

RAJYA SABHA

*Monday, the 21th March, 1961 \the 6th
Chaiira, 1889 (Safca)*

The House met at eleven of the xBock,
MH. CHAIRMAN in the Chair.

ORAL ANSWERS TO QUESTIONS

JAYANTI SHIPPING COMPANY

•87. SHRI A. D. MANI: Will the Minister of TRANSPORT AND SHIPPING be pleased to state:

(a) whether his attention has been drawn to the report that an amount of Rs. 16.90 lakhs in the Provident Fund of the employees of the Jayanti Shipping Company has not been invested in securities;

(b) whether the money collected has been used by the Management for the business of the Company; and

(c) what action Government propose to take against those who have infringed the law in this respect?

THE MINISTER OF TRANSPORT AND SHIPPING (PROF. V. K. R. V. JBAO): (a) to (c) The reply to parts i(a) and (b) of the Question is in the affirmative. The Provident Fund accumulations have, however, since been properly brought to account. In the light of the findings of the Jayanti Shipping Enquiry Committee criminal and civil proceedings have been initiated against Dr. and Mrs. Teja on various counts and the matters are now before the Courts.

SHRI A. D. MANI: Sir, the usual practice, where provident fund is concerned, is for Trustees to be appointed by the Company. Who were the Trustees of the Provident Fund?

PROF. V. K. R. V. RAO: I do not have information on that but I can inform the hon. Member that all the money of the employees' provident fund has been invested in trustee securities. 158 R.S.—1

SHRI A. D. MANI: The sum involved is Rs. 16.90 lakhs. Did the Provident Fund Commissioner draw the attention of the Jayanti Shipping Company to the fact that the provident fund was not being invested in securities and, if so, on how many occasions did he draw the attention of the Jayanti Shipping Company?

PROF. V. K. R. V. RAO: Sir, this matter came to light as a result of the Jayanti Shipping Enquiry Committee. Having gone through the papers I find that the Board of the Jayanti Shipping Company, before it was taken over, had passed a Resolution that they had invested a part of the provident fund money in securities and the rest of the amount they were using for the Company's purposes. It was also stated that 12 per cent, interest should be given on that amount and, as soon as funds are available, the whole amount should be transferred to the Provident Fund Account as a matter of priority.

SHRI A. D. MANI: May I ask the Minister whether any employees of the Jayanti Shipping Company drew the attention of the management, before this Report was submitted, to the fact that this money was not being invested in securities as laid down under the Provident Funds Act? •

PROF. V. K. R. V. RAO: Not to my knowledge.

SHRI NIREN GHOSH: May I know whether any other irregularities in respect of the employees' moneys in question, salary, wages or anything else, came to light during this investigation and, if so, what are they?

PROF. V. K. R. V. RAO: Not really to my knowledge; I do not think any irregularities have come to notice, to my knowledge.

SHRI ARJUN ARORA: May I know if this sum of Rs. 16 lakhs odd is only employees' contribution to the Provident Fund or it represents both the employees' contribution and the employers' contribution? Secondly, Sir,

I would like to know the period during which this fund accumulated with the employers. PROF. V. K. R. V. RAO: it, of course, includes both. The Provident Fund was instituted in 1963.

SHRI ARJUN ARORA: Sir, the second part of my question has not been replied to. It relates to the period during which this lapse by the management was committed. After all, Sir, this sum of Rs. 16 lakhs as provident fund did not fall due in one month or in one fortnight. It must be a lapse on the part of the management in not depositing the money properly. It must have been committed for months together. That is how this figure of Rs. 16 lakhs is there. I want to know for how many months this lapse continued. Then, of course, the question will arise why no action was taken.

PROF. V. K. R. V. RAO: I think, Sir, I have answered that question right at the start. The Provident Fund was instituted in 1963 and in 1966 I find from a Resolution of the Board that the matter was brought before the Board and it was reported that Rs. 2 1-2 lakhs had been invested in trustee securities and the balance amount was being utilised by the Company but an interest of 12 per cent, was to be paid on that amount and credited to the Provident Fund Account. The Board also passed a Resolution to the effect that as soon as funds become available, the whole amount should be transferred to the Provident Fund Account and this should be treated as a matter of high priority. It relates to the period from June 1963, when the Provident Fund was instituted, till the time the new management took over the Jayanti Shipping Company.

श्री गोडे मराहिर : मैं सरकार से यह जानना चाहूंगा कि क्या यह सही नहीं है कि जयन्ती शिपिंग कंपनी के एक मैनेजिंग डाइरेक्टर श्री नारायण ने श्री लालबहादुर

शास्त्री जब जीवित थे उस वक्त उनको एक रिपोर्ट दी और उसमें इसका जिक्र है कि यह प्रोविडेंट फंड का जो पैसा है इसका गलत ढंग से इस्तेमाल हो रहा है। मैं यह भी जानना चाहूंगा कि क्या अब सरकार श्री तेजा को जिसकी अमरीका में गिरफ्तारी की खबर हमने कुछ दिन पहले पढ़ी थी, हिन्दुस्तान में लाने की कुछ व्यवस्था कर रही है या नहीं ?

PROF. V. K. R. V. RAO: Well, Sir, I do not know whether Mr. Narayanan included this particular question in his report and whether the report was subsequently withdrawn by him. But there are so many allegations made against the Jayanti Shipping Company. The House is aware that a Committee was appointed to go into the whole subject and action followed the submission of the report of the Committee. As for the other question, as the House is aware, Mr. Teja was arrested in the United States for having overstayed his visa period. He has now been released on bail and the case is coming up again early in June. In the meanwhile, we have instituted criminal proceedings in the court of a New Delhi Magistrate and we have also applied for a warrant of extradition and our people in the United States are being kept informed about it. We are in touch with them.

SHRI D. THENGARI: Has the Government got explanation from the Provident Fund Commissioner for his inaction in this case and, if so, what is the explanation?

PROF. V. K. R. V. RAO: No explanation has been sought so far and I do not know whether any useful purpose would be served now, because we have the provident fund money intact and it is now in the hands of the appropriate authorities.

SHRI DAHYABHAI V. PATEL: Sir, has the hon. Minister, after taking office, had time enough to go back

and look into this case to find for himself that these allegations were made against Mr. Teja and his firm not only in this House but personally to the Ministers in charge of it and that photostat copies of his misdeeds, of his wrong accounts, were presented to various Ministers, and if the Minister's attention has been drawn to these things, does the Government contemplate taking any action against the Ministers who failed to do their duty? (Interruption.) Voter, have, of course, taken appropriate action; there is no doubt about it.

(No reply)

SHRI ARJUN ARORA: May I know if the Government has taken steps to move the Government of the United States for extradition of Dr. Dharma Teja?

PROF. V. K. R. V. RAO: As I have already stated, we informed the United States Government about our interest in Mr. Teja. As a matter of fact no body knew where he was. He landed in the United States. Then he was arrested for the offence of contravening the visa regulations and we came to know about it. We are moving for the extradition of that particular person, but I think the whole matter of extradition is something which has got to be taken up by the Minister of External Affairs formally after the proceedings in the court have been completed.

श्री राजनारायण : श्रीमन्, क्या सरकार इस बात को जानती है कि जयन्ती शिपिंग कम्पनी इस समय सरकारी प्रबन्ध में है ? यदि हां, तो क्या जो प्राविडेण्ट फण्ड का रुपया कम्पनी के कार्य संचालन में लगा है, उसको देखते हुए अब सरकार खुद कर्मचारियों का प्राविडेण्ट फंड का रुपया उनको वापस करने पर गौर करेगी ?

दूसरा सवाल यह है कि हमारी सरकार की ओर से जो यह लिखा गया अमरीकी सरकार को कि हमारे यहां तेजा के विरुद्ध

फौजदारी का मुकदमा दाखिल है और उनको यहां भेजा जाय, तो अमरीकी सरकार ने भारतीय सरकार को भारतीय सरकार की तमाम कोशिशों के बावजूद क्या उत्तर दिया, क्या इसकी जानकारी सरकार सदन को करायेगी ?

PROF. V. K. R. V. RAO: I think as far as the first question is concerned, obviously the provident fund would be returnable to the employees according to the rules. Now anybody who retires gets back his provident fund, and it will be given to him if he wants to borrow. That will be done. The money is safe and is being administered according to law. As far as the second question is concerned, I do not know what reply the American Government has given. It is a matter for the Ministry of External Affairs. All that I can say is that proceedings have been instituted in a Delhi court and we expect that these would be completed very expeditiously. All the witnesses have been examined. Some foreign witnesses have to be examined. I believe they are being examined and we are hoping that before the beginning of June, when the case comes up in the United States court, all our action will be ; completed perfectly and properly and it will be ready for us to see that extradition proceedings are instituted against Dr. Dharma Teja.

SHRI RAJ NARAIN: On a point of order. श्रीमन्, हमारा एक प्वाइन्ट ऑफ ऑर्डर है और वह यह है कि क्या ज्वाइन्ट रेस-पान्सिविलिटी मंत्रियों की नहीं होती है? कोई भी मंत्री अपने जवाब में यह कह सकता है कि हमको नोटिस की जरूरत है; क्योंकि अभी हमारे पास इस सवाल के बारे में जानकारी नहीं है। मगर यह कहना कि विदेश मंत्रालय जवाब देगा या विदेश मंत्री जी यह बात जानते हैं, तो फिर मौजूदा मंत्री जी को इसका जवाब देने में क्या मुश्किल

है। मैं समझता हूँ कि जो सदन की व्यवस्था है, वह तोड़ी जा रही है। व्यवस्था के अनुकूल जो संबंधित मंत्री है, जिन सवालों का जवाब वह देता है और उनका जिन संबंधित मंत्रियों से ताल्लुक हो, उनके बारे में पूरी तैयारी करके उसे यहाँ पर आना चाहिए। आजकल मंत्री जो इवेंसिव जवाब दे देते हैं और इसलिए मैं समझता हूँ कि इस सदन की मान्यता को तोड़ा जा रहा है और रूलस के मुताबिक मंत्री अपना कार्य नहीं कर रहे हैं।

श्री सभापति : मेरा खयाल है कि कभी कभी ऐसा हो जाता है कि मिनिस्टर के पास इन्फार्मेशन नहीं होती है और मिनिस्टर कह देता है कि हमारे पास इन्फार्मेशन नहीं है। आप इस सवाल को मिनिस्टर आफ एक्सटर्नल अफेयर्स से कर सकते हैं कि और वे उसका जवाब दे सकते हैं। अगर आप नोटिस दें तो बाद में मालूम हो सकता है।

श्री राजनारायण : श्रीमन्, इस तरह की जो परिपाटी चली आ रही है, वह मैं समझता हूँ अनपार्लियामेंटरी है, अगर यह जारी रहेगी। इसी तरह से एक्सटर्नल मिनिस्टर भी कह सकते हैं कि जयन्ती शिपिंग कंपनी से मेरा कोई सीधा ताल्लुक नहीं है, यह फलों मंत्री से ताल्लुक रखता है और इस तरह से रिगमैरोल कर सकते हैं।

श्री सभापति : दोनों ही बातें हो सकती हैं।

श्री राजनारायण : इसलिए श्रीमन्, मैं चाहता हूँ कि आग्रह के लिए कोई ऐसी व्यवस्था हो कि जो मूल मंत्री है और जो बनियादी सवाल का जवाब देता है तथा उससे जितने निकलने वाले सप्ली-मेंटरीज हो सकते हैं, उनका जवाब देने की वह रेसपॉन्सिबिलिटी ले या वह यह कह सकता

है कि हमको इस बारे में नोटिस की जरूरत है। इसलिए हम इस बारे में नोटिस दे रहे हैं।

SHRI RAJENDRA PRATAP SINHA: On this point of order can I add om thing? I would like to make a submission to you, Sir. It is a very important point that the hon'ble Member has raised.

MR. CHAIRMAN: I dare say it is.

SHRI RAJENDRA PRATAP SINHA Now I would like you, Sir, to givt thought to this matter and then givt a proper direction and ruling on this subject. Here is a matter that being dealt with by the Ministry of Transport regards Jayanti Shipping Company. Now tlu Minister, says that there are in these things certain matters connected with Dr. Dharma Teja and the Jayanti Shipping Company which may be dealt with by other Ministries. Now we are placed in a very difficult position. Now the Minister says that though the matter concerns the Company, it i administratively dealt with by some other Ministry and we have to put the question to some other Ministry. They are all allied matters. The Ministry of External Affairs may be concerned with the matter but we are not concerned with it. We should be able to put it to the Ministry of Transport. Sir¹, this is a matter on which a very considered opinion by you should be given to us for the guidance of the Government and for the Members of this House that all matters connected with this particular incident must be put to a particular Minister, here in this case the Minister of Transport.

MR. CHAIRMAN: I am very glad, Mr. Sinha, you have repeated all that Mr. Rajnarain said. He said in Hindi and you said in English.

SHRI RAJENDRA PRATAP SINHA: I would like to put a supplementary on this question. The hon'ble Minister has answered the question regard-

ing this provident fund. Now this was a very specific question. Mr. Raj-narain's specific question was whether this money has been put separately by the company into the provident fund account because under the law the provident fund money has to be kept separately and not mixed up with other funds of the company. Now, the Minister said that whenever the employees retire and they want a loan they can get it. We are not concerned with that. We are interested to know whether this company now, according to the law of the land, put separately the amount due to this provident fund account.

PROP. V. K. R. V. RAO: I am sorry I must have been unclear in my reply. I thought I had made myself clear that the legal provisions are being observed and that the money has been separately deposited according to the law with the persons with whom it should be deposited. My answer to Shri Rajnarain was when he asked me whether the provident fund will be administered by the Government and whether the employees' money will be given to them. I said "Yes". Any employee who wants to borrow or get back the money will be entitled to it. I can assure the hon'ble Member that the provident fund account is now being properly, legitimately and legally maintained according to the provisions of the law by the new management of the Jayanti Shipping Company.

SHRI M. S. OBEROI: Ma, I ask the hon'ble Minister as to what is the monthly amount which is deposited in this account both by the employees and the employers?

PROF. V. K. R. V. RAO: I want notice. I do not have the monthly figures of the contributions.

श्री राम सहाय : क्या मैं माननीय मंत्री जी से यह जान सकता हूँ कि क्या उनको इस बात की जानकारी है कि तेजा कंपनी पर कितने मामले चल रहे हैं और उसके

खिलाफ कितने मामले गबन के पाये गये हैं तथा कंपनी कितने मामलों में इन्वाल्ड है ? प्राविडेंट फंड और दीगर कितने मामलों में यह कंपनी इन्वाल्ड है ?

MR. CHAIRMAN: Have you made some estimates of these things? I think these things have come up before us and we know them more or less.

DEVELOPMENT OF AGRA AS A TOURIST CENTRE

* 88. SHRI M. P. BHARGAVA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to refer to the answer given to Unstarred Question No. 699 in the Rajya Sabha on, the 5th December, 1966 and state:

(a) whether the works of laying out a garden around the restaurant out side the Taj Mahal, the improvement of the approach roads to the Taj Mahal, and the construction of a bus stand, a tonga stand and car park have since been completed;

(b) if the reply to part (a) above be in the negative, which of the works have been completed in time; and

(c) what are the reasons for the delay in completing the other items of works?

THE DEPUTY MINISTER IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRIMATI JAHANARA JAIPAL SINGH): (a) to (c) A statement is laid on the Table of the Sabha.

STATEMENT

(a) The latest position regarding various items of works mentioned in part (a) of the question is as follows:—

1. *Laying of a garden around the restaurant near the Taj Mahal.*—The work of the laying of a garden around the restaurant was taken up soon after completion of the construction of the