

**GOVERNMENT OF INDIA  
DISINVESTMENT  
LOK SABHA**

UNSTARRED QUESTION NO:5702  
ANSWERED ON:30.04.2003  
DISINVESTMENT OF HPCL AND BPCL  
MINATISEN

**Will the Minister of DISINVESTMENT be pleased to state:**

- (a) whether the Supreme Court has given any ruling on a petition challenging the disinvestment of the public sector undertakings HPCL and BPCL etc. by the Government without obtaining prior permission of the Parliament for their privatisation;
- (b) if so, the details thereof;
- (c) whether the Government have submitted their reply to the Supreme Court; and
- (D) if so, the details thereof?

**Answer**

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY AND MINISTER OF DISINVESTMENT (SHOURIE):

(a) and (b) On a Writ Petition filed on 13.3.2003 by M/s. Centre for Public Interest Litigation, the Hon`ble Supreme Court of India has issued notice to Government of India to show cause as to why Rule Nisi in terms of the prayer of the Writ Petition should not be issued and application for stay as prayed for should not be allowed. The prayer of the petitioner in the Writ Petition is that the Government be restrained from proceeding with the disinvestment in HPCL and BPCL in a manner so that they cease to be Government companies, without the approval of the Parliament and without amending or repealing the Esso (Acquisition of Undertaking in India) Act, 1974, The Burma Shell (Acquisition of Undertaking in India) Act, 1976 and the Caltex (Acquisition of Shares of Caltex Oil Refining India Limited and all the Undertakings in India for Caltex India Limited) Act, 1977.

(c) and (d) Government will respond to the notice by the Hon`ble Supreme Court of India within the stipulated period.