for stopping concentration of economic power. The very purpose of this Act is to stop concentration of economic power, and this is only a modality through which the concentration of economic power

is to be stopped. Now, suppose I come up with an application in order to get a licence. I find midway that it is going to prove inconvenient to me not only for the purpose/ of this licence but to the very nature of my functioning in the industrial empire or industrial world. So any big business house may come up with an application with the expectation that it will be perhaps convenient for them to get the licence. Midway when the Commission is enquiring into it, they find that some more inconvenient facts are coming to light. Will it be advisable for the Government to allow them to withdraw the application? Mr. Deputy Chairman, Sir, this is not for granting licences only. It is surprising that a person of the eminence of Mr. Gokhale says that if they do not want the licence, how can you force them to have the licence? You cannot force them to have the licence, but you can certainly force them to reveal other facts, whether they are indulging in concentration of economic power or not. If the Law Minister says like this, - I do not know what is going to happen to the whole theory of curbing concentration of economic power.

MR. DEPUTY CHAIRMAN: Mr. J. P. Yadav.

SHRI KRISHAN KANT: Mr. Deputy Chairman, Sir...

MR. DEPUTY CHAIRMAN: I have called Mr. Yadav.

SHRI KRISHAN KANT: On a point of order.

MR. DEPUTY CHAIRMAN: No point of order. I have already called Mr. Yadav. He has the floor now.

SHRI KRISHAN KANT: Mr. Deputy Chairman, when I started raising this matter, you gave a ruling...

MR. DEPUTY CHAIRMAN: Mr. Krishan Kant, you cannot be rising again and again. I have called Mr. Yadav.

SHRI KRISHAN KANT: On a point of order.

MR. DEPUTY CHAIRMAN: I will be forced to ask the Reporters not to take down.

SHRI KRISHAN KANT: All right, I will raise it after he finishes.

MR. DEPUTY CHAIRMAN: You cannot raise anything on a matter which is already over.

SHRI KRISHAN KANT: Mr. Deputy Chairman, you gave a ruling...

MR. DEPUTY CHAIRMAN: I never gave any ruling.

SHRI KRISHAN KANT: You gave a ruling.

MR. DEPUTY CHAIRMAN: I am sorry you are making me say it. I have not given any ruling today. Whatever I have said, it was not a ruling.

SHRI KRISHAN KANT: All right, I will refer to it afterwards.

MR. DEPUTY CHAIRMAN: No, the matter is now over.

**REFERENCE TO SELF-IMMOLATION BY  
SHRI S. P. VARMA, SANITARY  
INSPECTOR, RAILWAYS**

श्री जगदम्बी प्रसाद यादव : श्रीमन्, आज मैं सदन के सामने एक बड़ी करुण घटना की ओर सदस्यों का ध्यान आकृष्ट करना चाहता हूँ। श्रीमन्, सब ने अखबारों में पढ़ा होगा कि श्री एस० पी० वर्मा, सैनिटरी इंस्पेक्टर, कचड़ापाड़ा, बिहार जिन्होंने 1968 से लेकर 1973 तक अपने देश के रेल मंत्रालय से आग्रह किया था कि ब्राह्मण और केबट जिन्हें कूड नाइट सायल को फेंकने के लिए रखा गया था तथा जिन्होंने कभी भी इस कार्य को नहीं किया, उनकी उलत बहानी के सम्बन्ध में जांच की जाय। श्री एस० पी० वर्मा 1968 से लेकर 1973 तक रेल मंत्रालय से इस

घटना के बारे में जांच करने के लिए आग्रह करते रहे थे। लेकिन उसको इन्साफ नहीं मिला। श्रीमन्, इस केस में रेलवे के उच्चाधिकारी इस तरह से भ्रष्ट तरीके से इस तरह से लिप्त हैं कि जब रेल मंत्री के पास यह लोक सभा के सदस्य के साथ 18-5-73 को गया तो रेल मिनिस्टर ने कहा : "I will not take interest in this corruption case as corrupt people are stronger than me" श्रीमन्, जब इन्होंने देखा कि यहां भी हमारा इन्साफ नहीं हो सकता, तब इन्होंने प्राइम मिनिस्टर के पास, जिसे हम गरीबों का मसीहा कहते हैं, इजहार किया, लेकिन इन्हें वहां भी इन्साफ नहीं मिला। इन्होंने डिफेंस सर्विसेज में काम किया था और डिफेंस सर्विसेज में भी उसको पारितोषिक मिले थे। रेलवे में आकर भी इन्होंने भ्रष्टाचार के केसेज को पकड़ा था। यह भ्रष्टाचार के केसेज को साबित करने के लिए तैयार थे, लेकिन उच्चाधिकारियों के संलग्न होने के कारण रेल मंत्री ने और रेलवे बोर्ड ने इस बात पर ध्यान नहीं दिया। इसलिए इन्होंने 40-40, 45-45 दिन के अनशन किए और अनशन करते हुए आत्माहुति दी और शहीद हुए। यह आठवां अनशन था। श्रीमन्, इस अनशन के पूर्व इन्होंने जितने भी कन्सल्टेड विभाग हैं उन सबको इसकी सूचना दी थी। मुझे आश्चर्य है कि फिर भी कुछ नहीं किया गया। मैं समझता हूँ कि रेल मंत्री के साथ-साथ आज गृह मंत्रालय भी इसमें बोधी है, इसलिए कि गृह मंत्री दो बात कहते हैं जैसे हरिजनों के लिए जितनी जगहें हैं, वे सारी फिल-अप की जाती हैं, लेकिन जब हरिजनों की जगह नाइट सोयल फेंकने के लिए ब्राह्मण और केबट एपोइंट किया गया जो कि उस काम को नहीं करते हैं तो उस चीज को पकड़ने वाले को गृह मंत्री और प्राइम मिनिस्टर भी इन्साफ नहीं देते हैं। उसने देखा कि जब दुनिया में किसी तरह से उसे इन्साफ नहीं मिल सकता है, मुझे लगता है कि रेल मंत्री के खिलाफ भी, जिसके पास वह इन्साफ मांगने के लिए गया था, राष्ट्रपति और प्रधान मंत्री को सैकड़ों संसद सदस्यों और विधायकों ने मेमोरेंडम दिया है कि ये मंत्री भ्रष्टाचार में घोर लिप्त हैं, तो फिर उसे कोई