

# LOK SABHA DEBATES

(Fourteenth Session)



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**LOK SABHA SECRETARIAT  
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LOK SABHA

Saturday, March 3, 1984/Phalguna 13, 1905  
(SAKA)

*The Lok Sabha met at five minutes past  
Eleven of the Clock*

[MR. SPEAKER *in the Chair*]

श्री सतीश अग्रवाल (जयपुर) : अध्यक्ष महोदय, आज शनिवार की बैठक हमसे बिना पूछे रखी गई है, इसके विरोध में हम सदन से बाहर चले गए थे। आपके प्रति असम्मान न हो, इसलिए हम उपस्थित हो गए हैं। भविष्य में ध्यान रखा जाए कि शनिवार को सेशन या कोई तब्दीली, हमसे बिना पूछे नहीं होनी चाहिए।

श्री राम विलास पासवान (हाजीपुर) : आप जिन लोगों को डांटते हैं, उन्हीं के कारण आज कोरम पूरा हुआ है।

श्री सतीश अग्रवाल : अगर आज कोरम हुआ है, तो विरोधी पक्ष की वजह से हुआ है, सत्ता-पक्ष की वजह से नहीं।

(व्यवधान)

DR. SUBRAMANIAM SWAMY (Bombay North East) : Sir, Mr. Buta Singh has promised, on your behalf, that you are giving lunch to all of us to-day.

SHRI RAM VILAS PASWAN (Hajipur): No. The Minister of Parliamentary Affairs will give it.

MR. SPEAKER : If he does not give, I will give it if you want.

SHRI RAM VILAS PASWAN : The Minister of Parliamentary Affairs will give the lunch.

श्री रामावतार शास्त्री (पटना) : अध्यक्ष महोदय, बहुत जरूरी होने पर ही आप शनिश्चर को सदन की बैठक कीजिए, ऐसे नहीं।

DR. SUBRAMANIAM SWAMY : To-day, the Gpposition has saved the Government from embarrassment. अगर हम नहीं आते, तो आज सेशन न हो पाता।

You must tell the ruling party, Sir, to be present in larger numbers. I am fighting a party election. I am present here in the interests of Parliamentary work.

MR. SPEAKER : Now Shri Buta Singh.

THE MINISTER OF PARLIAMENTARY AFFAIRS, SPORTS AND WORKS AND HOUSING (SHRI BUTA SINGH) : Hon. Members were just now saying that to-day we are sitting, without consultation with the Opposition leaders. That is not true. You know, Sir, that it was decided in the Business Advisory Committee. There was only a gap of Communication between the leaders and the hon. Members opposite.

SHRI SATISH AGARWAL : I take objection to it. It was decided at the Simla conference, to which he referred day before yesterday, that Whips would be kept in confidence. There will be a communication with the Whips ; and I am sorry to say that no communication was there with us. We did not know that you were going to have a sitting on Saturday. It is a violation of the Simla agreement.

MR. SPEAKER : There are two Simla agreements now. There is no Simla agreement which I had undertaken.

SHRI SATYASADHAN CHAKRABORTY (Calcutta South) : The Minister has just now said that it was decided in the BAC meeting.

SHRI SATISH AGARWAL : No.

SHRI SATYASADHAN CHAKRABORTY : Being a member the BAC and

attending all the meetings, I am not aware that it was decided in the BAC.

श्री राम विलास पासवान: फर्स्ट के बुलिटन में निकला था कि शनिवार वर्किंग डे रहेगा।

अध्यक्ष महोदय: उस दिन डिसाइड करने की आवश्यकता नहीं पड़ी। एक्सप्लेनेशन हुआ था। आपने पूछा कि शनिवार को सेशन कैसे रखा गया। उन्होंने कहा कि आर्डिनैसिज बगैरह हैं, इसलिए रखा गया है।

Something like this was taken up in the BAC. This is what happened.

श्री रामावतार शास्त्री: आखिर ह्विप्स कांफरेंस करने का मतलब क्या है? उनकी राय तो लेनी चाहिए।

SHRI BUTA SINGH: I am going to hold a meeting with the Chief Whips of all the political parties in the House.

श्री अब्दुल रशीद काबुली (श्रीनगर): मैं भी उसमें शामिल हुआ था। यह कहा गया कि हम उनके साथ कोआपरेशन नहीं कर रहे हैं। लेकिन आज इमका सबूत यह है कि इनकी तरफ से लापरवाही हो रही है। मैं सिर्फ ह्विप्स कांफरेंस की बातों की याद दिला रहा हूँ।

شہری عبدالرشید کابلی دسری نگر: میں بھی اس میں شامل ہوا تھا۔ یہ کہا گیا کہ ہم ان کے ساتھ کوآپریشن نہیں کر رہے ہیں۔ لیکن آج اس کا ثبوت یہ ہے کہ ان کی طرف سے لاپرواہی ہو رہی ہے۔ میں صرف وہیپس کانفرنس کی باتوں کی یاد دلا رہا ہوں۔

SHRI BUTA SINGH: I have promised to Shri Satish Agarwalji that we will have a Whips' meeting.

MR. SPEAKER: We will have a lunch meeting.

### BUSINESS OF THE HOUSE

11.11 hrs.

THE MINISTER OF PARLIAMEN-  
TARY AFFAIRS, SPORTS AND WORKS  
AND HOUSING (SHRI BUTA SINGH):  
With your permission, Sir, I rise to  
announce that Government Business in the  
House during the week commencing 5th

March, 1984, will consist of:—

1. General discussion on the Railway Budget for 1984-85.
2. Discussion on the Resolution seeking disapproval of the Prevention of Damage to Public Property Ordinance, 1984 and consideration and passing of the Prevention of Damage to Public Property Bill, 1984, as passed by Rajya Sabha.
3. General discussion on the General Budget for 1984-85.

श्री हरीश रावत (अल्मोड़ा): अध्यक्ष महोदय, मैं माननीय संसदीय कार्य मन्त्री जी द्वारा आगामी सप्ताह के लिए प्रस्तुत कार्य सूची में निम्न दो विषयों का समावेश करवाना चाहता हूँ।

1. फारेस्ट कन्जर्वेशन ऐक्ट 1980 के प्राविधानों के कारण अपनायी जाने वाली प्रक्रिया के फलस्वरूप देश के अधिकांश भागों विशेषकर पर्वतीय व जनजाति वाले क्षेत्रों में निर्माण व विकास के कार्य लगभग 3 साल से ठप्प पड़े हुए हैं। इन क्षेत्रों के विकास में एक भयंकर गति-रोध पैदा हो गया है। जनता में इस ऐक्ट के प्रति भयंकर असंतोष व्याप्त है। इसका दुष्प्रभाव हमारी समूची फारेस्ट पालिसी पर पड़ रहा है।

2. आने वाले वर्ष के लिए उत्तर प्रदेश को योजना परिव्यय में वांछित वृद्धि न किए जाने का दुष्प्रभाव वहां की कई राष्ट्र उपयोगी परियोजनाओं पर पड़ना निश्चित है। ऊर्जा उत्पादन का क्षेत्र सबसे अधिक प्रभावित हुआ है। योजना मंत्रालय द्वारा कटौती किए जाने से पर्वतीय क्षेत्रों में प्राथमिकता के क्षेत्र वाले विकास कार्यों के लगभग ठप्प पड़ जाने की संभावना पैदा हो गई है। अतः इन महत्वपूर्ण प्रश्नों पर भी संसद में चर्चा आवश्यक है।

प्रो० अजित कुमार मेहता (समस्तीपुर): अध्यक्ष महोदय, मैं अगले सप्ताह के कार्यक्रमों में सम्मिलित करने के लिए संसदीय कार्य मन्त्री

को निम्नलिखित दो सुझाव देने की अनुमति चाहता हूँ :

1. गैर कानूनी प्रवासियों का पता लगाने के लिए बनाए गए न्यायिक पंचाटों की प्रक्रिया पर असम आन्दोलनकारियों ने असहमति दिखाई है कि इन पंचाटों की प्रक्रिया मानने से 1971 से पहले आकर बसे सभी लोगों को कानूनी दर्जा मिल जाएगा। आन्दोलन का नया कार्यक्रम बन रहा है तथा उसे अखिल भारतीय समर्थन दिलाने के लिए 14 फरवरी को देश के कई भाग में "काला दिन" भी मनाया गया था। पूर्वोत्तर की पहाड़ियों में आन्दोलन का असर बढ़ रहा है। अप्रवासियों के विषय में सब की चिन्ता एक जैसी है। आन्दोलनकारियों को बातचीत के रास्ते पर लौटाने से आन्दोलन जनित कटुता समाप्त होगी।

2. बिहार के छोटा नागपुर क्षेत्र में चाइ-वासा अनुमंडल के मुंडा जनजाति के प्रशासन के लिए अंग्रेजी राज्य में ही बंगाल रेगुलेशन की धारा 13 के अन्तर्गत विल्किन्संस रूल्स में 1813 में ही उन की परम्परागत संस्था को मान्यता दी गई थी तथा उन्हें कुछ पुलिस, प्रशासनिक और न्यायिक अधिकार सौंपे गये थे तथा इस भूभाग को कोल्हान नाम दिया गया था। गणतंत्र बन जाने के बाद उन संस्थाओं की उपेक्षा की जा रही है और उनके अधिकारों में राज्य प्रशासन का हस्तक्षेप आरम्भ हो गया है। यह जनजाति अपनी परम्पराओं में अनावश्यक हस्तक्षेप को अपनी संस्कृति को नष्ट किए जाने का प्रयास मानती है तथा इसका विरोध करती है। यह भाग धीरे धीरे संवेदनशील बनता जा रहा है तथा यह जनजाति सरकार से असन्तुष्ट होकर उसके इरादे पर सन्देह करने लगी है। अतः मेरा सुझाव है कि इस समस्या को समय रहते सुलझाने का प्रयास किया जाना चाहिए।

श्री सत्यनारायण जटिया (उज्जैन) : अध्यक्ष महोदय, विगत कई वर्षों में मध्य प्रदेश में रेल सेवाओं के विस्तार और निर्माण की मांग की जा रही है जिनकी ओर केन्द्र सरकार का

ध्यान आकर्षित करना आवश्यक है।

इन्दौर से उज्जैन, रतलाम, बम्बई के बीच सीधी रेल सेवा प्रारम्भ करने की आवश्यकता है जिसकी संसदीय याचिका समिति ने भी अनुशंसा की है किन्तु उसे अब तक प्रारम्भ नहीं किया जा सका है। इसी प्रकार उज्जैन से इन्दौर के बीच तेज गति की मीटरगेज रेल सेवा, जोकि इन दो नगरों की 63 किलोमीटर दूरी को अधिकतम 80 मिनट में तय करे, चलाने की आवश्यकता है। उज्जैन और इन्दौर मध्य प्रदेश के दो प्रमुख नगर हैं। सांस्कृतिक, शैक्षणिक, औद्योगिक और प्रशासनिक दृष्टि से इन महत्वपूर्ण नगरों के बीच सुगम और सुविधाजनक यातायात से जनता को आवागमन को सुरक्षित त्वरित बनाया जाना चाहिए। इसी प्रकार उज्जैन, आगर, सुसनेर, भालावाड़, पाटन, रामगंज मंडी तक नयी रेल लाइन का सर्वेक्षण कर निर्माण किया जाना चाहिए।

मध्य प्रदेश की राजधानी भोपाल में रेलवे कोच सुधार और निर्माण कारखाने की स्थापनार्थ शीघ्र कार्यवाही की जानी चाहिए।

केन्द्र सरकार मध्य प्रदेश के विकास के लिए उपरोक्त बातों को शीघ्र पूरा करे।

2. देश में तथा मध्य प्रदेश में कपड़ा उद्योग संकट में है। जहां एक ओर इन्दौर के होप टेक्सटाइल के बन्द होने के कारण हजारों मजदूर बेकार और बेरोजगार हो गए हैं, वहीं उज्जैन के विनोद और विमल मिलों की हालत भी ठीक नहीं है। इनके कभी भी बन्द हो जाने का खतरा बना हुआ है जिसके कारण हजारों मजदूरों की जीविका संकट में हो जाने का भय है।

अतएव टेक्सटाइल मिलों की ओर केन्द्र सरकार का विशेष ध्यान दिया जाना आवश्यक है।

उक्त विषयों को आगामी सप्ताह की कार्य-सूची में चर्चा के लिए सम्मिलित किया जाए।

श्री राम विलास पासवान (हाजीपुर) :

अध्यक्ष महोदय, आज की मद संख्या 1 के अन्तर्गत मैं अगले सप्ताह में निम्नलिखित विषयों पर चर्चा करना चाहता हूँ।

जैसा कि सदन को मालूम है कि पिछड़े वर्गों के हितों के लिए गठित बी०सी० मण्डल कमेटी ने अपनी रिपोर्ट 31 दिसम्बर, 1980 को राष्ट्रपति को पेश की। उसके बाद सदन में तीन बार उस पर बहस हुई और गृह मन्त्री ने हमेशा सदन को आश्वासन दिया कि सरकार मण्डल कमीशन की सिफारिशों पर गंभीरतापूर्वक विचार कर रही है लेकिन अफसोस है कि चार वर्ष हो गए लेकिन अभी तक मण्डल कमीशन की सिफारिशों को लागू नहीं किया गया। पिछले साल 50 संसद सदस्यों ने इस मांग को लेकर अपनी गिरफ्तारी दी। आवर्च्य है कि जब दोनों पक्ष के सदस्य एकमत से भावना व्यक्त कर चुके हैं तो भी सरकार मण्डल कमीशन की सिफारिशों को क्यों नहीं लागू कर रही है।

2. पूरे देश में कानून-व्यवस्था खराब हो गई है। बिहार में कानून व्यवस्था नाम की कोई चीज नहीं रह गई है। काफी संख्या में अनुसूचित जाति एवं जनजाति के सदस्यों की हत्या की जा चुकी है। दिल को दहलाने वाले पिछले दिनों पिपरिया एवं मुंगेर में सामूहिक हत्या काण्ड हुए। यही स्थिति दूसरे राज्यों एवं केन्द्र शासित क्षेत्रों में भी है। यहां तक कि भारत की राजधानी दिल्ली में लोगों का जन जीवन बिल्कुल असुरक्षित हो गया। जब से पंजाब में राष्ट्रपति शासन लागू हुआ है तब से स्थिति और खराब हो गई है। पूरे देश में लोगों का जन जीवन असुरक्षित हो गया है। अनुसूचित जाति एवं जनजाति तथा कमजोर वर्गों पर जुल्म एवं अत्याचार बढ़ रहे हैं।

अतः बिगड़ती कानून व्यवस्था पर सदन में चर्चा करायी जाए।

**SHRI BAPUSAHEB PARULEKAR (Ratnagiri)** : I request the Minister for Parliamentary Affairs to include the following subjects in the Business of next week.

- (1) Concern about Indians' security following developments in South West Asia which have led to increasing military presence of big powers in the Indian ocean.
- (2) Debate over Land Acquisition (Amendment) Bill, which was once included in the list of Business in the last Budget Session. This legislation, if passed, would immensely benefit the farmers.

**SHRI ABDUL RASHID KABULI (Srinagar)** : The following item may please be included in the Business for the next week :

The green lush magnificent forests ever decreasing in density are a wealth of immense value to our country. But exploitation of forests for timber and sleepers for railway tracks etc. and fuel for cooking purposes is gradually diminishing the wealth and with it the charm and flora and fauna of Himalayas. Jammu and Kashmir being a poor state is unwilling and simply to sustain its income from this important source allows felling of trees in large numbers every year. The State would be happy if entire forests of the State are preserved for all practical purposes, and unnecessary exploitation of jungles and its products like resin stops which cuts at its roots. Let the Centre come forward and reciprocate this offer by compensating the losses from the forests every year ; and giving additional grants and taking necessary measures in this regard. The lovely deep rich forests thus saved from deforestation shall be national assets and can be changed with National parks.

**SHRI CHANDRA PAL SHAILANI (Hathras)** : The following item should be included in the business for the week commencing 5 March, 1984.

The grades and scales of pay of the teachers of the Schools maintained by the Aligarh University were brought at par with the grades of the teachers of the Central Schools in 1969. The teachers of the Central School were given Selection Grade 1974 with retrospective effect from 1st January, 1971. The University Grants in Commission granted the Selection Grade to the teachers of Schools of the Aligarh



University with effect from 1st January, 1973. The Executive Council of A.M.U. also sanctioned this grade. But it has not been implemented so far causing great hardship to the teachers of A.M.U. This is a clear case of gross injustice. Some of the teachers who are entitled for Selection Grade have died and some of them have retired.

**DR. SUBRAMANIAM SWAMY** (Bombay North East) : The City of Bombay and the coastal regions of Maharashtra are severely lacking in water for drinking and for irrigation. However the Bangalore the Deccan Herald reported in a despatch on February 24th that Saudi Arabia and Israel have developed the Reverse-Osmosis process for desalinating sea water to make it fit for drinking as well as for irrigation. By use of natural gas for generating power, the cost of producing potable water from sea can be made cheap. Since we are flaring natural gas in Uran (near Bombay) and in coastal Maharashtra, because the gas is in surplus therefore, we can desalinate sea water cheaply in the Bombay area. Cost of electricity is the main factor in desalination process.

Desalination of sea water is the answer to Bombay's drinking water problem. Since the technology has to be imported from either Saudi Arabia or Isreal, therefore, the Central Government will have to take the initiative in this area.

I demand a discussion, therefore, on the methods to solve the drinking water and irrigation problem next week. Furthermore, the Government have made a commitment in the United Nations to observe the 1980 as the decade of water supply.

**SHRIMATI PRAMILA DANDAVATE** (Bombay North Central) : I would like to suggest the following items for inclusion in the list of business :

1. Due to paucity of funds Central Government decided to provide basic amenities to slum dwellers numbring 3.5 crores under Slum Improvement Scheme instead of Slum Clearance Scheme which aimed at housing slum dwellers.

When slum upgradation programme with the World Bank which provides basic ame-

nities to the slum dwellers is already adopted by the Government 'Habitat India', a private concern has come forward with a scheme to house 3 million slum dwellers of Bombay by constructing five storey buildings, costing minimum Rs. 1200 crores.

I would request the Government to place Habitat Plan Before the House for full discussion.

2. In spite of assurance given by the Government in the House there is no improvement in the employment situation of women or on their working conditions. On the contrary, women are being thrown out of jobs which is seriously affecting their status. As a result, Anganwadi teachers in Delhi courted arrest to press for their just demands as a last resort. Nurses are on march to fight against the inhuman working conditions. The women workers from Bombay textile industries are not being taken back.

Hence a discussion on employment of women is necessary.

**SHRI BUTA SINGH** : However much I would have liked the subjects mentioned by hon. Members to be discussed in this House, Sir, as you know, we have discussed the Motion of Thanks on the President's Address and the scope of the discussion was very wide. We are going to have another opportunity when we discuss the General Budget. Most of these items can get covered in that. But I would like to place these subjects which have been highlighted by the hon. Members before the Business Advisory Committee and also before you and in case it is possible for the Business Advisory Committee to find time for such subjects, we will have no objection. Let these be referred to the Business Advisory Committee. We will try to see that if we can find time we will discuss. I am sorry, at the moment it is not possible for me on my own to include these items in the List of Business which I have just now concluded. With these words, I request the hon. Members to please wait till the Business Advisory Committee finds time for such subjects.

**SHRI RAM VILAS PASWAN** : (Hajipur) : What about the Mandal Commission's Report, Sir ?

अध्यक्ष महोदय : आप ने कह तो दिया है ।

श्री राम विलास पासवान : लेकिन मन्त्री महोदय क्या कहना चाहते हैं ?

अध्यक्ष महोदय : उन्होंने कह दिया है कि बिजनेस एडवाइजरी कमेटी के सामने रख देंगे ।

श्री राम विलास पासवान : लेकिन मैं तो उस पर यहां डिस्कशन करवाना चाहता हूं ।

SHRI SATYASADHAN CHAKRABORTY (Calcutta South) : I was very much impressed by what you said that we should all maintain the behaviour and all that though I believe that we are doing it. But I would like to draw your attention to what happened in West Bengal. The West Bengal Speaker was physically assaulted by Congress (I) Members and by no one but the Chief Whip himself. I would like to draw your attention to what the Ruling Party Members are doing when they are in the Opposition. Even the Chief Whip in West Bengal assaulted the Speaker. This is a serious matter and I would like that... (Interruptions)

MR. SPEAKER : Mr. Professor, you forget that a Member can be of a ruling group or he can be of an opposition group. First and last he is a Member of a State Legislature or of the Parliament and he has to act according to the high standards which are expected of him. Anyway, whether it is here or there, it should be our common endeavour to see to it. That is why I always...

(Interruptions)

SHRI RAM VILAS PASWAN : As a Speaker you must condemn it.

MR. SPEAKER : That is why I always say on the floor of this House that anywhere any misconduct on the part of any Member...

(Interruptions)

I do not know the facts but I must emphasise one thing on this...

(Interruptions)

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI VASANT SATHE) : Sir, do not jump to conclusions... (Interruptions)

MR. SPEAKER : I am not jumping to conclusions. That is why I said that these facts have to be verified. I do not know the full facts but on general principles I have to say only this much that this is the tree under whose shadow we are going to sit, discuss and flourish and prosper. So, let us not try to cut the very roots of democracy by our behaviour, by our actions. It is collective effort. There cannot be a Parliament without an Opposition. Is that not so ?

SOME HON. MEMBERS : Yes, Sir.

SHRI RAM VILAS PASWAN : Today we saw this, Sir.

MR. SPEAKER : The opposition and the ruling party both make a Parliament.

SHRI RAMAVATAR SHASTRI (Patna) : There will not be a Parliament without the Speaker.

MR. SPEAKER : Speaker is elected by you. He is your mouth-piece. He is your servant. We try to uphold the good traditions and we should build good traditions. This is required for the prosperity of the future generations and for our own well-being also. Because of it we enjoy the benefits of freedom of expression, freedom of action and freedom of thought is that not so ? Otherwise we will be nowhere. So, we should try to nourish it...

(Interruptions)

SHRI RAM VILAS PASWAN : But you must condemn it... (Interruptions)

MR. SPEAKER : I will get it confirmed I will find out. For me it is all right. I do not discriminate in these acts anywhere by any person...

(Interruptions)

SHRI RATANSINH RAJDA (Bombay South) : Sir, I am very glad that you have expressed, the importance of the Opposition. In England it is said that it is Her Majesty's Opposition. Opposition is also one of the important wheels in the chariot of democracy and the ruling party must also respect the views and sentiments of the Opposition.

MR. SPEAKER : It is reciprocal. Without two wheels there cannot be a cart.....

(Interruptions)

**SHRI SATISH AGARWAL (Jaipur) :** Only one thing I want to say, Sir, Day before yesterday Mr. Buta Singh ji referred to the decisions of the Whips Conference at Simla.

He presided over that meeting. He is the Minister for Parliamentary Affairs, looking after the interests of parliamentary democracy of the country. When it has been decided in the Simla Conference that under no circumstances the decorum of the House will be flouted and no such action will be taken, as the hon. Minister of Parliamentary Affairs, who is in charge of this particular subject, what action will he take against his party colleague in West Bengal, who has flouted the decision taken in the Simla Conference? Unless you are able to take decision against your own party members, be it in Karnataka, West Bengal or Jammu and Kashmir, you cannot expect other parties to follow it. I would request Congress (I) party to adopt a code of conduct for the legislators, as we have done in the BJP.

**श्री राम विलास पासवान :** हम लोगों की बात सुन लीजिए ।

**अध्यक्ष महोदय :** आपने पूरा कह दिया ।

**श्री राम विलास पासवान :** अभी पूरा कहाँ कहा है । मेरा सवाल इतना है कि अपोजीशन की सरकारें भी इस देश में हैं और हम लोग भी इस देश के हैं ।

**अध्यक्ष महोदय :** यह देश सब का है ।

**श्री राम विलास पासवान :** जी, हां, सबका है । मैं आपसे ईमानदारी से कहता हूँ कि नान-कांग्रेस गवर्नमेंट्स जहाँ पर हैं, वहाँ पर ये हुल्लड़बाजी करके, स्पीकर को बदनाम करके और हाऊस की डिसेन्सी को खत्म करके इस तरह का व्यवहार करते हैं और आप यदि हम से यह उम्मीद करेंगे कि हम हाऊस में चुप बैठ रहें, तो हम चुप नहीं बैठ सकते । यदि आपको हाऊस की डिसेन्सी को कायम रखना है, तो आप पार्लियामेन्टरी एफेयर्स मिनिस्टर साहब से कहिये कि वे पश्चिम बंगाल में अपने इन लोगों को समझाएँ, जम्मू व काश्मीर में अपने लोगों को समझाएँ,

कर्नाटक और आन्ध्र प्रदेश में अपने लोगों को समझाएँ और यदि वहाँ पर हुल्लड़बाजी होगी, तो हम यहाँ हुल्लड़बाजी तो नहीं करेंगे लेकिन सम्य तरीके से इसका विरोध जरूर करेंगे ।

(व्यवधान)

**अध्यक्ष महोदय :** अब कह तो दिया है और आपकी बातों को सुन तो लिया है । यह बहुत बुरी बात है और शर्म आनी चाहिए इस तरह की बात करते हुए । (व्यवधान)

**श्री अब्दुल रशीद काबुली :** वहाँ पर अपोजीशन ने इस तरह का व्यवहार किया है । हम चाहेंगे कि इसको कन्डेम किया जाए ।... (व्यवधान)...

شری عبدالرشید کابللی: وہاں پر اپوزیشن نے اس طرح کا ویلہ باج کیا ہے۔ ہم چاہیں گے کہ اس کو کنڈم کیا جائے۔۔۔۔۔ انٹرمیٹنٹ۔۔۔

**अध्यक्ष महोदय :** सारी बातें आ गई हैं । ... (व्यवधान) ... आप लगातार बोल रहे हैं ।

**DR. SUBRAMANIAM SWAMY :** Sir, you are not appreciating the double standards that are being practised.

**MR. SPEAKER :** I have explained my view.

**DR. SUBRAMANIAM SWAMY :** Let him explain why double standards are being adopted.

**MR. SPEAKER :** Let him answer it. सारे के सारे इकट्ठा बोलने लगते हैं और बन्द नहीं होते । मिनिस्टर साहब आप बोलिए ।

**श्री रामावतार शास्त्री :** आप इस पर बोलिए । आप ह्विप कान्फ्रेन्स के चेयरमैन थे और अगर कोई वायलेशन होता है, तो उसमें आपका भी अपमान होता है ।

**अध्यक्ष महोदय :** अब आप बैठिये ।

**SHRI BUTA SINGH :** Sir, we are indebted to you for making those observations. As I was trying to submit yesterday also, the code of conduct and decorum are for everybody, not for one side of the House or the other ; they are meant for the

whole House and in the interest of democracy in the country. I do not want to comment on what you were pleased to say on the conduct of the hon. Members, either in this House or in the Assembly. But there is another aspect. Everything is published in newspapers without verifying facts. If you start trading charges against each other, that also interferes with the decorum of the House. I am at one with them, so far as the objectives are concerned. The press reports can be misleading also. I do not say that the entire press is unfair. But, sometimes they carry stories. Unfortunately, certain sections of the press are working with some interests and with some motive.

SOME HON. MEMBERS : No.

(Interruptions)

MR. SPEAKER : That is a point of view.

(Interruptions)

SHRI HARIKESH BAHADUR (Gorakhpur) : You blame the press.

अध्यक्ष महोदय : अब आप बैठ जाइये ।

(व्यवधान)

अध्यक्ष महोदय : अब आप उनकी बात सुन लीजिए ।

SHRI ABDUL RASHID KABULI : You are browbeating the Press. It is unfortunate.

PROF. SATYASADHAN CHAKRABORTY : These remarks of the Hon. Minister for Parliamentary Affairs are very unfortunate. You know the press is the only Fourth Estate of democracy.

SHRIMATI PRAMILA DANDAVATE : It should be expunged.

MR. SPEAKER : He says it is not against all the Press.

PROF. SATYASADHAN CHAKRABORTY : So, why are you imputing motives of the Press ?

SHRI RAM VILAS PASWAN : It is the press which has enlightened us on everything. Government is hiding and the Press is enlightening.

अध्यक्ष महोदय : अच्छे, बुरे हर जगह होते हैं । अब आप बैठ जाइए ।

श्री अब्दुल रशीद काबुली : प्रेस की आजादी पर हमला हो रहा है ।

شری عبدالرشید کابلی : پریس کی آزادی پر حملہ ہو رہا ہے

अध्यक्ष महोदय : कोई प्रेस की आजादी पर हमला नहीं हो रहा है, न होने देंगे ।

SHRI VASANT SATHE : He is condemning only certain sections of the Press.

DR. SUBRAMANIAM SWAMY : Yesterday when he raised in the Kashmir Assembly Mr. Lone's speech, you said that you had allowed him to speak, but here he is saying without verifying he cannot speak now. Again double standard is being adopted.

MR. SPEAKER : That is what he is saying. Let us verify the facts. That is what he is saying.

DR. SUBRAMANIAM SWAMY : He should tell his Members also. Yesterday they raised on Kashmir without verifying.

SHRI HARIKESH BAHADUR : Sir, this incident had taken place two days back.

MR. SPEAKER : I am saying the same thing. Let this be verified.

SHRI HARIKESH BAHADUR : Two days back this incident had taken place. He should have verified by this time.

MR. SPEAKER : Let us get something done.

SHRI BUTA SINGH : Mr. Speaker, Sir, if the Hon. Speaker and the Hon. House is yet to find out the facts, how do you expect me to say that I have verified the facts ? Unless the Speaker is satisfied, unless he has gone into the contents about what has appeared in the Press, how can we raise it ? I am sorry, I have been wrongly interpreted. I have not said the whole Press. I said certain sections of the Press are working with motives. What is wrong in that ?

SHRI VASANT SATHE : That is your grievance also. What is wrong in that ?

Prof. Satyasadhan Chakraborty said just now that certain sections of the Press criticised you also. And you have the same grievance.

(Interruptions)

SHRI RATANSINH RAJDA : Sir, we should not condemn the Press.

SHRI SATYASADHAN CHAKRABORTY : I say the Press has a right to criticise us, but we should not impute any motive. They have their freedom.

MR. SPEAKER : That is what the Press is there for.

SHRI BUTA SINGH : Yes, Sir, I will tell you the difference. Criticism is welcome. But unfounded stories, baseless charges, if they are called criticism, then I am sorry, I differ with you. Yes, criticism is welcome. Criticism is the very life, very essence of the democracy and we welcome it. But when criticism is made, we have to verify the facts.

(Interruptions)

अध्यक्ष महोदय : आप ब्रजुर्ग आदमी हैं, बैठते क्यों नहीं ।

SHRI RAM VILAS PASWAN : What are your media doing ? What is going on in the radio broadcasts everyday ?

SHRI BUTA SINGH : Then, Sir, it will also not be correct to say in the House that the Opposition is ignored. If you calculate the time taken in this House, I am proud to say that in our House, the Opposition gets perhaps the major share of the time. Whatever subject is thrown open with your permission, on most of the items that the House discusses, it will not be right to say that we do not allow the Opposition to raise their points of view. Go through the proceedings of the Hon. House of any day on any subject.

SHRI SATISH AGARWAL : We have not said that we are not allowed time to speak. We are the only speakers here.

SHRI BUTA SINGH : Now, you have said, please let me speak.

You very kindly made remarks and were pleased to say that there cannot be a Parlia-

ment without Opposition. I am a student of Political Science and Dr. Subramaniam Swamy will bear with me that in this world there are Parliaments...

MR. SPEAKER : That I have said. Don't elaborate on that.

SHRI BUTA SINGH : Sir, we were also in the Opposition. Just to state the reality of the situation of today's world, there are Parliaments where there is only one party. But we welcome the Opposition and we welcome their constructive criticism.

SHRI RAM VILAS PASWAN : You want Parliament of that type.

(Interruptions)

अध्यक्ष महोदय : आप बैठते क्यों नहीं ? आप बैठ जाइये भगवान के नाम पर ।

SHRI BUTA SINGH : We welcome the Opposition, Sir.

(Interruptions)

अध्यक्ष महोदय : इतनी देर आपने कहा, अब उन्हें कहने दीजिए ।

SHRI BUTA SINGH : But as the Government has to be with a purpose, so, the Opposition also has to be with a purpose and the purpose of everybody—whether the Opposition or on this side of the House—is to serve the nation and the people of our country. It is not my duty to make the Opposition strong. If they are not strong, what can I do ?

So far as these reports are concerned, you may kindly go through them. If there is something and you want the Government should give an explanation to this House, we will be forthcoming with an explanation.

MR. SPEAKER : No, I want to clarify certain things. I wanted to say one thing that I disagree with Paswan Ji on one aspect, that if one section does there, then you will do this here. This will have a far-reaching consequence in other aspects also. There are so many things.

श्री राम विलास पासवान : मैं एकस्प्लेन कर दूँ । मैंने कहा है कि जहाँ कांग्रेस (आई) की सरकार नहीं है वहाँ पर जानबूझ कर हंगामा कर दिया जाता है । (व्यवधान)

उसका प्रभाव यहां भी पड़ेगा। हमारी सरकार कर्नाटक में है, उसको अगर वहां ह्यूमिलिएट करेंगे तो यहां कहें कि साधू बनकर बैठें तो यह नहीं चल सकता है। हम प्रतिवाद करेंगे। वही हाल आज जम्मू-कश्मीर में हो रहा है।

PROF. SATYASADHAN CHAKRABORTY : I can assure you, Sir, we will never assault the Speaker. We shall maintain your dignity. We shall put forward our point of view. But I assure the type of behaviour they have done, we will not do even in retaliation.

SHRI RAM VILAS PASWAN : The dignity of the Speaker should be protected by all means.

अध्यक्ष महोदय : मेरी ही नहीं इसमें सब की गरिमा है। हम सब की गरिमा इसमें है। हम क्या करें, हम अपनी बात सोचेंगे। उनको अपनी बात सोचनी चाहिए। हमें यह करना चाहिए कि जहां कहीं कोई भी सरकार हो, चाहे कांग्रेस (आई) की सरकार हो या वह अपोजीशन में हो, सब जगह सबको मिलकर काम करना चाहिए। (व्यवधान)

SHRI HARIKESH BAHADUR : Why are you saying like that ?

अध्यक्ष महोदय : आप बीच में क्यों बोलते हैं, बैठिए। पोजीशन ये है कि मंत्री महोदय ने कहा था तो मैं तो अपनी मल्टी पार्टी डेमोक्रेसी की बात कर रहा था, वन पार्टी डेमोक्रेसी की बात नहीं कर रहा था। जहां मल्टी पार्टी डेमोक्रेसी है वहां बगैर अपोजीशन के काम नहीं हो सकता। पक्ष और विपक्ष एक गाड़ी के दो पहिए हैं। आप ये मत समझिए कि आप अपोजीशन में बैठे हैं तो आपकी कोई जिम्मेदारी नहीं है। आप उतने ही जिम्मेदार हैं और गवर्नमेंट के बराबर के अंग हैं जितने इधर के लोग हैं।

You are part and parcel of this institution. So, let us do it in a constructive and positive way.

SHRI RAM VILAS PASWAN : And

you must congratulate us today that it is because of the Opposition....

MR. SPEAKER : We will be doing wherever necessary and try to make people fall in line that they observe the Parliamentary Practice.

DR. SUBRAMANIAM SWAMY : One point on clarification. They only represent 42% and we all combined represent 58%.

MR. SPEAKER : Nobody does — neither you nor they. You are both wrong.

SHRI KRISHNA CHANDRA HALDER (Durgapur) : I want to make a small submission. I was hearing you patiently. My submission is when the West Bengal Speaker is involved, please ascertain it and he should make a statement here.

MR. SPEAKER : That Chapter is closed for the moment.

SHRI KRISHNA CHANDRA HALDER : But he must make a statement on Monday.

SHRI SATYASADHAN CHAKRABORTY : But you should ask for the facts also, sir.

MR. SPEAKER : Professor Sahib, he is the Chief Whip and he will talk to them. That is his job.

SHRI SATYASADHAN CHAKRABORTY : Very good.

SHRI BUTA SINGH : But, Sir, if it has happened.

MR. SPEAKER : Yes that is what it is.

SHRI G.M. BANATWALA (Ponnani) : Sir, you should look here also. Your eye should fall on this side also. I will speak only one sentence and take my seat.

अध्यक्ष महोदय: मेरी ऐनक पर कोई शीशा नहीं लगा हुआ। आपने मुझे कुछ कहा ही नहीं। आप कहते तो मैं जरूर मौका देता। आप बोलिए क्या कहना है आपको।

आप कहते तो आपको भी टाईम दे देता।

(व्यवधान)

श्री जी० एम० बनातवाला : ये लोग तो वैंस्ट बंगाल में कांग्रेस आई के मॅम्बर्स के बारे में मालूम करेंगे। अभी केरल में अपोजीशन ने गवर्नर के साथ बदसलू की है। उन्होंने डेकोरम नेन्टेन नहीं किया और गवर्नर को बोलने नहीं दिया। क्या, अब ये लोग अपने मॅम्बरों को काबू में रखेंगे, ऐसा आदेश इनको भी दीजिए ?

شری جی۔ ایم۔ بنات والا : یہ لوگ تو ویسٹ بنگال میں کانگریس آئی کے ممبرس کے بارے میں معلوم کریں گے۔ ابھی کیرل میں اپوزیشن نے گورنر کے ساتھ بدسلوکی کی ہے۔ انہوں نے ڈیکورمینٹیشن نہیں کیا اور گورنر کو بولنے نہیں دیا۔ کیا اب یہ لوگ اپنے ممبروں کو قابو میں رکھیں گے۔ ایسا آدیشن ان کو بھی دیجئے۔

SHRI M.M. LAWRENCE (Idukki) : With all responsibility, I reject that. It is not the truth.

(Interruptions)

MR. SPEAKER : What I wanted to say and what I did say was we are all involved in this process whether it is Opposition or the ruling party. Somewhere the ruling party is in opposition and somewhere opposition is ruling. So, we should not forget that we are somewhere in any condition and accordingly we shall take up. Wherever you are right, wherever they are right, we should all get together and the Chief Whips Conference will take care of it. I think they will take care of it.

11.17 hrs

STATUTORY RESOLUTION RE DISAPPROVAL OF INDUSTRIES (DEVELOPMENT AND REGULATION) AMENDMENT ORDINANCE, 1984  
AND  
INDUSTRIES (DEVELOPMENT AND REGULATION) AMENDMENT BILL—  
CONTD.

MR. SPEAKER : The House will now resume further consideration of the motion regarding Industries (Development and Regulation) Amendment Bill moved by Shri Narayan Datt Tiwari.

SHRI KRISHNA CHANDRA HALDER (Durgapur) : How long it will continue ?

MR. SPEAKER : Till six O' Clock. The time left is one hour and twenty-two minutes.

Shri K.A. Rajan.

SHRI K.A. RAJAN (Trichur) : This Bill is to reserve selected items for exclusive production in small scale sector. As it is 872 items are presently so reserved. It has got a very important role to play. It will create avenue for self-employment and specially it will provide job opportunities to a great number of educated unemployed.

According to the statistics available the value of production from small scale sector in 1981-82 has been estimated at about Rs. 28000/-crores. If you go into the employment statistics, the employment in this sector in 1981-82 will come to 75 lakhs. This sector has also got an important role to play regarding the export possibility. In 1981-82 it is estimated that 26% of the total exports of industrial goods come from this sector. So, in the light of the above facts, I need not emphasise the role of this particular sector in our economy especially in the light of generating employment for self-employment of educated youths.

If you go through the latest figures and statistics of the functioning of this small scale sector, we can see a number of units are becoming sick. It is indicated that in a particular State nearly 10,000 units have been closed down. This is aggravating the unemployment position. It also tells upon the overall economic position and the industrial production. Lot of problems are coming up in this small scale sector.

If you go through the various memoranda and the deputations led by small scale industries associations, you will find that these are the problems which really cripple small scale sector and it has already been mentioned by my earlier colleagues in their speeches - the problem of raw material, faulty planning etc. Because of faulty planning these small scale units suffer. Certain units are being located or planned at places where raw materials for particular units are not available. Certain units are located in places where other infra-structure facilities are not available.

" I have got umpteen examples where small scale sectors had to face difficulty for

getting power connections. They could not get that for months together. Also, the question of availability of raw materials is there, the question of marketing is there, the question of bank assistance and the question of credit facilities are there. If you go through the commercial banks' credit figures which have been reported in the Bulletin, you will very well see whether the credit as it is envisaged in the plan is given to the small scale sector. Even to knock at the doors of the commercial banks the small sector people have to face great difficulties and the cumbersome rules for obtaining credit creates more problems for them. Especially in respect of these institutional finances also, after investing so much money in certain units they have to hang over the financial institutions for days and months together because they have got their own lobby in the particular financial institutions. Unfortunately in the case of big business people, they can very well get easily all the facilities and the main factor is regarding marketing. Unfortunately, the network of markets is not in the hands of the small scale sector. You take any small scale industry product. They cannot even market it because they to compete with the big giants and big business people who have a wide network of market facilities. For example, take the case of shoes and footwear. Can any small scale industry compete with Bata? They have got the capacity, they have got the infrastructure, they have got the resources and they have got the organisation, they have got the technical facilities for all these things. Not only in the case of shoes, but in various other spheres also you can very well see that this small scale sector is facing so many handicaps, and I would like to draw your attention to the fact that while you bring this Bill, you should see that those things do not stand in the way of development of small scale industry which is really not conducive to the healthy industrial growth. Also, you should see that such things are straightened out. Otherwise, this piecemeal legislation would never do any good for this particular sector of industry.

Now, I am coming to a very important aspect of this industry. Regarding the reservation of certain items, it is reported in the Government bulletin that there is

reservation of items for purchase of items of stores by the Government. Of course, the Central Government claims that they have purchased items worth Rs. 200 crores. The Central Government of course stands on a good footing in this respect. But you just enquire about various things. You know, for example, soaps and detergents. They are being purchased by the State Governments from other companies. Are they purchasing from the small scale sector? No. You go to any establishment of the State Government. In this matter the State Government is not acting properly. Really, this small scale sector which makes all sorts of things like soaps and detergents are not being favoured by the State Governments. They go in for purchases from big business establishments. There should be a proper directive given to them and I appreciate if that is being done by the Central Government. The State Governments could have purchased items worth at least Rs. 207 crores. But most of the State Governments never go in for the small scale sector products. Take any stationery material in Government offices, in the Secretariat. How many lakhs and crores of rupees are being spent for purchase from the big business people? Will they go to the small scale sector people? No, they will go to big business people with whom backdoor dealings are struck with 5-Star hotel facilities and all other conveniences which I do not want to mention. By this you are crippling the small scale industry. I want to draw the attention of the hon. Minister to see how all these things are happening. Unless you straighten all these things, the small scale industry has no future. You have to generate employment.

Now, Sir, I will come to one important aspect of how the small scale sector is being really encroached upon by big business. That is a very important factor which you have to take into consideration. It is posing a threat. The very purpose of the small scale sector is defeated. You see how this big business is entering and encroaching up on the small scale sector and taking all these facilities. And unless you plug the loopholes in the law, this will go on and in the name of small scale sector, the big business people take advantage of all such facilities and these real small scale



sector people who are poor will be put into disadvantage.

There is a Study on small scale sector and Big Business made by the Corporate Studies Group of the Indian Institute of Public Administration. This gives some important information and revealing information. Just in an area where the small scale items are being reserved, it is mentioned how big business people have entered into this area and registered their names in the small scale sector. I think, you may be well aware of this report. I am just highlighting certain points for your information. It is at page 27, under the sub-heading Large Houses in Small Scale Sector :

“The incentives, concessions and exemptions from the administrative regulations, available to the small scale sector could attract Large House to establish small scale units. This indeed has been the case. Many of the large Industrial Houses have made no secret of this fact. From the published sources, one finds that a number of small scale units registered with the State Governments and other official agencies established to promote small scales sector are owned or controlled by the Indian Monopoly Houses and subsidiaries and associates of foreign companies.”

I am just telling you which are the companies. You may be wonderstruck to find those businessmen who in the garb of small scale industry have come into the picture. For instance, Saurashtra Chemicals, Junagarh (a unit of the Jiyajirao Cotton Mills—a Birla company), Fertilizer Mixing works at cochin of the Shaw Wallance & Company Ltd. 12 units of the Indian Hume Pipe Co. Ltd. (a Warchand company) at different places in the country; Fertilizer Mixing plant at Kottayam of the East India Distilleries & Sugar Factories (now known as EID Parry Ltd.); Steel Racks. Almirahs and Furniture unit at Jaipur of Godrej & Boyce Mfg. Co. were listed in the All India Directory & Hand Book of Small Industries.

Then, I am coming to the Maharashtra area where the big business houses are playing havoc on the small scale sector.

They come in the Commercial Directory of Small Scale Industrial Units, Published in 1962 : They are :

“Lakme Ltd. (a Tata company), Kamani Metallic Oxides Ltd. (Kamani), Mulraj Khatau & Sons P. Ltd., (Khatau), Kaycee Industries Ltd. (Bajaj), Coates of India Ltd. (Bird Heilgers), Capsulation Services Ltd. (Rallis).”

These are the very big industrial houses and big business houses which have encroached upon the small scale sector. The Minister should look into the problem and remedy the situation. First of all, I would like to emphasise on three points regarding criteria for small scale sector. The investment items alone have been included as the criterion for the small scale sector, i.e., plant and machinery. No reference to size of labour force, location of the unit, size of turnover, character of the ownership etc., has been taken into consideration. The investment of plant and machinery has been taken into consideration.

The upward revision of investment has permitted entry of many bigger units into the small scale sector. The ownership aspect remained unemphasised until 1980. So, monopoly and transitional corporate companies entered into the sector. A number of companies though registered under the M.R.T.P. Act continue to lay claim to their being part of the small scale sector. Allowing production of reserved items by the Large Scale manufacturers for captive consumption defeats the very purpose of the reservation policy.

These are certain remarks and comments made by the Study which I have mentioned just now. So, I urge upon the Minister of Industries with all the best intention to see that the small scale units are protected from encroachment, attack and onslaught by the bigger business houses for the betterment of economy and production.

SHRI BHUBANESWAR BHUYAN (Gauhati) : Mr. Speaker, Sir, with your kind permission I have taken my stand to support the Industries (Development and Regulation) Amendment Bill.

While supporting the Bill, I would like

to draw the attention of the hon. Minister of Industries to certain salient facts concerning the overall industrial development situation in Assam.

12 hrs.

In Assam, in respect of the industries based on agricultural products like sugar, jute, tea, coffee, cotton, etc. we find that the development is almost at a standstill position. Upto this day, no more cotton mills have been established except one.

As to the case of sugar mills, their number is also limited.

So far as jute mills are concerned, their number can be counted on fingers.

About coffee, only plantation work is going on. As regards the traditional tea industry, most of the tea estates are languishing and gradually becoming sick one after another.

As regards leather, there is no industry based on leather in Assam, either tanning of the hides and skins or any big or small leather works. Only very few small scale leather units are there.

As to the case of blanded products out of cotton and jute, for instance, carpet industry, there is no encouragement from the side of the Government for increasing the number of units or establishing small-scale units.

Now, I come to the industries based on forest products. So far as forest products are concerned, Assam is a very rich State in forest produce. But, unfortunately, only a very limited number of paper industries are there. In regard to the production of ply boards, hard boards, etc., their number is also very few.

The rubber industry is totally absent in Assam although rubber plants have been grown and these are available in plenty. Resin and lac units are also very limited in number.

Another very important aspect is that Assam produces a huge quantity of sal seeds. But, unfortunately, upto this day, no attempt has been made to collect the sal seeds and extract oil from them. The sal seed oil is a very valuable requirement for

several industries including the production of vanaspati. No steps has been taken in this direction.

Further, I would like to refer to the industries based on mineral products. I am sorry to say that only a few cement factories have been established in Assam based on the availability of lime. Upto this day, the Geological Survey of India has not conducted a thorough survey as to the availability of other minerals in Assam.

So far as the office of the Geological Survey of India is concerned, it is situated at present at Shillong. I do not know whether you are aware of the fact that for the last 10 years, the people of Assam have been demanding the shifting of the office of the Geological Survey of India from shillong to Gauhati. Although the State Government of Assam has duly asked the Geological Survey of India as well as the Government of India in this regard as to what is the particular requirement land, no reply has been received by the State Government of Assam. The whole thing, it seems to me, seems to be that the Geological Survey of India office at Shillong suffers from the vested interest and a large section of the burueacracy suffers from the operation of vested interest due to anti-Assam attitude. Therefore, I request that the Government of India should take serious consideration of the fact and should try to shift at least the Circle office to Gauhati within a very short time.

In this context, I would like to refer to the fact that even the Chief Minister of Arunachal Pradesh is not satisfied with the working of the Geological Survey of India and that he has invited foreign experts for the purpose of making a geological survey in Arunachal Pradesh. I think that it is a very important matter which will receive due consideration of the Central Government.

Next I would like to refer to a few points on the availabliity of some other salient materials like coal. You are aware that Assam coal is very rich as far as its chemical and oily substances are concerned but unfortunately no industry has been developed in Assam although coal is available.

I would like to refer to a few by-products that are very essential for produc-

tion of many consumer goods. Coal Tar is a by-product of coal. It is a valuable source of some organic intermediates. Indeed, as many as 20 different compounds have been isolated from Coal Tar many of which are useful in the manufacture of soaps, fuel, cosmetics, detergents and drugs as well as dyes. I am sorry to say that upto now no industry is based nearby the coal-fields or anywhere in Assam so far as dyes or the production of cosmetics and soaps is concerned for reasons not known.

Another by-product of coal tar is Benzene. It is another aromatic hydrocarbon obtained from Coal Tar and petroleum products in a volatile inflammable liquid with characteristic smell. Benzene, being a parent member of many aromatic organic compounds, is widely used in industry to synthesise intermediates for fibres, dye-stuffs, explosives and pharmaceutical chemicals. It is a vital raw material for the industries producing synthetic fibres, paints and other dye-stuffs, explosives, drugs etc. But, no industry based on this substance has still to-day been established in Assam.

Another very important factor is aniline. It is another aromatic compound related to Benzene and ammonia. It is also obtained from Coal Tar and you will find that first the Aniline on Coal Tar dye, Mauve, was discovered in 1856 by W.H. Perkin. Before that, Aniline was prepared by distilling indigo as indicated by the very term Aniline. This discovery led to the establishment of modern dye-stuff industry in the State, particularly paints.

Although Aniline is available in Assam and it is useful in the manufacture of huge quantity of paints for a variety of purposes but, no paint-producing industry has been allowed to grow in Assam up to this day.

On the other hand, all these raw materials are being taken out of Assam and supplied to the industries established in other States thereby depriving Assam and its people of the opportunities of employment and the State of Assam of industrial and economic development.

In this context, I would also like to refer to petro-chemical products and the industries based on petroleum and petro-chemical products.

As you know, Assam produces a huge quantity of oil. There is no doubt about it. But unfortunately upto this time industries based on petro-chemical products have not yet been established there except one such complex, Bengaigaon, which is very limited in character...

MR. SPEAKER : Please conclude.

SHRI BHUBANESWAR BHUYAN :  
Please give me a little more time, Sir,

MR. SPEAKER : You are talking about everything, out of context...

SHRI BHUBANESWAR BHUYAN :  
Not out of context, Sir.

MR. SPEAKER : I have been too liberal with you. I thought, let Mr. Bhuyan have his say. But you are now trans-gressing the limits.

SHRI BHUBANESWAR BHUYAN :  
I am coming to the end, Sir. Therefore, in the light of these facts, in the light of the absence of many allied industries, my humble request through you to our Industry Minister is to take a bold initiative to prepare a Master Plan in collaboration and in consultation with other allied departments for the industrial development of Assam and thereby provide employment and increase the economic activities of the State. That is why I had to refer to all these things.

MR. SPEAKER : Before I call upon Shri Ratansinh Rajda, I have to nominate a Member to take the Chair. I have no Chairman available today so far...

SHRI XAVIER ARAKAL (Ernakulam):  
This is the first time you are here listening to such debates...

MR. SPEAKER : I am always there, doing your job otherwise. I would like to nominate Shri Mool Chand Daga to take the Chair.

[SHRI MOOL CHAND DAGA  
*in the Chair*]

12.13 hrs.

SHRI RATANSINH RAJDA (Bombay South) : Mr. Chairman, the avowed objective of this Bill, as has been stated, is :

“One of the important policy measures adopted by the Government to improve the competitive strength of industrial undertakings in the small scale sector is to reserve selected items for exclusive production by such undertakings.”

As far as this Bill is concerned, the background is very clear to the Members, to the elected representatives. In this House, in Parliament, in the initial stages there was a threadbare discussion when the Industrial Policy Revolution was adopted by Parliament. In a vast and huge country like India, we stated, the commanding heights of the economy would be in the hands of the State, that the State would monitor the economy of this country : then we talked about heavy industries. At the same time we struck a balance : because in India there is a vast manpower in the rural area and the army of unemployed people is increasing every year, a basic policy a basic norm, was decided. I hope, the hon. Minister is attentive to what I am submitting.

THE MINISTER OF STATE IN THE  
MINISTRY OF INDUSTRY (SHRI  
PATTABHI RAMA RAO) : I am just going  
through the papers.

SHRI RATANSINH RAJDA : The basic norms that have been accepted as a national consensus in our country is to give the greatest support to the small scale sector...

SHRI PATTABHI RAMA RAO : That is exactly what I am reading.

SHRI RATANSINH RAJDA : You are reading that. I am coming to that. Between your profession and your action there is a wide gulf. The Government says something but I am very much distressed to say and submit that day in and day out your Department and this Government is scuttling sector in a very systematic manner the small-scale and those items which were completely in the jurisdiction of the small-scale sector, one after the other we are throwing them out and we are leaning heavily like the tower of Pisa towards the large industrial houses. This is my charge against this Government. I am making this charge against this Government. It is not merely

for the sake of making a charge but with all sense of responsibility that I am making the charge.

Mahatma Gandhi stated that in this country where India lives in the villages and where the mass manpower in the rural areas are unemployed, it is our bounden and sacred duty to see that we give employment to these poor people in the rural sector, and because of that, the small scale sector was established and that is our national consensus. But what has this Government done ? Here I am giving two examples and the two examples are glaring examples which must open the eyes as to where the government is leading this country to. They say and they pay lip service to the small scale sector. But they are always in the clutches of the large-scale industrial houses. When I say this, here is a letter written by 22 Members of Parliament belonging to all sections of the House to the Minister of Finance, Sori Pranab Mukherji and to the Minister of Commerce, Shri Vishwanath Pratap Singh and to the Minister of Industry, Shri Tiwari. Here what has happened is that combine harvesters were manufactured by certain people-but because Escorts, a company like Escorts-of course, now Swaraj Paul and the Escorts matter is going on, I am not going into that as the Government may mulct Swaraj Paul as well as the Escorts and I am not concerned at present with that-but here at the instance of the Escorts, they want to scuttle the small-scale sector and they do not want to allow all these small scale industries which were producing tractors, which were producing combine harvestors and which was so much beneficial to the agriculturists of Haryana and Punjab and that is what this Government has done. I am reading this letter which will make my point very clear :

“Attention of the Government has been drawn on the floor of Lok Sabha-not infrequently, towards the scant regard shown by some of the big industrial establishments *inter alia* towards the provisions of the M.R.T.P. Act 1967. It has been witnessed that they observe the rules; regulations, and various provisions of law often in their breach and flagrant violation thereof.

A case at instance is that of M/s Escorts Ltd., who have, in contravention

of provisions of the M.R.T.P. Act have imported 6000 tons of combine harvester components in 86 full containers, valued at CIF 15 crores through their dealers at Patiala, M/s Hindsons Pvt. Ltd. vide Customs Bill of Entry...etc.

M/s Hindsons Pvt. Ltd. is a limited company having direct relation with the management of Escorts Ltd. It is interesting to know that the above combine harvester components are imported from a firm in the name and style of M/s CLASS, OHG, Harsewinkel, West Germany whose sole agents are M/s Escorts Pvt. Ltd. Moreover, M/s Escorts have sought permission for allowing them to manufacture self-propelled combine harvesters in collaboration with CLASS, OHG and the said application is still pending. They cannot manufacture self-propelled combine harvester through other camouflage agency which is in small scale sector which is in breach of the provisions of law..."

SHRI XAVIER ARAKAL : This is about small scale industry.

SHRI RATANSINH RAJDA : I thought you are the most understanding man from the ruling Party. Kindly hear me. I am talking in defence of the small scale sector. They are encroaching upon the small scale sector. That is what I am saying...

SHRI BAPUSAHEB PARULEKAR : He is not understanding you. You go ahead.

SHRI RATANSINH RAJDA : How can I? He is a very good and learned friend of mine.

"It is further noteworthy that Punjab Tractors, a public enterprise in Punjab, and eleven other small-scale units in Punjab and Haryana are already manufacturing successfully self-propelled combined harvesters and tractor-driven combine harvesters meeting entire demand in the country.

"We are told that the manufacture of self-propelled combine harvesters other than in the small-scale sector is

banned."

In regard to this matter, a letter addressed to the hon. Finance Minister, Shri Pranab Mukherjee was submitted duly signed by 22 Members belonging to all sections of the House. One letter was also addressed to our Law Minister who has categorically stated that if Escorts Limited has done something wrong, we shall take action against them.

But, Sir, thereafter, no action has been taken. Not only that. But, something, very startling has taken place. Here is a letter in reply to my letter to Shri Pranab Mukherjee which has come to me. The Law Minister has stated that if what Escorts Limited has done is definitely wrong, we shall take action against them. And we shall refer it to the Department of Company Law Affairs. So far no action has been taken. What is startling is this. The Secretary of the Heavy Industry Ministry, under the very nose of our hon. Minister, convened a meeting of some of the officials. What was the objective of that meeting? It was just to scuttle the small scale industries and to stop these small scale units who are manufacturing tractors and combine harvesters from allowing them to work on these lines. They wanted Escorts to have a free hand so that these smallscale units are completely finished and the Escorts will have a completely a freehand. This is what your department has done. With what face, the Government has now come before us to defend the small-scale sectors? I think the entire policy of this Government is to scuttle the smallscale sectors. If the Government has changed the policy, let them have the guts to say or admit that we do not want the smallscale sectors; let the rural people die let the smallscale sectors die; we do not care for them. Let them make that policy statement. But, the moment they say that, then why is it that the Secretary of the Heavy Industries Department convened that meeting declaring there that we would not allow these smallscale units to manufacture these? This is something terrible.

This very approach is basically detrimental to the interests of the entire small-scale sector and to the entire rural sector also. We are seeing thousands and thousands of people, an army of unemployed people, being on the increase day by day. We are

deceiving the people by telling this and by bringing in such a Bill. I shall give you another example. This is about the tyre retreading. In this country, 50,000 people are working on the tyre retreading. On the highways if you go, you will find them. Suppose if your car gets punctured or if something is wrong with the car, these people are roundering a useful service. The Government has now allowed one multinational company to come up in own country and they will stop all this tyre retreading. Sir, 847 items are reserved. In this tyre-retreading was also reserved as a smallscale sector. You will be surprised and distressed very much to know this. I know you are a Gandhian at heart. Here are Shri Kamalpathi Tripathi and other people who took part in our freedom struggle. Shri Narayan Datt Tiwary was not there. I had the privilege of working shoulder to shoulder with Shri Tripathi as a Youth Congress General Secretary from Bombay. At that time, I think he was the Youth Congress General Secretary in U.P. I know what is the background. And what was the nationalism and the spirit of service to the smallscale sector. Sir, tyre retreading was reserved as a smallscale sector. Now, we have removed that from there because we have allowed a multinational company to encroach upon them. I say that this policy of the Government is highly pernicious and is highly detrimental to the national interests. This Bill which the Government has brought forward is merely to throw dust into the eyes of the people of this country. If they want the smallscale sectors to be killed and the army of unemployed people to be on the increase, let them declare it. Otherwise they must state very firmly that even if bureaucracy misleads them, they will have the guts to tell the officers that this will not do. I would demand that an inquiry be made as to who were those people who were present in that official meeting. I understand that there was a private member who was the spokesman of the Escorts Limited who was allowed to attend the meeting. It was the meeting of the officials. If the Minister wants I am prepared to give the name of that man.

THE MINISTER OF STATE IN THE  
MINISTRY OF INDUSTRY (SHRI  
PATTABHI RAMA RAO) : Please send  
that name to me in confidence.

SHRI RATANSINH RAJDA : I will give the name and also tell what transpired in that meeting. There was a decision to scuttle all those people who are manufacturing self-propelled combine harvesters. This is against the very basic policy of the government. Therefore, I want to submit that it is high time government must stand by their own words, otherwise people would say there is vast gulf between what they say and actually do. (*Interruptions*)

MR. CHAIRMAN : Please conclude.

SHRI RATANSINH RAJDA : I want that Government must carry on investigation as to why this scuttling business is going on and also as to why action has not been taken against such officers. Thank you.

SHRI XAVIER ARAKAL (Ernakulam) : Thank you, Mr. Chairman, as a matter of fact when Mr. Rajda was speaking on this aspect I wanted to join with him in his feelings for calling the attention of this House regarding small scale industry and the priority given to them. I hope the hon. Minister has taken note of the serious allegations made here and would take appropriate action and see that Government does take action on this matter.

Sir, in the Statement of Objects and Reasons the Bill has very clearly stated as to what is the aim of this Bill, namely, in order to have for exclusive production by such undertakings, viz., 872 items are presently reserved for the small scale sector. On this subject this House has been debating for quite a long time and I am happy to note Government has come forward with this Bill after taking into account all the observations made by the Members of Parliament.

Nevertheless the potentiality of this sector cannot be ignored by saying that we have enacted a Bill in this matter. This Bill if it is properly implemented will have far reaching consequences in the matter of production, employment, export and capital formation in this area. Very rightly our Prime Minister has said that industry is the backbone of our Indian economy. If that is to be substantiated this sector has to be given all sorts of protection. The main problems of the small scale sector are

basically four — capital, raw-material, marketing and managerial problems. These four problems have contributed very much towards stagnation and sickness of this sector. Unless we take each subject one by one and analyse as to what is the problem, for example, in capital, raw-material, marketing and managerial aspect, I am afraid, this issue cannot be solved in a proper way. We have had the opportunity here to analyse each subject. I am very happy to hear Mr. K.A. Rajan when he was explaining the problem of marketing of the products. He was explaining how the small scale units are facing serious problem in the marketing of their products and his suggestion regarding the state Governments coming forward to help them in a larger way so that they can get a big boost. Basically, this problem has to be handled by the State Governments. Of course, the Central Government can issue guidelines to the State Governments. They have the power to do so. But the basic responsibility is vested with the State Governments for giving them a boost, for coordination, especially in regard to these four areas—what I call them problem areas—of this sector. There are two basic problems as far as national aspect is concerned.

One is the encroachment of the domain of the small scale units by the multi-nationals. This Government has to take serious note of this. The second basic issue is the industrial sickness with the large number of small scale units. They are facing industrial sickness. Sir, there was already a private Members' Bill on this subject and there was an elaborate discussion on various points, particularly how money is locked in these small scale units. Hon'ble Finance Minister had also given answer to both written and oral questions on this aspect.

Sir, I would like to make suggestions to this House in regard to 4 basic remedial measures to be taken by the Government. Sir, in India, there are 22,000 small scale units and just imagine how huge the capital which has been locked in these small units. Crores and crores of rupees are invested in the small scale sector and they are locked in. Now, the question is : how to save this money and utilise the same for the national benefit ? That is one basic issue related to the small-scale units. Again,

there are two things to be considered.

One is the encroachment of the multi-nationals and the second is the taking over of the sick units. Here I would like to deal with the sick units alone. My suggestion was and still I hold that suggestion that we must take over those sick units without any cash payment as compensation. I emphasise on this point, that is, 'cash payment'. Last time, is a national wealth, this wealth belongs to the nation and it is like a trust for the people of this country and that should be taken over by the Government for the betterment of this nation.

Sir, there are more than 22,000 sick units under small-scale sector in this country. There was another proposal made last time. The second important proposal is that no new licence should be given if there is a sick unit under small-scale sector in a particular region. Those who want to establish small projects must undertake those sick units. If new licences are granted, that will create more problems. It is not going to solve the problem.

The third and the most important suggestion I have to make is that at present labour participation in the management is very very little, especially in the matter of provision of facilities to the labour. Unless the labour force is involved in the management, I am afraid the unit will not be in a position to produce more. Therefore, my suggestion is that the labour should be a contributory factor towards the capital formation in the small-scale units. If you take the major 4 items, that is, capital, raw material, marketing and managerial, the first requirement—capital—can be arranged to a certain extent by asking the labour to get themselves involved in the financial aspect so that in other words they get themselves involved in the proper management of the units.

My fourth suggestion is to have a proper political climate for industries, functioning. If you look at the figures of the sick units, you will see that one-third of the large-scale sick units are in West Bengal ; so also the largest number of small scale sick units are in West Bengal. What is the reason for this ? The same thing is happening in Kerala also.

I am taking two examples to show that unless there is a political climate and stabilized governmental atmosphere, any amount of money and incentives are not going to work. It is a serious problem faced all around.

I welcome the suggestion of late Mr. Bhattacharyya, their Commerce Minister who said he was going to give away 26 large scale units to the private sector. I welcomed it on the floor of this House. But my fourth basic suggestion is that we should have a proper political climate, wherein the entrepreneurs can invest their money and get returns.

SHRI SATYASADHAN CHAKRABORTY : The sickness in West Bengal started even during the Congress regime, for Mr. Arakal's information.

SHRI XAVIER ARAKAL : We have had a very good debate on this issue. I do not want to waste the time of the House. I do not want to have a debate on this now. These are the four suggestions I have to make to the hon. Minister.

I am happy to know that the Prime Minister has taken a serious note of the situation, and has called on the people to rise to the occasion. She has announced a scheme for the educated unemployed. It will take the nation forward and help boost the small scale sector that is, especially after the enactment of this Bill.

SHRI HARIKESH BAHADUR (Gorakhpur) : I am aware of the fact that I am not going to speak on the Demands for the Ministry of Industry. Therefore I will confine myself to certain points.

We have to encourage the small scale industries, in order to eradicate unemployment. They are not being encouraged very much now. It is very alarming that in the case of some items which were already reserved for small scale sector, some indigenous big industries and also certain multi-nationals have been allowed to manufacture those items. Take the case of Hindustan Lever. They are still manufacturing vanaspati, soaps etc. They must be given to the small scale sector because those items can easily be manufactured by small scale

industries-also the combined harvesters, etc. as Mr. Rajda has said.

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI VASANT SATHE) : From the harvesters to vanaspati.

SHRI HARIKESH BAHADUR : No ; if this is the understanding of the hon. Minister, Mr. Sathe, what can I do ?

Multi-national are being encouraged in various sectors. For example, Mr. Sathe is saying something so far as drug sector is concerned. One day, I had said that some of the drugs which could be manufactured by small scale industries were still being manufactured by big industries ; and those industries were getting facilities from Government. They have been given licences to manufacture drugs from the basic stage ; but they are not doing it. They are importing intermediates, and from the intermediate stage, they are manufacturing such items. The hon. Minister Mr. Sathe is here. He may reply and correct this statement. It does not matter.

SHRI VASANT SATHE : I had already replied to him that day that he was misguided. As far as small sector is concerned, there is absolutely no constraint. Even the policy which his leader, Mr. Bahuguna had formulated, is continued till to-day. Under that policy, the small scale sector was left out completely free from constraints. The constraints that were put were only, first on the multi-nationals and then on large scale units. There is no restraint on small scale at all. Full encouragement to manufacture whatever they want, from bulk to formulations, is given to them.

MR. CHAIRMAN : You should be very happy.

SHRI HARIKESH BAHADUR : It is a very good thing. I have got correct information about this matter about which I was told by many people. So far as small scale industries are concerned, many items which are to be produced by them, they must be produced by them ; at the same time, government must encourage them. There are young Graduates who are willing to set up cottage industries or small scale industries, but they are not being suitably given loan to



set up these industries ; they have to go here and there and finally when they feel disgusted they leave the enter thing. (Interruptions) That kind of a thing is not being allowed to be manufactured by the small scale sector.

Marketing facilities are also not properly available to the small scale sector ; that is also a great difficulty in their development. It is the duty of the Government to see that marketing facilities are properly provided to them.

Agriculture based small scale industries are very essential; they should be encouraged in our country because basically our country is very rich in this field. Whatever we are producing, for that we are getting enormous raw-materials from agriculture. That can be properly utilized for the production of many things and the raw-materials are easily available. Many people who are not getting employment, they can be provided jobs in this field if this sector is properly encouraged

The assets of the Hindustan Development Corporation have already gone above Rs. 20 crores but still they are enjoying the facilities of those industries whose assets are below Rs. 20 crores. This is a clear violation of the MRTP Act. I would request the hon. Minister to look into this matter and see that those industries which are violating this rule must be taken to task.

Mr. Ratansinh Rajda has said about the presence of industrialists in official meetings. This is a very serious allegation, I hope the Minister will look into it and will definitely take action against those persons who have allowed such persons in official meetings.

Kindly adopt a policy to encourage small scale industry, not the multinationals and big industries.

श्री गिरधारी लाल डोगरा (जम्मू) : जना-बेजाली, मैं इस सबजेक्ट की ताईद के लिए खड़ा हुआ हूँ, जो आज हाऊस के सामने है। जहाँ तक स्माल स्केल इंडस्ट्री का ताल्लुक है, इसके बगैर देश आगे नहीं बढ़ सकता। यह एक्ट इसलिए सामने आया क्योंकि अदालतों ने

कहा कि स्माल स्केल इंडस्ट्री की रिजर्वेशन कानूनी तौर पर जायज नहीं है और नोटिफिकेशन वैलिड नहीं है। इसमें बहुत कम लोग ऐसे हैं जिनको ब्यूरोक्रेसी में हमदर्दी है। इसमें गड़-बड़ होती रही है और होती रहेगी। मिनिस्टर साहब को जरा चौकन्ना रहना पड़ेगा और हमको भी उनकी मदद करनी पड़ेगी। यह कहना है कि स्माल स्केल इंडस्ट्री में कुछ नहीं हो रहा है, यह बहुत गलत बात है। मैं सम-झता हूँ, इस वक्त जिस डेडीकेशन के साथ पर्टिकुलरली इस इंडस्ट्री को देखा जा रहा है, उसमें शक करने की कोई गुंजाइश नहीं है। अगर जबर्दस्ती क्रिटिसाइज किया जाए तो अलग बात है। जहाँ-जहाँ कुछ लोग इस सेक्टर को डिफिट करने की कोशिश करते हैं, उन पर नजर रखी जानी चाहिए। मेरे फाजिल दोस्त ने अभी जो कुछ कहा, उसकी ताईद इधर से भी हुई। स्माल स्केल इंडस्ट्री की जितनी यूनिट खुली हैं, उनका हिसाब-किताब किसी के पास नहीं है। डिस्ट्रिक्ट इंडस्ट्री आफिसर को कुछ नहीं मिल पाता। वह कहते हैं कि बिजली वालों का रिप्रजेन्टेटिव वहाँ हो। हमने हर स्टेट में दौरे पर जा कर देखा, इलेक्ट्रिसिटी बोर्ड वाले कहते हैं कि हम यह पावर नहीं दे सकते। क्यों भाई क्यों नहीं दे सकते? उनको अपना आदमी वहाँ भेजना चाहिए ताकि एक आदमी को जगह जगह न दौड़ना पड़े और हर चीज एक ही विन्डो पर मन्जूर हो जाय। जब सरकार अन-एम्प्लायड ग्रेजुएट को सारी फेसिलिटीज दे रही है तो वह उसको आसानो से मिलनी चाहिए, और एक ही जगह पर सारा काम होना चाहिए। जब यह स्कीम चली तो बड़ा ऐनथ्यूजिएज्म था लेकिन अब उनको सौटावज किया जा रहा है। चाहे इंडस्ट्रीज ऐप्रमोशन अफसर हो या इंडस्ट्रीज डिस्ट्रिक्ट अफसर हो वह सब एक यूनिट को रजिस्टर कर के चालू करने तक तो नजर रखते हैं, लेकिन उसके बाद नहीं देखते कि उसको क्या दिक्कतें पेश आ रही हैं।

इन्होंने कहा कि 22,000 स्माल स्केल यूनि-

ट्स सिक हो गई हैं। पता नहीं कहां से फिगरस लीं। जब कि इस बारे में कोई डेफिनिट फिगर किसी को पता नहीं हैं। हम गुजरात में गये थे उन्होंने एक लाख यूनिट्स खोली थीं, उनका क्या बना खोलने के बाद, किसी को कुछ मालूम नहीं है, डिपार्टमेंट का उनके कोई टच ही नहीं है। बैंक से रुपया लेकर उसका क्या बनता है यह किसी स्टेट गवर्नमेंट को पता नहीं है। उस रुपये से कोई प्रोडक्शन हो रहा है कि नहीं, अगर प्रोडक्शन हो रहा है तो माल कहाँ खपता है, यह किसी को पता नहीं है। तो आप बतायें कैसे देश तरक्की करेगा ?

जहां तक लार्ज स्केल इंडस्ट्री का सवाल है वह अपने आदमी को ऐंसिलियरी इंडस्ट्री दिलवा देते हैं जिसकी वजह से हमारा परपज ही डिफीट हो जाता है। इसलिए मेरा सुझाव है कि हर स्टेट में एक मानिट्रिंग यूनिट होनी चाहिये। जब किसी ऐसे सूबे का नाम लिया जाता है जहां दूसरी पार्टी की सरकार है तो अपोजीशन वाले शोर मचाते हैं। लेकिन यह नहीं देखते कि हर स्टेट गवर्नमेंट फाल्ट कर रही है। कोई नहीं देख रहा है कि हमारे यहां क्या हो रहा है। इन सब बातों को देखने के लिये मानिट्रिंग बहुत जरूरी है। आप पहले जनरल सर्वे करायें। अगर जनरल नहीं करा सकते तो सिम्पल सर्वे करायें कि जितना ऐक्सपेंशन हुआ है वह क्या कर रहे हैं, उसकी मार्केटिंग का क्या बन रहा है। इस बात का रेगुलर सर्वे होना चाहिए। जब एक पटवारी जमीन से संबंधित सारे रेकाड्स दे सकता है तो आपके जो ऐक्सटेंशन अफसर हर ब्लॉक में हैं क्या वह यह काम नहीं कर सकते ? जरूर कर सकते हैं। हमने सी०ए०सी० में पूछा तो कहा गया कि इतना बड़ा काम है जो हम नहीं कर सकते। क्यों नहीं कर सकते जनाब ? जब तक यह नहीं देखेंगे तब तक क्या प्रोग्रेस हो सकती ? हर स्टेट को हम पैसा दे रहे हैं, लेकिन वह पैसा कैसे इस्तेमाल कर रही हैं कोई नहीं जानता। इसलिए मानिट्रिंग होनी जरूर चाहिए।

दूसरी बात यह है कि जहां तक यह शिकायत आती है कि बैंक वाले मदद नहीं करते हैं तो इसके लिए मेरा सुझाव है कि एक तो जो आपके बैंकों के ब्रांच मैनेजर हैं उनकी ओरि-येंटेशन होनी चाहिये ताकि उनको पता हो कि डेवलपमेंटल काम के लिए आपको काम करना है। यहां सिर्फ सोचने से कुछ फायदा नहीं होगा। क्योंकि क्विक एक्सपेंशन हुई है और कई किस्म के लोग इसमें आ गये हैं। उनको पता ही नहीं कि कानून क्या है। जब तक उनको ट्रेड न किया जाये, ओरिएन्टेड ट्रेनिंग न दी जाये, उनको समझाया न जाए तब तक यह बात नहीं होगी।

कुछ लोग पैसा लेकर कर्जा देते हैं, ज्यादा देते ही नहीं। यह बीमारी नीचे-नीचे ही नहीं बल्कि ऊपर भी चली गई है, इसको रोकना होगा। इसके लिए आपको एक इंडस्ट्रियल क्रेडिट कार्पोरेशन खोलना पड़ेगा नेशनल स्केल पर। जिस प्रकार से बड़ी-बड़ी इंडस्ट्रीज को कर्जा देते हैं, उनके लिए फाइनेन्शियल इंस्टीट्यूशन्स हैं, उसी प्रकार से छोटी इंडस्ट्रीज के लिए भी होना चाहिये। फाइनेन्स कभी-कभी होता है और कभी नहीं भी होता है। इसलिये नेशनल स्केल पर एक ऐसा इंस्टीट्यूशन हो जिसका काम यह हो कि स्माल स्केल सैक्टर इंडस्ट्रीज को फाइनेन्स करे और देखे कि वह हैल्दी लाइन्स पर चल रही हैं या नहीं ? उनका हैल्दी ग्राउन्ड है या नहीं। इसकी तरफ हमें खास ध्यान देना चाहिए।

बहुत से बैंकवर्ड एरियाज हैं, बैंकवर्ड स्टेट्स हैं। जब तक स्माल सैक्टर इंडस्ट्रीज की तरफ आप तवज्जह नहीं देंगे तब तक वह डेवलप नहीं कर सकेंगे तब तक आप कितने लोगों को अन-प्रोडक्टिव नौकरी देंगे ? आप सबको एम्पलायमेंट नहीं दे सकते। इसलिए उनको इन्डस्ट्रीज में इन्वाल्व किया जाना चाहिए और इसके लिए जो जैनविन लास होता है, उसके लिए हमें तैयार होना चाहिए। उसे हम किसी हद तक बर्दाश्त करें।

श्री अरवकल ने कहा था कि सिर्फ यूनिट्स स्टेट को देनी चाहिए। हमारी स्टेट में जितनी पहले इंडस्ट्री हैं, वह स्टेट ने फरोख्त कर दी हैं। उनको दे देंगे तो वह किसी को नीलाम कर देंगे, किसी को ठेके पर या किराये पर दे देंगे। यह स्टेट-स्टेट पर डिपेंड करता है कि कौन सी स्टेट कमिटेड है कि इस किस्म का काम चला सके और आगे बढ़ सके। जो ओवर-लोड एग्रीकल्चर हो रहा है उससे यूथ को इंडस्ट्री में डाइवर्ट कर देना चाहिए यह देखना बहुत जरूरी है।

इसके लिये इंडस्ट्री मिनिस्ट्री एक स्पेशल स्टडी करवाये कि इंडस्ट्री कहां-कहां एक्सपेंड हुई हैं और इनको आगे कैसे चलाना है। जो ओवजेक्ट्स थे, उनको यह कह कर पाई हैं या नहीं और इनको आगे कैसे चलाना है। कहां-कहां नैग्लिजेंस है और उसको कैसे रोका जा सकता है। इसलिए स्पेशल स्टडी बहुत नैसेसरी है। आगे हमारी एक्सपेंशन इतनी ज्यादा हो गई है और आगे कहां उन्हें एक्सपेंड करेंगे जब तक इस पर नहीं सोचेंगे तो फिर हम मुल्क को एक क्राइसेस पर फेंक देंगे।

श्री रामावतार शास्त्री (पटना) : सभापति महोदय, औद्योगिक (विकास और विनियमन) संशोधन विधेयक, 1984 का आमतौर से समर्थन करते हुए मैं कुछ बातें निवेदित करना चाहता हूँ, जो इस प्रकार हैं :—

1. यह अच्छी बात है कि सरकार इस विधेयक द्वारा लघु उद्योगों को बढ़ावा देना चाहती है और इसके लिए उसने 872 मदों को लघु औद्योगिक इकाइयों द्वारा उत्पादित करने के लिए आरक्षित कर रखा है। संभव हो सके तो इन मदों को और बढ़ाया जाना चाहिए। इस प्रकार के लघु उद्योग निर्धारित वस्तुओं का क्षमता के अनुसार उत्पादन बढ़ा सके, इसके लिए यह आवश्यक है कि सरकार की ओर से उनकी पूरी मदद की जाये। अभी उनमें से अधिकांश की स्थिति अच्छी नहीं है। उन्हें

कच्चा माल, विक्रय की समस्या, बिजली की कमी और उनके रेट में भारी वृद्धि की समस्याओं का सामना करना पड़ रहा है। फलस्वरूप एक बड़ी संख्या में लघु औद्योगिक यूनिटें बन्द पड़ी हैं जिनके कारण लाखों करोड़ों काम करने वाले कर्मचारी दर-दर के भिखारी बने हुए हैं।

देश के आर्थिक विकास में लघु उद्योगों का भारी भूमिका है। इस ओर सरकार का ध्यान विशेष रूप से आकृष्ट होना चाहिए। छोटे उद्योग आरक्षित वस्तुओं का उत्पादन ठीक से कर सकें, इसलिए आवश्यक है कि उन्हें पर्याप्त मात्रा में और सस्ते दर पर कच्चे माल की सप्लाई हो सके, बिजली निर्वाध रूप से मिलती रहे, बिजली रेट में कमी की जाये और उन उद्योगों में बने लाखों की बिक्री के लिए बाजार बनाने में सरकार मदद करे। इस सम्बन्ध में करघा उद्योग का जिक्र करना मैं जरूरी समझता हूँ। इस उद्योग में लाखों बुनकर काम करते हैं। परन्तु दुःख है कि अवाश्यक सूत, कम, बिजली, बाजार की कमी के कारण उन्हें घोर संकट का सामना करना पड़ रहा है। लाखों बुनकर बेकारी का जीवन बिता रहे हैं। सूत का वितरण करने वाली सहयोग समितियां भ्रष्टाचार एवं कदाचार का शिकार हैं। शिकायतों का सरकार के यहां भी सुनवाई नहीं है। बैंकों से कर्ज मिलने में भी कठिनाई हो रही है। कहने का तात्पर्य यह है कि इस महत्वपूर्ण लघु उद्योग को संकट से उबारने की आवश्यकता है।

देश में सोना नियंत्रण कानून के मारे हुए लाखों स्वर्णकार भुखमरी का जीवन बिता रहे हैं। सारकारी आश्वासनों के बावजूद उनकी मदद नहीं की जा रही है। अगर वे अपनी पेश-कदमी पर कुछ करने का प्रयास करते हैं, तो पग-पग पर सरकारी अधिकारी उन्हें लांछित और अपमानित करते हैं। उनके लघु उद्योगों को विकसित करने की बात तो दूर रही, उन्हें नाना प्रकार से सताया जाता है। उन्हें साधारण जेवर बनाने की इजाजत भी नहीं मिल पाती।

वेंकों से कर्ज लेना तो उनके लिए आकाश-कुसुम तोड़ने के बराबर है। इस सम्बन्ध में मैं केवल एक उदाहरण देना चाहता हूँ। बिहार के पटना जिलान्तर्गत मसौड़ी के श्री वैद्यनाथ प्रसाद स्वर्णकार शिल्पकार हैं। वह धातुओं पर सुन्दर चित्र बनाते हैं। वहाँ पर राष्ट्रपति ज्ञानी जैलसिंह, लोक सभा के अध्यक्ष डा० बलराम जाखड़, वित्त मंत्री श्री प्रणव कुमार मुखर्जी, स्वर्गीय संजय गांधी तथा बहुत से अन्य लोगों के इस प्रकार के चित्र धातुओं पर बना कर भेज चुके हैं, जिसका नमूना यह है। इस धंधे में वह बड़े ही चतुर शिल्पकार हैं। परन्तु दुःख है कि उन्हें कहीं से भी आज तक इस शिल्पकारी को आगे बढ़ाने के लिए कोई आर्थिक मदद नहीं मिली। यह कार्य भी शिल्पकार 1979 से ही कर रहे हैं।

इस धंधे को विकसित करने के लिए वह राष्ट्रीय स्टेट बैंक मसौड़ी से ऋण लेने की कोशिश सन् 1979 से ही कर रहे हैं। मेरे कहने पर जिला उद्योग मैनेजर ने जांच-पड़ताल कर उन्हें ऋण देने की सिफारिश की। उन्होंने उनकी 50 हजार रुपए की योजना को घटाकर 25 हजार कर दिया। परन्तु दुःख है कि भारतीय स्टेट बैंक मसौड़ी के शाखा के मैनेजर ने आज तक उन्हें ऋण की राशि नहीं दी। वह सन् 1983 के मार्च से ही उनसे रिश्वत माँग रहे हैं और नहीं देने पर उनका कहना है कि कोई भी शक्ति उन्हें ऋण नहीं दिलवा सकती। ऐसी स्थिति में छोटे उद्योग चलाने वाले शिल्पकार अपनी रोजी कैसे चला सकते हैं? ऐसे हजारों उदाहरण मिल सकते हैं। अतः उद्योग मंत्री एवं वित्त मंत्री को इस ओर ध्यान देकर छोटे-छोटे उद्योगों की मदद करने के लिये आवश्यक कार्यवाही करनी चाहिये, ताकि बेकारी की विभीषिका को कम किया जा सके।

शिक्षित बेरोजगार युवकों को स्वयं-नियोजन प्रदान करने के विषय में एक दूसरा उदाहरण प्रस्तुत करना चाहता हूँ। मेरे ही क्षेत्र के एक शिक्षित बेरोजगार नौजवान, श्री अरविंद कुमार सिंह, दल्लूचक, पो० खगौल, जिला पटना एक प्रेस

खोलने के लिए 25 हजार रुपए का कर्ब बैंक से लेना चाहते हैं।

श्री सिंह बिहार सरकार द्वारा प्रमाणित शिक्षित बेरोजगार हैं। वह खगौल में जनता प्रिंटिंग प्रेस खोलना चाहते हैं। यह जिला उद्योग से निबंधित भी हो चुका है। इन्होंने ऋण लेने के लिए पटना और खगौल के सभी बैंकों का दरवाजा खटखटाया, पर वहाँ से भी उन्हें कोई मदद नहीं मिली। सन् 1981 में वित्त मंत्री को मेरे द्वारा पत्र लिखे जाने पर उन्होंने बैंक आफ बड़ौदा, सेन्ट्रल बैंक और पंजाब नैशनल बैंक, पटना को ऋण देने के लिये लिखा, फिर भी उक्त नौजवान को ऋण की राशि अब तक नहीं मिल सकी है।

खगौल स्थित बैंक आफ इण्डिया स्टेट बैंक और केनरा बैंक ने भी ऋण देने से इनकार कर दिया। तीनों मैनेजरों ने 10 से 15 प्रतिशत रिश्वत की माँग की। जिला उद्योग विभाग से ऋण की स्वीकृति मिल जाने पर भी वे ऋण का भुगतान नहीं करते। इस प्रकार स्वयं नियोजन की योजना को राष्ट्रीयकृत बैंक असफल बनाने पर तुले हुए हैं। मेरा तो अनुरोध होगा कि, उक्त बैंकों के विरुद्ध सख्त से सख्त कार्यवाही की जाय।

5. विधेयक में बड़े और मध्यम उद्योग-पतियों को लघु उद्योगों को निश्चित मदों में उत्पादन करने की छूट को जारी रखने का प्रस्ताव है। सरकार केवल उनकी उत्पादन क्षमता को निश्चित करना चाहती है। मैं इस बात का जोरदार विरोध करता हूँ। इससे लघु उद्यमियों को क्षति होगी क्योंकि वे इजारेदारों की चालबाजियों का मुकाबिला नहीं कर सकेंगे। सरकार एक तरफ लघु उद्योगपतियों को बढ़ावा देना चाहती है और दूसरी ओर वह इजारेदारों से गलबहियां डाले रखना चाहती है। इससे वांछित लक्ष्यों की पूर्ति होने में बाधा पहुंचेगी।

13 hrs.

अन्त में मैं मंत्री महोदय से निवेदन करना चाहूंगा कि, वह लघु उद्योगों में काम करने वाले

मजदूरों के हितों की सुरक्षा के लिए गारंटी की व्यवस्था करें ताकि उत्पादन में व्यवधान न पैदा होने पाये।

THE MINISTER OF PARLIAMEN-  
TARY AFFAIRS, SPORTS AND WORKS  
AND HOUSING (SHRI BUTA SINGH) :  
I would request those hon. Members who  
want to take their lunch can do so and we  
will continue the business of the House.

SHRI SATYASADHAN CHAKRA-  
BORTY : We would like to hear the hon.  
Minister.

MR. CHAIRMAN : After the hon.  
Minister has replied to the debate. You  
may take your lunch. But there will be no  
lunch-break, I hope the House agrees.

THE MINISTER OF STATE IN THE  
MINISTRY OF INDUSTRY (SHRI  
PATTABHI RAMA RAO) : Mr. Chairman  
12 hon. Members of this House have taken  
part in this Debate. I am very thankful  
to them for their good suggestions. Some  
of them have also made some criticisms.  
The Government would, on their part take  
into account the criticisms and take cor-  
rective measures if there is anything worth  
consideration. Most of them have made  
good suggestion improve the position of  
the small-scale industry. Before I proceed  
to reply to the points raised by the indi-  
vidual Members. I may like to give you a  
short background regarding this amendment.  
The hon. Members are aware that reserva-  
tion of some items for exclusive manufacture  
in small scale sector has been one of the  
main planks of the Government's policy  
for supporting small-scale industries. How-  
ever, certain doubts were created regarding  
Government's power to do so under Section  
29 (b) of the Industries (Development and  
Regulation) Act of 1951. It, therefore,  
become necessary to assume specific power  
under the Act to reserve certain items for  
exclusive production in the small scale sector  
and also to provide for validation of all  
notifications issued since 19-2-1970.

Coming to the points raised by hon.  
Members, I find that while some of the  
points relate to the provisions of the pro-  
posed Bill, others are concerned with the

general development of the small scale  
industry. I would like to deal with the  
specific reference to the provisions of the  
amending Bill before I go to the other  
points.

A reference was made by hon. Shri  
G L. Vyas that subsection (2D) of Section  
29B proposed to be incorporated in the Act  
will enable large Houses to enter the reser-  
ved areas. This observation, however, is  
not correct. A close reading of sub-section  
(2 D) will show that this provision intends  
to empower the Government to peg the  
capacity of industrial units already engaged  
in the manufacture of reserved articles at  
the level of production already achieved,  
which is not legally possible at present.

The new provision is meant to Streng-  
then the hands of Government to effectively  
enforce the reservation policy in relation  
to large and medium scale sector.

Another point which has been touched  
upon by several hon. Members like Shri  
Rup Chand Pal and Shri Subramaniam  
Swamy relate to the need for fuller and  
comprehensive legislation as they feel that  
the amendment will not serve the overall  
objective of giving protection to the small  
scale sector. I may mention in this connec-  
tion that the matter is receiving our utmost  
active consideration and various aspects  
which the hon. Members have touched  
upon would be gone into and suitable  
legislation brought in.

Some Members have also spoken about  
the general neglect in terms of facilities,  
infrastructure, financial and fiscal incentives  
etc., available to the small industries. This  
charge is not correct as the small scale  
industries have registered tremendous gro-  
wth in terms of units registered in the small  
scale sector, the production and employment  
achieved and investment and exports under-  
taken by them. I will give a few figures  
in this connection.

The number of units registered in  
1973-74 was 1.64 lakhs, the number of units  
registered in 1982-83 is 5.96 lakhs. Produc-  
tion in crores was Rs. 7,200 crores in  
1973-74 and in 1982-83 it is Rs. 35,000  
crores. Employment in lakhs—in 1973-74  
it was 39.7 lakhs, now in 1982-83 it is 79

lakhs. Exports in 1973-74 was Rs.393 crores, now, in 1982-83 these were estimated to be Rs. 2100 crores. This phenomenal growth in the small scale sector could not have been achieved but for the several promotional and developmental measures taken by the Government both at the Central and the State levels. Today the small scale Sector is engaged not only in the traditional items, but has diversified into thightly sophisticated areas which find markets within and outside the country.

It has also been mentioned that the liberalised foreign collaboration policy is adversely affecting the small scale industry. It may be mentioned that foreign collaborations are allowed in small number of industries on a very selective basis in highly sophisticated and top priority areas and in export oriented and import substitution areas. While doing so, we carefully consider the effect it will have on various sectors of the economy.

Shri Rup Chand Pal, Shri Mool Chand Daga and Shri Paranjpe also referred to sickness in the small scale industry. As you are aware there are over ten lakh small scale units and certain amount of sickness for various reasons cannot be avoided. Even so, systems have been introduced to detect sickness at the earliest stage and to initiate remedial measures for rehabilitation of the sick units. State level Institutional Co-ordination Committee which has bankers as well as the Reserve Bank of India as Member, has also been in existence in most of the States to consider and tackle this problem.

Some hon. Members—such as Shri Vyas have referred to recently published IIPA Report, referring to encroachment of large sector into areas reserved for small scale industry. The amending Bill actually seeks to cover the loopholes in the present regulatory system and to ensure that such cases are minimised.

Reference was also made by Members including Shri Paranjpe to the functioning of the District Industries Centres and newly introduced scheme for providing self-employment to educated unemployed youth. The District Industries Centres have been

doing very useful work at the grass root level for identification of entrepreneurs, preparation of project profile for them and in giving them support and services for setting up cottage and small scale industries. The new scheme of self-employment is being implemented in full public gaze. You know very well, on the 15th of August last our worthy Prime Minister has pronounced from the ramparts of Red Fort that self-employment for uneducated youth (*Interruptions*).

DR. SUBRAMANIAM SWAMY : Why do you no

SHRI PATTABHI RAMA RAO : I am repeating. (*Interruptions*)

The Prime Minister has announced the scheme for self-employment for uneducated youth. This she has announced from the rampart of Red Fort. In pursuance of that we are following this. The new scheme for self-employment by setting up of cottage and small scale industries is being implemented in full public gaze. It has received tremendous response and about 8.9 lakh applications have been received till the end of January 1984 against a target of 2.5 lakhs for the current year, over 1.60 lakh application have been recommended to the banks involving a loan of Rs. 265.83 crores.

There is an Advisory Committee of the District Industry Centre of which M.Ps, M.L.As and other representatives are Members.

DR. SUBRAMANIAM SWAMY : Where ? Not in Bombay. (*Interruptions*)

SHRI RAMAVATAR SHASTRI : Not in Patna also. It is the capital of Bihar State and I belong to that State. (*Interruptions*)

SHRI PATTABHI RAMA RAO : I am not yielding. If he has any doubt, let him ask at the end.

SHRI RAMAVATAR SHASTRI : These are not being implemented in Patna.

SHRI PATTABHI RAMA RAO : Instructions have gone and the scheme has been introduced from 15th August. I am

sure these are being implemented. In other States also, they will copy it. In Maharashtra also, they are copying.

SHRI RATANSINH RAJDA : They have not done it.

DR. SUBRAMANIAM SWAMY : You send by post.

SHRI PATTABHI RAMA RAO : You know, the Government machinery moves slow. So, you must give some time. (*Interruptions*) Certainly, that will move. There is no doubt about it. But the movement may be a little slow. (*Interruptions*). It is because we do not want to falter in giving instructions. So, clear instructions must go.

DR. SUBRAMANIAM SWAMY : By the time instructions reach, they will be out of power. See that the instructions reach the quarter before we come to power.

SHRI PATTABHI RAMA RAO : That question does not arise in your life. If you want to join us, it is a different question. But you will never come to power.

श्री कमला मिश्र मधुकर (मोतीहारी): क्या एम०पी० और अधिकारियों को ऐसी इंट्रक्शन भेजी गई है ?

सभापति महोदय : इन्होंने कहा है कि वे आर्डर जल्दी पहुंच पायेंगे ।

SHRI PATTABHI RAMA RAO : If he disturbs me like that, Sir, I will take one hour.

I may answer my hon. friend, Dr. Swamy. He is wasting his labour by sitting in the Opposition.

DR. SUBRAMANIAM SWAMY : In the next elections, we will be in the ruling party.

SHRI PATTABHI RAMA RAO : It will not happen as long as you are there.

It has received tremendous response. About 8.9 lakh applications have been

received till the end of January, 1984 as against the target of 2.5 lakhs by the current year. Over 1.63 lakh applications have been recommended to the banks involving a loan of Rs. 265.38 crores. There is a district advisory committee about which I have mentioned earlier and instructions have been reiterated that the Committee should meet regularly once a month so that the scheme is reviewed and monitored closely and continuously. As such, I hope there would not be any scope for mismanagement or other defects either during selections or sanctions or disbursement of loans.

I am afraid for want of time, I would not be able to cover all the points which have been raised by the hon. Members. But considering the intent and purpose of the amending legislation, I would request the hon. Members to pass this Bill. Before that, I assure them that I would bear the points in mind and I have noted down all the points also that have been raised and I will certainly go into them and try to sort out all of them.

I shall request the hon. Members to pass this Bill unanimously.

SHRI RAMAVATAR SHASTRI : You did not say anything about my two specific points.

SHRI PATTABHI RAMA RAO : There are serious allegations made by one or two Members and about certain things. I shall go into them provided they send me in writing all the details. I want in writing the names and what has actually happened. If you send me in detail, I will go into it. I cannot make a wild goose chase. Please send the details.

SHRI RAMAVATAR SHASTRI : Your figures are all right but the scheme has not been implemented. (*Interruptions.*)

SHRI PATTABHI RAMA RAO : I will certainly go into all these things. About your points and that of other friends, I will certainly take action and we shall see that such things are not repeated.

DR. SUBRAMANIAM SWAMY : I have great record for the Minister Shri

Pattabhi Rama Rao. But still his reply is totally unsatisfactory on three points. (*Interruptions.*)

On three points, I am totally dissatisfied with the reply. He says comprehensive legislation is under review. But he did not give any time-limit.

SHRI PATTABHI RAMA RAO : I said, "Under consideration". It will be brought in shortly.

DR. SUBRAMANIAM SWAMY : "Shortly" is not satisfactory. I would like to have a clear cut statement date of when it will be possible to bring the Bill in this month or in this Session ?

No. 2, regarding the district industries centre, by his own admission, instructions have gone from Delhi but they have not reached the other end. District Industries Centre is the core concept which the Janata Government has introduced. (*Interruptions.*)

Is the word "Janata-Government" un-parliamentary ? We had passed it in Parliament in December, 1978. It is the only way to industrialise the rural areas and the backward areas of the country. On that, he has said that they have decided to include MPs and MLAs. But as my colleagues have said here and, as far as I know, nowhere this has happened. By the Minister's own admission, it is not working properly.

Thirdly, I had suggested that in order to assist the small industrialists, the marketing facilities have to be provided to them, the way the Japanese did during their stages of development. That is how the small-scale industries came up ; they cut cost and became competitive in the international markets. Here, the small-scale people are not getting any assistance in marketing. Big industrialists are driving them out because the small people are not able to compete on the marketing side.

Finally, there is no assurance from the Minister that he will take care that multinationals do not enter into the fields where the small-scale industries are already there. I gave some illustrations. One is the photostet industry where we are in a position to

produce photo copy machines. But they are allowing the foreign companies to come in.

When the steel industry was involved, there was a lot of hullabaloo in the House. Another illustration that I gave was that the oilseeds people in Bombay came to me saying that foreign collaborations are being allowed when it is in the red book and it is clearly under the banned list. Still they are being allowed. So, this piecemeal effort will not do. The coming elections are in their view and they are trying to give all the lollipops. But that is not the way the Parliament should be used. Therefore, I persist in disapproving the Ordinance.

SHRI PATTABHI RAMA RAO : Sir, I would like to reply to the points he has mentioned.

Firstly, about the marketing facilities, actually the DIC's function is not only selecting entrepreneurs and giving loans to them but also helping them in every respect, including the marketing. That is why every district has got a DIC. There is no difficulty about that.

About the inclusion of Members, I have already said that the instructions have gone and, probably, shortly they will reach them. They will certainly include the Members. There is no difficulty about that.

As regards the multinationals, this Bill is intended for that. I do not understand why he should repeat about it. The present Bill is intended to avoid all the multinationals. Under Section 29B, it is not possible to do it. The courts are there to help them.

MR. CHAIRMAN : I want to put one question to you. I want to know whether the Government have issued instructions to various Departments to purchase the goods manufactured by small-scale industries or they give preference to others.

SHRI PATTABHI RAMA RAO : Naturally, to small-scale industries, if there is good quality.

MR. CHAIRMAN : Are there standing instructions or not ?



SHRI PATTABHI RAMA RAO : There are standing instructions.

SHRI BHAGWAT JHA AZAD : In the specified areas, there are standing instructions.

DR. SUBRAMANIAM SWAMY : The condition is, if there is good quality. On that ground, they put them off.

SHRI PATTABHI RAMA RAO : That is not so.

MR. CHAIRMAN : I put the Statutory Resolution moved by Dr. Subramaniam Swamy to the vote of the House.

The question is :

“This House disapproves of the Industries (Development and Regulation) Amendment Ordinance, 1984 (Ordinance No. 1 of 1984) promulgated by the President on the 12th January, 1984.”

*The motion was negatived.*

MR. CHAIRMAN : The question is :

“That the Bill further to amend the Industries (Development and Regulation) Act, 1951, be taken into consideration.”

*The motion was adopted.*

MR. CHAIRMAN : The House will now take up Clause by Clause consideration of the Bill.

*Clauses 2 to 7*

MR. CHAIRMAN : The questions is :

“That Clauses 2 to 7 stand part of the Bill”.

*The motion was adopted.*

*Clauses 2 to 7 were added to the Bill.*

MR. CHAIRMAN : The question is :

“That Clause 1, the Enacting Formula and the title stand part of the Bill”.

*The motion was adopted.*

*Clause 1, the Enacting Formula and the title were added to the Bill.*

SHRI PATTABHI RAMA RAO : I beg to move :

“That the Bill be passed”.

MR. CHAIRMAN : The question is :

“That the Bill be passed”.

*The motion was adopted.*

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STATUTORY RESOLUTION RE :  
DISAPPROVAL OF GANESH  
FLOUR MILLS COMPANY  
LIMITED (ACQUISITION  
AND TRANSFER OF UNDERTAKINGS)  
ORDINANCE 1984  
AND  
GANESH FLOUR MILLS COMPANY  
LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) BILL

SHRI N.K. SHEJWALKAR (Gwalior) :  
Sir, I beg to move :

“This House disapproves of the Ganesh Flour Mills Company Limited (Acquisition and Transfer of Undertakings) Ordinance, 1984 (Ordinance No. 2 of 1984) promulgated by the President on the 28th January, 1984.”

Fortunately or unfortunately, it has always fallen to my lot to move these statutory resolutions and to oppose all these Ordinances.

There have been about 11 Ordinances in the year, 1983 and this is the second Ordinance in this year, 1984 bringing the Ordinances passed to 13.

I have always been pleading that this power to promulgate Ordinances should be very sparingly used. It is not an ordinary power. It is an extraordinary power. When this special power to promulgate Ordinances is exercised, the power of the Parliament is set aside for the time being. I have been raising objections to the frequent promulgation of Ordinances time and again. But

I do not know the reasons why the Government pays no heed to my pleas.

I need not give the whole background of how the Ordinances have been continuously opposed in the past. Right from 1971 and even before that when Shri Mavlankar was the Hon. Speaker of this House, objections have been raised against the promulgation of Ordinances and there is lot of correspondence between the earlier Speaker Shri Mavlankar and the late Prime Minister Jawaharlal Nehru. It has been held several times that even though the power to promulgate an Ordinance is within the discretionary powers of the President, it should not be issued without sufficient justification. The Ordinance should not have been issued in such a large number. This is not a simple matter to be ignored. Certain observations have been made by Shri Mavlankar based on very sound judgments. In the light of these observations, I would urge upon the Government to consider whether the circumstances were so urgent or emergent as to justify the issue of Ordinance. This power to issue Ordinances should not be exercised unless there is sufficient justification and the circumstances so warrant.

I am sorry to say that the Government is not careful in these matters. I draw your attention to the last Ordinance, Ordinance No. 3 of 1983, Societies Registration Ordinance. They wanted to register some body and for that they wanted an additional provision to be made in the Societies Registration Act. You will be surprised to know that body did not come into existence even after the passing of that Bill in Parliament, even after six months, and I am not sure whether it has been constituted even today. This is the seriousness about these Ordinances. I am going to demonstrate that in this case also the same thing has been done. Not only that, some provision of the constitution is mentioned in the legislation without applying the mind at all. This is the position in the case of the present ordinance also. Is it the purpose of the Constitution that such a power should be exercised without applying the mind by the Government? May be, article 25 or the one under which the provision for issuing

Ordinance is given has to be equally respected until you amend that provision. You may amend and then you may do anything according, to the amended Constitution. But so long as the provision is there, not to think about it is showing disrespect to the Constitution. With a heavy heart I have to say that in matters of Constitution, particularly in regard to this provision for Ordinances, the Government has always been callous and careless.

Coming to the specific provision here, they say that they want to; rather, they have already, by the Ordinance, taken over the Ganesh Flour Mills. In the statement of reasons which they have circulated for promulgating this Ordinance, several grounds have been mentioned. I will come to them, but before that I want to bring to the notice of the Chair the preamble which they have provided in this Ordinance. In the last sentence of that paragraph they say :

“.....with other consumer commodities to the public at reasonable prices and thereby to give effect to the policy of the State towards securing the principles specified in clause (b) and clause (c) of article 39 of the Constitution.”

Article 39 deals with the Directive Principles of State Policy ; it reads :

“The State shall, in particular, direct its policy towards securing —

- (a) that the citizens, men and women equally, have the right to an adequate means of livelihood ;
- (b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good ;
- (c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment.”

They rely for bringing the Ordinance and now the Bill on article 39 (b) and (c).

They want that the ownership and control of the material resources of the community be so distributed as best to subserve the common good. Ultimately, what is the purpose? I do not want to read the whole of what is mentioned in Basu's Commentary on page 109 'Nationalisation of industry and business.' There can be two purposes as laid down in (b) and (c). Is it the intention of the Government to take over all the oil factories or the vanaspati factories so that the oil business as a whole is taken over, totally, and there is some stability? If that is so, then I can understand. If the whole class which is manufacturing vanaspati or oil, if all these factories are taken over, then I can see that there is a purpose. But they have chosen only one factory.

How is it going to affect the level of prices all over the country? It is not even producing—I should say—1/60th of the country's production. Secondly, how is this purpose (a) going to be served—ownership and control of material resources and to see that the economic system does not result in concentration of wealth? Where is the concentration of wealth in this matter? The company is in loss for the last more than 20 years. It is running in loss. The Government has taken over the management in 1972. From that time it is managing. Now where is the question of concentration of wealth here in this matter—I fail to understand. It is just in a routine way—they will mention some provision of the Constitution and just go on without applying their mind. This is my serious objection—ultimately they could have other reasons also. Why these reasons at all have been given, without understanding the import of what it means? In the sphere of trade and business nationalisation has been affected by taking over the existing private concerns and vesting the business and assets in statutory corporations owned and controlled by the State. For example, Life Insurance Corporation, road transport, civil aviation—I can understand. If they take over all the oil business or all the Vanaspati units of India, I can understand. But, as I said, they have utter disregard for the Constitution or, I should say, that they do not follow what it means.

Here again, if the statement is been, it gives the history of this organisation and it is a very big statement. I do not know. In 1972 they say under Sec. 80 AA of the Industries Development and Regulation Act, 1951 the management of these undertakings was taken over by the Central Government with effect from 3rd November, 1972. All right. I can understand that it was not being properly managed and you have taken over the management on the ground of fall in production consequent on the non-investment and creation of encumbrances on assets of the undertaking, etc. In the initial paragraph they have said that they have done something which is not allowed by law—they have taken loans without permission. Anyway you took action in 1972. A three-member inquiry committee of the representatives of the Ministry of Agriculture, Ministry of Finance and the Industrial Reconstruction Corporation of India had earlier conducted an inquiry in July—August 1972 and came to the conclusion that the economic viability of the company as a whole would largely depend upon the economic viability of the vanaspati units in Delhi and Kanpur. I may add that it is not only dealing with this, there are flour mills and other concerns also. The Committee says that the viability depends on the running of these two factories of Vanaspati which are situated in Delhi and Kanpur and 'on the recommendations of this inquiry committee and representations received from labour unions, the Delhi Administration and the local Members of Parliament, it was decided that the management of the company should be taken over under the Industrial Development and Regulation Act, 1951.' Now it is very astounding. When was this report submitted? It was submitted in 1972. What was being done upto now? After ten years they think of taking it over like this. How can it be justified?—I fail to understand—as a special measure? Here also special permission was given to introduce this Bill and such sort of Bills are being introduced with special permission. Thereafter—look here—what is being done here? How can it be justified? I really fail to understand. "A group of companies have filed a writ petition in the Delhi high Court and the decision of the Delhi High Court on this writ petition

was expected any moment." As yet the decision is not there, the decision of the High Court has not come and they want to expedite this matter. Why ?

After all, either they are fighting the case with certain convictions or they are not fighting it with certain convictions. If they are not fighting with certain conviction, then, let the court decide it. If you are convinced of the actions you have been taking uptill now, then you fight them out. If you are not convinced, then why undergo these provisions ? They do not want to wait for this. Is it not that they are playing with the public exchequer or taxpayer's money ? In the last para they say that :

"The company soon turned the corner and started making profits."

Immediately after the take over of the management, the Central Government provided the following :—

- (i) professional management ;
- (ii) Loan of about Rs. 92 lakhs from Industrial Reconstruction Corporation of India and
- (iii) Moratorium on past liabilities."

This is for the past liabilities etc. Who suffered by these ? Is it the Government or the public which suffered ? After all, there is some sanctity when some loans are granted, when a public limited company is floated, they have got some rights; when they choose to become shareholders, they are responsible for the losses also, when they are responsible for profits, they are responsible for the losses also. Further, it is said :

"The overall financial position of the undertaking improved subsequently. The net worth of the undertaking was negative to the extent of Rs. 223-90 lakhs on the date of the takeover of the management. However, as on the 31st March, 1983, the net-worth was positive to the extent of Rs. 770 lakhs."

Now, as against that, they propose to make a provision of Rs. 1.67 crores. They

want to pay this to the company. What good is going to be achieved I fail to understand. The hon. Minister will please explain as to how it is going to be in the interest of the general public and how it is going to serve the purpose of Article 39-A, B or C.

Again, Sir, in the Financial Memorandum, they say this. In the first para, it is said that a provision of Rs. 1,57,68,000 has to be made. Then, in Clause 7 of the Bill there is a provision of Rs. 10,000 per annum for the period commencing on the date on which the management of the Ganesh Flour Mills was taken over by the Central Government and ending on the appointed day. This is given to manage the affairs of the company. I do not know why the amount is going to be paid at all to them. It may be a small amount in comparison to the original one, namely, Rs. 1,20,000. Why again you are going to pay this ?

This is for the interest. It is understandable. What about Clause 14 ? Clause 14 of the Bill provides for the appointment of a Commissioner of Payments by the Central Government with adequate staff to assist him for the purpose of disbursing the amounts payable to the Ganesh Flour Mills Company Limited. The salary and allowances of the Commissioner of Payments and his staff and the expenditure on office and establishment will be defrayed out of the Consolidated Fund of India. The estimated expenditure on this account is likely to be of the order of Rs. 20,000 per month. Again, it is an unnecessary burden. Nobody knows in how much time the Commissioner will dispose of all the matters. I have seen as to what happened in the case of Maruthi when the Commissioner was there to clear off the whole matter. I am not sure whether he has done this job as yet or not. It is again a vague thing. No specific amount has been mentioned. They say 'All right, give us the sanction for the estimated expenditure of Rs. 20,000 per annum'. It may be a burden on the Consolidate Fund. Is it at all justifiable ? I do not know as to what is the principle behind in bringing this Ordinance? On merits, there is no case. Even on practical consideration also, I do not think that there is any justification.

Lastly, Sir, after all the Constitutional

measures are to be taken recourse to only in very exceptional cases. I do not know what is the reasoning for this ? I do not know what is the reasoning for all that and therefore, I strongly oppose this measure and I wish that the House should accept my motion.

**MR. CHAIRMAN :** Resolution moved :

“This House disapproves of the Ganesh Flour Mills Company Limited (Acquisition and Transfer of undertakings) Ordinance, 1984 (Ordinance No. 2 of 1984) promulgated by the President on the 28th January, 1984.”

**THE MINISTER OF STATE OF THE MINISTRY OF FOOD AND CIVIL SUPPLIES (SHRI BHAGWAT JHA AZAD) :** Sir, I beg to move :\*

“That the Bill to provide for the acquisition and transfer of the right, title and interest of certain undertakings of the Ganesh Flour Mills Company Limited with a view to sustaining and strengthening the nucleus of public owned or controlled units required for ensuring supply of wholesome vanaspati and refined edible oils, nutritious foods and other consumer commodities to the public at reasonable prices and thereby to give effect to the policy of the State towards securing the principles specified in clauses (b) and (c) of article 39 of the Constitution, be taken into consideration.”

Sir, the Bill provides for acquisition and transfer of the right, title and interest in the Ganesh Flour Mills on payment of an amount of Rs. one crore, fifty seven lakh and sixty eight thousand in lieu of compensation. In addition there shall be given to the company by the Central Government an amount calculated at the rate of rupees ten thousand per annum from the date of take-over of the company and ending with the appointed day of 28th January, 1984. Government shall also pay simple interest at the rate of four per cent per annum commencing on the appointed day and ending on the date on which payment of such amount

is made by the Central Government to the Commissioner of Payment.

During 1968, the Ganesh Flour Mills Company Ltd. incurred huge losses and approached a Group of companies for financial assistance. The latter agreed to give a secured loan of Rs. 40 lakhs and obtained through an agreement, the validity of which was in dispute, a benefit of Commission of 3/4% on purchases and sales made by the Delhi and Kanpur units of the Company. In addition, they were to charge interest at the rate of 1% per month on the outstanding balance. The Group also desired that the secured loan should be further secured by issue of debentures mortgaging almost all the assets of the company in India. Accordingly, 9500 debentures of Rs. 1000/- each were issued or pledged by the then management to the Group of companies in contravention of the stipulation laid down by the Controller of Capital Issues. The nationalised insurance companies and banks held about 11% of the shares while 53% of the shares were widely distributed among a large number of shareholders who had very little voice in the affairs of the company.

After an enquiry and on the basis of the representations received from the labour unions etc. the management of the company was taken over under Section 18-AA of the Industries (Development and Regulation) Act, 1951, with effect from the 3rd November, 1972. The management of the undertakings was taken over initially for a period of five years (that is, upto the 2nd November, 1977) and was subsequently extended upto the 2nd February, 1984.

The units taken over by the Government were :

- (i) The Delhi Vanaspati Factory, Delhi.
- (ii) The Hindustan Breakfast Food Manufacturing Factory, New Delhi, including the Ganesh Electrical Factory, New Delhi, which is inter-linked with it by reason of its location, common services and infra-structure.

- (iii) The Kanpur Vanaspati Factory, Kanpur ; and
- (iv) The Solvent Extraction Plant, Bombay.

Immediately after the take-over of the management the Central Government provided the following inputs :

- (i) Professional management ;
- (ii) Loan of about Rs. 92 lakhs from Industrial Reconstruction Corporation of India ; and
- (iii) Moratorium on past liabilities.

The Company soon turned the corner and started making profits. These were ploughed back and utilised for increasing the production capacity and productivity of the undertakings. The overall financial position of the undertakings improved subsequently. The net worth of the undertakings was negative to the extent of Rs. 223.92 lakhs on the date of the take-over of the management. However, as on the 31st March, 1983, the net worth was positive to the extent of Rs. 770 lakhs.

Plans for expanding the activities of the undertakings have been drawn up. After these expansion plans are completed, the Ganesh Flour Mills would constitute the biggest refining unit for edible oils and manufacture of vanaspati in the country. Sir, we do not propose to take-over the entire industry in the country. But as the clauses B and C say, we want to play a dominant role in the oil industry and therefore we are doing that. The Government oil policy in the country is decisive and for the common good of the people and that is why we are taking over this.

The units of Ganesh Flour Mills and Amritsar Oil Works the management of which has also been taken over by the Central Government, are being utilised by the Central Government as an important instrument for implementing its oil policy. We do not propose to take over the entire industry but certain units like Amritsar Oil Works and the Ganesh Flour Mills which we are taking over now, will be important instruments in the hands of the Government

for implementing its oil policy and by doing so, we are doing this for the common good of the people. We are doing so not to concentrate the entire oil industry in the hands of a few, but rather we want to play a dominant part in the oil policy so that the common people can benefit. The refining of imported crude oil for supply to consumers through the network of fair price shops under the public distribution system is being almost entirely done by these two undertakings.

The production of vanaspati and refined edible oils during the nine months ending December 1983, was over 1.17 lakh tonnes with a monthly average production of about 13,000 tonnes against the monthly average of 3,400 tonnes in 1979-80 which shows the potential growth in production under the Central Government management.

As I said in the beginning, the company was incurring a huge loss. We have turned it into a profitable and viable unit and that could be done by the oil policy of the Government. The history speaks for itself. Now, the complaint is why it took 14 years for the Government to take over this company. There were three proposals being discussed as to whether it should be partly taken over or whether it should completely taken over and nationalised or whether we should have a control over it. Ultimately, we have come to the conclusion that it should be taken over. It cannot be said that Government, all these years, were not thinking over this unit. I may submit to this House that the Government all these years have taken over those companies which were incurring losses and turned them into viable and profitable units. That is why we are invoking Article 39 (B) (C).

In the context of the Government's edible oil policy, aimed at giving an effective role to the public sector units in the regulation of the oil and vanaspati market and ensuring supply of vanaspati and edible oils to consumers at reasonable prices, the Government is of the opinion that sufficient production capacity under the management of Government ought to be built up, and that the Ganesh Flour Mills and the Amritsar Oil Works together provide a strong nucleus for this purpose.

It is our desire that we should have a dominant say in this oil policy. It is known to the House that between the requirement that we have in the country today and the production that we have, there is a difference. Therefore, we have to import from outside. To regulate the entire policy in this country, to have sufficient production capacity under the management of the Government, to have a reasonable price in the market, to have its effect on the market during the time of difficulties, is a matter of policy for the Government. We are implementing it for the common good, through nationalization—for which this Bill has been brought.

The present healthy state of Ganesh Flour Mills, is the cumulative result of the various steps taken by the Central Government since its take-over in 1972. If the unit is not nationalized, and is handed over back to the original owners, there is considerable risk of its again becoming sick.

We took a sick child and we have brought to a healthy state. And this is doing service to the nation. That is why we want to keep it with us.

Thus, the results achieved during the period of Government management would be washed away, if we hand it back to them. It will also impede the management of supply of imported edible oils through the public distribution system. Thus the Central Government has reached the conclusion that handing over of the management of the undertaking to the original owners will not be in public interest. For these reasons, the Central Government has decided to acquire right, title and interest in the undertaking by enacting this legislation in place of the ordinance issued on 28.1.1984.

You will agree that whatever might be the observations about the ordinances, at least in this case this ordinance has justified itself by the purpose for which it has been issued.

The Ganesh Flour Mills has been playing an important role in the supply of commodities essential to the needs of the common man. It is intended further to extend the role of the Ganesh Flour Mills

by means of expansion of its production capacity and diversification of its production function as a part of the nucleus of the instrumentalities under the public sector, so as to provide Government a commanding role—this is our aim—in the regulation of the edible oil economy in this country. And that is why we have invoked Article 39B and 39C. Certain schemes for this purpose are under preparation. These are :

(1) **SETTING UP SOYABEEN PROCESSING UNITS** : Such unit would be of 300 tonnes per pay capacity, and the raw material available in Madhya Pradesh would be used.

We are having a good crop of soyabeans in Madhya Pradesh, Sir, as you know. I hope this plant, when set up, will use that. A major part of the investment would be made by Ganesh Flour Mills out of its own resources. The Government will provide supplemental assistance.

(2) We propose to set up modern oil complexes. Setting up of such oil complexes has been planned, keeping in view the objective of providing oils and derivatives at reasonable prices to consumers in metropolitan towns. Since the market in these towns acts as a Barometer to edible oil prices else where in the country, these complexes would lead to a better management of the edible oil economy. One such complex would be set up in Delhi, to begin with.

(3) Setting up an Extruder plant at Delhi, to supply mid-day meal to children in schools.

(4) Setting up a refinery at Calcutta to meet the demand of the refined oils of the Eastern and North-Eastern States.

14 hrs.

As I have already informed the House the Ganesh Flour Mills Co. Ltd. had a negative networth at the time of its take-over in November 1972 and on its own, it was not in a position to raise the necessary funds and provide managerial inputs, to bring the units of the undertakings back to running condition.

Under the management of the Govern-

ment financial loan was provided by the Industrial Reconstruction Corporation of India. Besides this, considerable managerial and technical inputs have been provided to bring the undertakings to its current healthy situation. In order to enable it to play the role envisaged for it under the Government's policy for regulating the edible oil economy, it is necessary to make further investments for modernisation of its machinery and diversification of its activities. The Government feel that further investments for such purposes should be preceded by some arrangement which ensures continuity of management of the undertakings under the Central Government. It was, therefore, decided among other reasons to acquire the said undertakings.

The oil year 1982-83 which ended on 31.10.1983 had been one of the most difficult year in so far as the availability and prices of edible oils were concerned. There was drastic fall in production of groundnut due to drought and floods affecting 48 million hectare of crop area and a population of 31 crore. Government had to gear up its machinery to tide over the crisis. The Ganesh Flour Mills undertakings, therefore, had to be involved fully and in a much bigger way in maintaining the supply of refined edible oils to the public distribution system. This abnormal situation continued even after the oil year 1982-83 was over at the end of October, 1983, when normally the availability of edible oils increases and the price decreases due to arrival of fresh crops. This year the position of supply and prices was, however, entirely different. Therefore, Government thought it fit to nationalise the undertakings of Ganesh Mills immediately through an Ordinance so that it could be developed and expanded as a public sector undertaking to implement urgent Government programme. The Share-holders were pressing for return of the company to them. The Government wanted to introduce a Bill in the last winter session of the Parliament to nationalise the undertaking. But by the time the formalities for introduction of the Bill were completed, the session was over. Hence 'The Ganesh Flour Mills (Acquisition and Transfer of Undertakings) Ordinance, 1984, was promulgated by the President on 28th January, 1984.

It is proposed to incorporate a new

company for running this undertaking. The Company will be a wholly owned Government company. It was my privilege, when I took over this Ministry, to bring forward a Bill in this House to nationalise Amritsar Oil Mill. It is now my privilege to bring forward this Bill also in the House. Both put together will be a new company for running this undertaking.

The Bill also provides for continuance of employment of all employees of the undertaking in the proposed new company.

I am sure the proposed Bill will have the support of the entire House, because the aims and objectives that I have set and the way government have built up and the way the government wants to use this instrument for the oil policy of the government for the common good will have the support of the entire House. With these words, I commend this Bill for the consideration of this House.

MR. CHAIRMAN : Motion moved :

"That the Bill to provide for the acquisition and transfer of the right title and interest of certain undertakings of the Ganesh Flour Mills Company Limited with a view to sustaining and strengthening the nucleus of public owned or controlled units required for ensuring supply of wholesome vanaspati and refined edible oils nutritious foods and other consumer commodities to the public at reasonable prices and thereby to give effect to the policy of the State towards securing in clause (b) and (c) of article 39 of the Constitution, be taken into consideration."

श्री मोहम्मद स्माइल (बैरकपुर) : चेयरमैन साहब, जहाँ तक गणेश फ्लावर मिल्स के बिल का ताल्लुक है, मैं उसका समर्थन करता हूँ। मन्त्री महोदय ने महां पर कई बातें कही हैं और हाई होप प्रकट की है कि कन्ट्री में जो आयल की प्रब्लम है उसको हल करेंगे। इसके अलावा आर्डिनेन्स के ऊपर जो बक्तव्य रखा गया है, जहाँ तक उसकी लीगैलिटी का सवाल है, जहाँ तक उनके बक्तव्य का सवाल है उसमें बहुत सी ऐसी चीजें हैं जिनका मैं समर्थन करता हूँ।



सन् 1972 के बाद आपको यह ख्याल आया कि आपको इसे नेशनलाइज करना है, ताकि देश की तेल की समस्या को हल किया जा सके और वह भी इलैक्शन से पहले। यदि नहीं कर पाए तो मुश्किल हो जाएगी। इतने सालों तक आपने इसको नेशनलाइज नहीं किया और एक करोड़ रुपए से ज्यादा का नुकसान हो गया। इतने सालों तक किसी ने नहीं सोचा कि यह समस्या किस प्रकार हल होगी। आप बहुत अच्छे मंत्री हैं, आपके आने के बाद आप के दिमाग में यह बात आई। आपने अमृतसर मिल को लिया बहुत अच्छी बात है। अब सरकार की पूरी जिम्मेदारी है। जिस तरह से आप कर रहे हैं, इससे हर किस्म के सवाल उठ सकते हैं। ब्यूरोक्रेट इसको फंक्शन करेगा। आई०आर०सी० इसको गाइड करेगी। यहां के जो बड़े-बड़े अफसर होंगे, वे अपना-अपना प्लान चलायेंगे। वर्कर्स का कान्फिडेंस आप लेंगे या नहीं, यह भी नहीं कहा जा सकता है। यदि वास्तव में, जैसा कि आपने वक्तव्य दिया है, आप देश को तेल सप्लाई करना चाहते हैं तो जो प्रोडक्शन से सम्बन्धित है, उनको कान्फिडेंस में लीजिएगा और उनका वक्तव्य प्रोडक्शन के बारे में लीजिएगा। जो कमेटी आप बनायेंगे, उसमें ब्यूरोक्रेट्स बैठेंगे। जो बोर्ड आप बनायेंगे, उनका उनमें रिप्रजेंटेशन क्या रहेगा, जिससे वर्कर्स की बात को आप तक पहुंचाया जा सके। जब तक प्रोडक्शन फॉस को पूरे अस्तित्व-यारात नहीं मिलेंगे और ब्यूरोक्रेट्स को मिलेंगे, आई०आर०सी को मिलेंगे कि तुम जैसा चाहो करो, तो हिन्दुस्तान में आई०आर०सी ने कोई मुनाफा करने की कोशिश नहीं की बल्कि छोटी-बड़ी इन्डस्ट्री को गिराने की कोशिश की है। मैं इसका खुद भुक्तभोगी हूँ। कंपनी के प्राडिक्टिव वर्कर्स बार-बार कहते हैं कि मैटिरियल दीजिए और समस्याओं को हमारे साथ बैठकर डिस्कस कीजिए, न आई०आर०सी० बैठा और न ही मंत्री बैठे, आखिर में उस कंपनी को लिक्विडेशन में दे दिया गया। अभी तक

वर्कर्स इस बारे में पूछ रहे हैं, लेकिन इसका मसला हल नहीं हो पा रहा है। वहां पर कंटेनर्स बनते हैं। गणेश पलोर मिल्स भी वहीं से लेता था। इसको अंडरटेक किया, डिनोटिफाई किया, तो अब कहां से तेल भरने के लिए डिब्बे आयेंगे। यह बहुत ही पुरानी कंपनी है मैकलिन बैरी। बोर्ड यहां सब बोगस है। वह पलोर मिल्स को भी सप्लाई नहीं कर सका। आखिरकार दिवाला निकाल दिया। बंगला भाषा में कहा जाता है उल्टा दिया। मेरे कहने का मतलब यह है कि आपकी इच्छा अच्छी है, लेकिन मशीनरी के अन्दर यह काम होगा, जो मशीन वहां फंक्शन कर रही है, वहां पर जाकर सब डूबते हैं।

मैं तो आपसे यह कहूंगा कि आपने जो वक्तव्य रखा है उसके लिये जान-तोड़ कर कोशिश करें और इस काम में वर्कर्स का को-आपरेशन लें। हम हिन्दोस्तान के जो सैन्ट्रल ट्रेड यूनियन के लोग हैं हमने सरकार को सलाह दी है कि आप हमारे साथ बैठिये, हमने कुछ डिमाण्ड्स भी आपके पास भेजी हैं, लेकिन अभी तक उन पर कोई कार्यवाही नहीं हुई है, किसी मिनिस्ट्री ने हमको अभी तक नहीं बुलाया है, अगर आप ही हमको बुला लें तो कुछ नतीजा निकल सकता था। इसलिए आप जो आशा रखे हुए हैं, मैं तो यही चाहूंगा कि आप की इच्छा पूरी हो और मैं आपके लिए दुआ करूंगा कि आपकी इच्छा पूरी हो जाय। अगर बातचीत होगी तब तो ठीक है, वरना "गणेश" ही उल्टा होगा।

हमारे बंगाल में आज ऐसी हालत पैदा हो गई है कि इस तरह के मामलों में किसी को कोई पूछने वाला नहीं है। सैन्ट्रल गवर्नमेंट की अण्डरटेकिंग है, कब डी नोटिफाई हो गई किसी को पता नहीं। वर्कर्स पूछते हैं कि क्या हुआ। कहते हैं—क्या होगा, अन्धेर नगरी चौपट राज होगा, और क्या होगा? 900 आदमी वहां बेकार बैठे हैं। इन्चक में 3000 आदमी बैठे हैं, 6000 एक और कंपनी है उसमें बैठे हैं। "जब

बाप मरेंगे, तब बैल बंटेंगे

श्री जगपाल सिंह (हरिद्वार) : आजाद जी, आपके बाप नहीं, इस सरकार के बाप मरेंगे ।

श्री मोहम्मद इस्माइल : आपने जो बयान दिया है मैं उसको एप्रेशिएट करता हूँ और इसीलिए मैंने आपके इस बिल का समर्थन किया है । जो थोड़ी-बहुत नुक्ताचीनी आर्डिनेन्स के बारे में शेजवाल्कर साहब ने की है वह बिलकुल जायज बात है, उन तमाम बातों को सीरियसली देखना चाहिये । मुझे अफसोस यह है कि मिनिस्ट्री ऐसी बातों को सीरियसली नहीं देखती है । कोई कमेटी बैठा दी, किसी एम०पी० ने कह दिया कि कर दो, वह कर दिया गया । जब पकड़े गये कि कांस्टीचूशन के मुताबिक ऐसा नहीं हो सकता, तो कह दिया कि देखा जाएगा । नुकसान होता है तो कह देते हैं कि डी-नोटिफाई कर दो । रिज़र्व बैंक ने खुद कहा है कि मिस-मैनेजमेंट की वजह से बहुत सी अण्डरटेकिंग में लाकआउट और क्लोजर हुए हैं । लेबर डिस्प्यूट्स से तो शायद 2 परसेंट ही बन्द हुई होगी, बाकी सब मिस मैनेजमेंट की वजह से हुई हैं । यहां पार्लियामेन्टी अफेअर्स मिनिस्टर बैठे हुए हैं—जो बोलते हैं सब कहते हैं ठीक हैं ।

संसदीय कार्य खेल तथा निर्माण और आवास मन्त्री (श्री बूटा सिंह) : आप जो बोलते हैं, मैं तो उसी का जवाब देता हूँ ।

श्री मोहम्मद इस्माइल : आपकी पार्टी का लीडर हमारे प्राविन्स के स्पीकर को मारने गया और वह एडजान्त करके चले गए और आपने अभी तक उसका पता भी नहीं लगाया । क्या पार्लियामेन्टी अफेअर्स मिनिस्टर ने वहां की स्टेट गवर्नमेंट से पूछा, वहां भी एक चुनी हुई सरकार है आपने उसको समझ लिया है कि वह इलैक्ट्रेड नहीं है, इसी तरह का काम कश्मीर में कर रहे हैं, यह आदत बुरी है ।

मैं अब ज्यादा समय नहीं लूंगा, मिनिस्टर साहब जो करने जा रहे हैं, वह बहुत अच्छा

काम है, इसलिये मैं इस बिल का समर्थन करता हूँ ।

SHRI BRAJAMOHAN MOHANTY (Puri) : At the outset I congratulate the hon. Minister of Civil Supplies for bringing forward such a Bill. The Ordinance was most appropriate. As a matter of fact, the Bill for nationalisation of this industry should have been passed earlier. The creditable performance of this industry is that they are earning profit continuously for some years. Not only that, as the hon. Minister has mentioned, they have virtually the principal instrument of the Government, of the Ministry to implement the oil policy not only for implementing the policy but also to maintain the supply channel throughout the year. So, they have a creditable performance and very high rate of profitability to their credit. So, I congratulate the Minister that he has brought this nationalisation Bill and I support it wholeheartedly.

At the same time, I must point out that this House has also the representation of the forces who were opposed to the bank nationalisation, this House has also the representation of the forces who were opposed to the Second Five Year Plan framework and those who insisted that our plan should not go in for heavy industry, should not go in for key industry but should go in for agricultural sector. During those days of Mahalanobis and Pandit Jawaharlal Nehru, there was a powerful force inside this House who was representing the private sector. They were all through opposed to the new policy of attaining self-sufficiency and generating a self-content economy which is our objective. In that background, this measure was very much necessary. But all the same we should not forget another aspect and that aspect is that the only weakness of our economy is the loss of the public sector enterprises. 193 public sector enterprises have incurred continuous losses till last year. During the last year there was a net profit of Rs. 400 crores or so and this year it is Rs. 618 crores with an investment to the extent of Rs. 26,000 crores. So, this is a weakness and we have to do something to remove this weakness from our economy.

Some of my friends in the Opposition

might be thinking that only Central Government enterprises are incurring losses. No, even the performance of the State sector public sector enterprises is not that good. So far as the Electricity Boards are concerned, they are losing every year to the extent of Rs. 600 crores and they are managed by the State Governments. Even in irrigational projects, in roads and in water projects, we are losing heavily and that is a chronic disease. The Economic Survey indicates that it is a chronic loss, it is not a one-day loss. So my submission is that unless that weakness is removed, the economy cannot go ahead, we cannot go ahead. The entire crisis with which we are confronted today, is on account of that. Therefore, I would suggest that there should be some structural changes in the managerial set-up of the public sector enterprises. Besides that there should be effective workers' participation in the management and change in the wage structure on the basis of production. The attitude and approach of the trade unionism should also undergo changes. I am happy that the Chief Minister of West Bengal has initiated the fundamental principle of work ethic. With that, the whole concept of trade unionism changes. The unions must have a role, must have a responsibility in the performance of the industry to remove the weakness, to remove the wastage to remove the corruption. We should not depend on the bureaucratic way of doing the things. The workers should participate in the management, they should have a role to play. They should help and assist constructively in the production. Not only that, they should help in removing all the weaknesses that are there in the industry. And I am happy that Mr. Jyoti Basu has evolved that concept. I do not know now far that is going to be accepted by the leftist forces in this country but that is a very good gesture. Being Chief Minister for so many years, he has gathered the experience as to what should be the attitude of the trade-unions. I am told that some of the eminent people in the Left Front are also opposed to this concept but my submission is that it should be given effect to and implemented so that the total structure of our industrial production may change.

Now I would like to say something about the sick industries. This industry was

initially a sick industry. Government took it over, managed it properly and yielded profit. Now, the original owners say that they can take it back. What a fun it is ! The private sector in this connection should remember one thing that it does not flourish on its own initiative, it flourishes on the initiative of the State. The public financial institutions are advancing loans to the private sector. I am told that in 100 companies the public financial institutions have more than 25 per cent of the equity shares. Sickness is a growing disease. Every year some industries are becoming sick. I am told that more than Rs. 1,700 crores have been advanced by the public financial Institutions to those sick industries. How is it that the industry goes sick ? The industry goes sick because the management diverts the funds advanced to it for different purposes where more profit is available. My submission is what is the role of the public financial institutions, the role of the representatives of the public financial institutions ? What are the nominees of the public financial institutions on the Board of Directors doing ? How is it that the money is diverted ? These are the major issues we must tackle. Today we have seen in the Press that some changes are being brought about now regarding the role of the directors. The representatives of the public financial institutions should see that the money advanced, the loans advanced, the financial assistance given must be properly utilised for the benefit of the industry. That is not being done at present. So, my submission is why not take over these units where 25 per cent or more equity shares are held by the public financial institutions ? We are all committed through our Constitution, and the Congress Party as such has also committed itself to transform the society into a socialistic society. It is not a new thing. We have to go step by step because we have to carry public opinion with us, we have to carry the social objectives with us. It is not a matter of joke, it requires the cultural ethos all over the country for socialism. Socialism is not only a legal proposition, it is not only an economic or political concept, it is also a cultural concept and it requires a new way of life, a socialistic way of life. The community response is also necessary. So, my submission is that these should be taken over.

Now, so far as oil is concerned, we have certain production of oil. Our production has not picked up as desired. Not that we have not made any efforts, we have made substantial efforts, the Agricultural Ministry has taken substantial measures for improving the production of oil-seeds but all the same we are running short of oil and that is why edible oil is being imported. The private sector is conspiring against the whole policy. They want to import the oil on their own account, on private account and you must have heard the talk that there should be a parallel Food Corporation of India under the management of the private people. There is already one Food Corporation of India but they want to set up another parallel Food Corporation of India. They want to pay the agriculturists more money and purchase their produce and sell it when the prices go up. So, there is a conflict. The Government has certain policies which are opposed by the vested interests. And what is our policy? Our policy is that we must pay the remunerative price to the agriculturists, to the producers and supply the entire commodity to the consumers at fair price and that way we are spending to the extent of Rs. 2,000 crores every year, if I am correct, as subsidy. But whatever it may be my submission is that there has been a constant tension created by the vested interests not only in this field, but more particularly in other fields, where the Government is coming in to operate. So my submission is that this Bill should be unanimously accepted. All the same we must be very much concerned about the conspiracy being hatched by the vested interests. About Article 39 (b) and (c) I don't know what is the latest position, but they were protected by the Supreme Court in the Keswananda Bharati case. But subsequently it was found when the entire Chapter on Directive Principles was protected and removed from the judicial scrutiny, that the entire thing does not receive the protection. About that also the matter should be examined. However, this is a very good measure that is going to be adopted and on this I once again congratulate the Hon. Minister.

श्री जगपाल सिंह : सभापति जी, इस बिल का जिसमें गणेश फ्लोर मिल का अर्जन किया

जा रहा है, इसका समर्थन हमें करना ही पड़ेगा, क्योंकि सदन के सामने मजबूरी है। सरकार की गलत नीतियां होने के बावजूद हम लोग मजबूर हैं इस सदन में कि इस बिल का जो श्री भागवत भा आजाद लाए हैं, उसका समर्थन करें। लेकिन जिन तरीकों से इस सरकार ने अपना एक रूटीन बना लिया है कि अर्जन करना हो या ऐसा और कोई इंपोर्टेंट काम हो उसको आर्डिनेन्स के द्वारा करने के बाद इस सदन में लाएं। जबकि पिछला सत्र इस सदन का चला और यहां पर चर्चा भी थी कि इस तरीके का बिल सरकार की तरफ से आएगा। लेकिन श्री भागवत भा आजाद साहब कह रहे हैं कि बिल तैयार करते करते सदन का समय समाप्त हो गया। यह कोई तरीका नहीं है। गत सत्र में इस बिल को आना चाहिए था। आर्डिनेन्स के द्वारा ये जो कार्य करने की पद्धति है यह जनतंत्र को खत्म करने की योजना आप और आपकी नेता श्रीमती इन्दिरा गाँधी बना रही हैं। मैं इस नीति का विरोध करता हूँ और आशा करता हूँ कि भविष्य में इस तरीके का काम जब हो तो सदन को विश्वास में लेकर इस तरीके का काम करने की आदत डालें। वरना इस तरीके के जनतंत्र का ह्रास यह गवर्नमेंट कर रही है। मैं इसका विरोध करता हूँ। बिल का समर्थन करने के साथ साथ इस तरीके का विरोध करता हूँ जिसके जरिए यह सरकार काम कर रही है।

अर्जन के जो उद्देश्य बताए गए हैं मुझे शंका है कि वे पूरे होंगे, बल्कि होंगे ही नहीं।

श्री भागवत भा आजाद : ऐसा मत कहिए।

श्री जगपाल सिंह : क्योंकि 14 साल से इन कारखानों को देख रहे हैं। जो चीजें इस मुल्क में उपलब्ध हैं वे वितरण व्यवस्था अस्तव्यस्त होने के कारण जन साधारण तक नहीं पहुंच पा रही हैं। आज फाइनेन्शियल इंस्टीट्यूशंस का करोड़ों रुपया कारखाने के मालिक इस्तेमाल कर रहे हैं और जब कारखाना बीमार और बूढ़ा हो जाता है तो उस कारखाने को बन्द करने की

योजना बनाते हैं यहां के पूंजीपति । आप इस तरीके का कानून लाइए कि कारखाना यदि पुराना होगा तो उसके अर्जन के वक्त कोई भी फाइनेन्सियल इंस्टीट्यूशंस से कोई रुपया पूंजीपतियों को नहीं दिया जाएगा । पूरा मुनाफा उठाने के बाद, कारखाने की मशीनरी बेचने के बाद, मजदूरों के फण्ड्स और वेजेज खत्म करने के बाद सरकार करोड़ों रुपया उनको दे करके बीमार कारखाने का अर्जन करती है । मैं कहना चाहता हूं कि ऐसा कानून लाइए । वरना आप इस तरह से हिन्दुस्तान के पूंजीपतियों में एक आदत डाल रहे हैं जिससे वे पब्लिक मनी को डायवर्ट करते हैं दूसरे इंस्टीट्यूशंस में, होटल्स में और दूसरे प्राफिटेबल इंडस्ट्रीज में और आप उनको फरदर लोन देते हैं । आप ऐसे कैपिटलिस्ट की ब्लैक लिस्ट बनाइए ।

भविष्य में जिस पूंजीपति का कारखाना बीमार हो जाए और उसको बैंक से पैसा मिला हो, तो ऐसे पूंजीपति को आप ब्लैक लिस्ट कीजिए । जब सरकार कहेगी कि ऐसे पूंजीपतियों को बैंकों और पब्लिक फाइनेन्सियल इंस्टीट्यूशंस से पैसा नहीं मिलेगा, तब उनकी अक्ल दुरुस्त हो जायेगी । उनके खिलाफ सख्त कानून बनाया जाए, जो ऐसा काम करते हैं । किसान या मजदूर अगर सौ, दो-सौ रुपया नहीं देता तो उसको हथकड़ी लगाकर हवालालत में बंद कर देते हैं । परन्तु ऐसे कैपिटलिस्ट को गिरफ्तार करने के लिए कोई कानून नहीं बनाया जाता । मैं इसलिए आपसे मांग करना चाहता हूं कि भविष्य में किसान या मजदूर बंद नहीं होगा बल्कि इस देश का पूंजीपति जो यहां के लोगों की खून-पसीने की कमाई से अपना घर भर रहा है, उसके खिलाफ एक्शन लेने के लिए कानून बनाया जायेगा । आप इस सदन को विश्वास दिलाइए कि भविष्य में किसान या मजदूर को पैसा देकर उद्योग का अर्जन नहीं करेंगे । आपने नीचे के खण्डों में दस-बीस हजार रुपए का प्रावधान किया है । उसका मैं विरोध

करता हूं । मैं उम्मीद करता हूं कि भविष्य में आप एक ऐसा बिल लायेंगे जिसका समर्थन करने के लिए हमको मजबूर न होना पड़े या फण्ड-मेंटल पालिसी के आधार पर मजबूरी में समर्थन करना पड़े । अगला चुनाव आने वाला है । हम हारने के लिए तैयार हैं । लेकिन, इस देश के लोगों को यह विश्वास दिलाइये कि उनके लिए तेल और घी का वितरण ठीक प्रकार से किया जायेगा । वगैर तेल और घी के यहां के करोड़ों लोग अपना जीवन चला रहे हैं । जिस प्रकार जनता सरकार ने देहातों के अन्दर डिस्ट्रीब्यूशन की व्यवस्था की थी, उसी प्रकार आप भी कीजिए । आपके तीन-चार साल के राज में घी का दाम आठ रुपए से बढ़कर 16-17 रुपए किलो हो गया है । आपने सौ प्रतिशत की बढ़ोत्तरी करवा दी है । दूसरी तरफ आप बिल का समर्थन करवाना चाहते हैं । आप इस सदन को आश्वासन दीजिये कि गणेश फ्लोर मिल्स के अधिग्रहण के बाद इस देश के लोगों को घी और तेल सस्ते दामों पर मुहैया करायेंगे । आजाद साहब की नीयत पर मुझे विश्वास है क्योंकि जो कुछ वह कह रहे हैं उसको पूरा करने की कोशिश करेंगे ।

14.32 hrs

[SHRI N.K. SHEJWALKAR  
*in the Chair*]

MR. CHAIRMAN : Before I call the other hon. Members, I would like to say that the time fixed for this item was one hour. It has already been finished. What further time the hon. Members would like to have? I am in the hands of the House. You may ask for a further time of half-an-hour or 40 minutes because the other business has also to be taken up.

PROF. SAIFUDDIN SOZ (Baramulla) :  
 20 minutes.

SHRI SATYANARAYAN JATIYA  
 (Ujjain) : Half-an-hour

SHRI XAVIER ARAKAL (Ernakulam) :  
 The time may be extended by half-an-hour.

AN HON. MEMBER : More than that. THE MINISTER OF STATE IN THE MINISTRY INDUSTRY OF (SHRI PATTABHI RAMA RAO) : There are two other important Bills to be taken up today.

MR. CHAIRMAN : Yes, there are other items also to be taken up. Let us have a compromise and extend the time by 45 minutes. I would request the hon. Members not to repeat what has been already said so that we can finish it in time.

SHRI XAVIER ARAKAL : I will take five minutes, Sir.

(Interruptions)

MR. CHAIRMAN : Yes, Mr. Arakal may start.

SHRI XAVIER ARAKAL : I am happy that this Bill has been brought in this House and is going to be passed by this House.

Nobody has so far objected. I was very keenly listening to the speech of Shri Jai Pal Singh. I touch upon the basic principle given in Clause 7 'to pay in cash Rs. 1 crore'. In this House I have been repeatedly demanding not to pay in cash for the take over of any of the establishment. I am happy I am getting support from other places. I hope the hon. Minister will consider my suggestion. But as far as this Bill is concerned, it is in the Bill. That is a matter to be considered by the House.

My question relates to two aspects—supply of edible oils and essential items. Millions of people depend on the use of this edible oil. There is scarcity. There is a gap in demand and supply. We are importing a large quantity of edible oil from abroad because we have not yet planned to have proper development in this area especially for the edible oil. While participating in the debate on oilseeds Bill I had given certain facts and figures relating to this aspect. The basic issue to-day all over the country is adulteration in edible oils. What to do about it? Since there is shortage in the supply of edible oil, naturally people indulge in adulteration. Something has to be done in this matter very seriously. I am happy to know that Government is coming forward in taking over the manufacture, distribution of this essential item. But that

is only a step forward. The basic issues are—(1) short supply Prepared to the demand (2) corollary to this problem—adulteration of the edible oil.

Unless Government comes forward to meet these two, I am afraid we will be behind in our plains. In order to tackle this problem, Government has to take note of it seriously.

I have one suggestion to make. Unless we have better scientific cultivation of oilseeds, I am afraid we may not be reaching the target. I understand from the Ministry that last year alone we had imports of Rs. 504.66 crores oil from abroad. Unless we give proper incentives to our farmers, State Farming and other agencies—such as Palm Oil Corporation of Kerala, the Corporation which did a good job in this area, is lacking in many things—we cannot have the requisite results. They do not have finance. They do not have infra-structure. They are not getting enough help from the State Government or the Central Government. Unless the Central Government comes in a big way, diverting certain amount of money..... (Interruptions)

SHRI HARIKESH BAHADUR (Gorakhpur) : He should not take more than five minutes as the time is short.

SHRI XAVIER ARAKAL : I finish by saying that the hon. Minister will take note of the two basic things—adulteration in edible oil and import on which we are spending huge foreign exchange and to have proper planning to give sufficient help, incentives to our farmers especially the Palm Oil Corporation, mention of which I made just now. Unless we tackle this problem, we will be facing difficulties. With these words, I support this Bill.

प्रो० अजित कुमार मेहता (समस्तीपुर) : सभापति महोदय, उद्योग के राष्ट्रीयकरण का साधारणतया स्वागत ही किया जाना चाहिये और इस विधेयक का भी मैं स्वागत करता हूँ। मेरा विरोध इस बात का है कि आखिर आप संसद की महत्ता को कम क्यों करना चाहते हैं? संसद का सत्तावसान क्या इसलिये होता है कि उसके बीच सारे आर्डिनेन्स लाये जायें? अगर

संसद की महत्ता कम हो गई तो न आप रह पायेंगे और न हम रहेंगे, इसे जरूर ध्यान रखें।

मन्त्री जी, मुझे ऐसा लगता है कि राष्ट्रीयकरण आप जनहित की नीतियों से अनुप्रेरित होकर नहीं करते हैं बल्कि तब करते हैं जब आपकी मजबूरी बन जाती है। पहले उद्योग बीमार होता है, उसके बाद जब मजदूर बेकार हो जाते हैं, उत्पादन बन्द हो जाता है तब आपकी राष्ट्रीयकरण करने की मजबूरी हो जाती है।

राष्ट्रीयकरण आप उन्हीं उद्योगों का करते हैं जो बीमार हो जाते हैं और उनमें भी सब बीमार उद्योगों का नहीं करते लेकिन अगर कुछ का भी करते हैं तो बीमार हो जाने के बाद ही करते हैं। मेरा कहना यह है कि आप राष्ट्रीयकरण की एक ठोस नीति क्यों नहीं बना लेते ताकि जनहित की दृष्टि से जिन उद्योगों का राष्ट्रीयकरण जरूरी हो, उनका राष्ट्रीयकरण किया जाये। इसमें सारा देश आपके साथ है, आप मजबूरी में कोई काम मत कीजिये।

उत्तम प्रबन्ध में किसी उद्योग में नियोजक और नियोजित दो भाग होते हैं। आदर्श स्थिति में दोनों का उद्देश्य अधिकतम उत्पादन है तथा उससे प्राप्त लाभ का डेविडेंट वेतन और मजदूरी का उचित वितरण है। आपने यहां मजदूरों के हित का ध्यान रखा है? मानवीय दृष्टिकोण से आदर्श सम्बन्ध तब होता है जब मजदूर प्रबन्धन में भाग लेते हैं, नीति निर्धारण में उनका हिस्सा होता है। तभी वह अपनी पूरी शक्ति और ईमानदारी के साथ उत्पादन में लगते हैं। परन्तु जब यह होने लगता है कि उनके ऊपर कोई चीज थोपी जा रही है, उन्हें कोई आशा दी जा रही है, तब वह स्थिति नहीं होती। तब मजदूरों को लगता है कि वह मजबूर हैं, एम्पलाई हैं, आज्ञा मानना उनकी बाध्यता है और इसीलिए वह पूरे परिश्रम से उसमें नहीं लगते।

आपने मजदूरों के प्रबन्धन में हिस्सेदारी की कौन सी बात की है? इसका आपको ध्यान रखना चाहिये। मैंने एस्टीमेट्स कमेटी और कमेटी आन पब्लिक अंडरटेकिंग्स के विजिट्स में बहुत से उद्योगों में देखा है कि मजदूरों को प्रबन्धन में हिस्सा दिया गया है, निदेशक मण्डल में उनका स्थान निश्चित कर दिया गया है, परन्तु वह स्थान बहुधा खाली रखा जाता है और कोई न कोई बहाना बना दिया जाता है। इससे ऐसा लगता है कि जो प्रबन्ध में बैठते हैं, उनको यह विश्वास नहीं होता है कि मजदूरों की योग्यता से प्रबन्धन में कुछ लाभ हो सकेगा। इस मनःस्थिति में परिवर्तन करने की आवश्यकता है और जहां भी मजदूरों की हिस्सेदारी प्रबन्धन में हो उस स्थान को तुरन्त भरने की कोशिश करनी चाहिये तभी आप मजदूरों का दिल जीत सकेंगे और उत्पादन में उनका उचित सहयोग ले सकेंगे।

ऐसा लगता है कि राष्ट्रीयकरण से देश में एक नया वर्ग पैदा हो गया है, जो आज पांच सितारा होटल की संस्कृति को बढ़ावा दे रहा है। हमें बताएं कि क्या कोई भी ऐसा सरकारी उपक्रम है, जिसके प्रबन्धन के लोग पांच-सितारा होटल में नहीं ठहरते या अनाप-शनाप खर्च नहीं करते। पब्लिक अंडरटेकिंग्स का उद्देश्य यही था कि उद्योगों के सामने एक आदर्श उपस्थित किया जाए। उसके बाद हम देख रहे हैं कि सरकारी उपक्रम केवल पूंजीपतियों के उपक्रमों की नकल भर कर रहे हैं। सरकारी उपक्रमों के एक्सीक्यूटिव वही काम करते हैं, वही तरीके अपनाते हैं, जो निजी क्षेत्र के उद्योगपतियों या पूंजीपतियों के एक्सीक्यूटिव अपनाते हैं। निजी पूंजीपतियों के एक्सीक्यूटिव्स की तरह वे भी अटकी हुई फाइलों को आगे बढ़ाने के लिए रिश्तत देते हैं और बड़े-बड़े होटलों में ठहरते हैं। तो आखिर इन दोनों में फर्क क्या रहा? मेरा सुभाव है कि सरकारी उपक्रमों को एक आदर्श उपस्थित करना चाहिए।

एक माननीय सदस्य : गांधी जी की तरह।

प्रॉ० अजित कुमार मेहता : क्या यह आवश्यक है कि वे पांच-सितारा होटलों में ठहर कर दो हजार रुपए प्रति-दिन खर्च करें ?

इन सुझावों के साथ मैं इस विधेयक का समर्थन करता हूँ और सरकार को आगाह करता हूँ कि भविष्य में वह ससद की मर्यादा को कायम रखें, उद्योगों के प्रबन्धन में मजदूरों की हिस्सेदारी का खयाल रखे और इस आशय का प्रावधान होने पर उन स्थानों को शीघ्रतापूर्वक भरने का प्रयास करे।

श्री सत्यनारायण जटिया (उज्जैन) : सभापति महोदय, जिस प्रकार से यह अंडरटेकिंग और टेक-ओवर करने का काम कि याजा रहा है, उससे ऐसा लगता है कि योजनापूर्वक इस दिशा में काम किया जा रहा है कि उद्योग को घाटे में चलाओ, मजदूरों के प्राविडेंट फंड का पैसा लाओ, जनता को गुमराह करो, सरकार से मिली भगत करके पैसा हड़प करो। इस पृष्ठभूमि में सरकार की नीति संशय पैदा करती है।

मिलों के अधिग्रहण के सम्बन्ध में हमारा अनुमान ठीक नहीं है। इन्दौर का होप टैक्स-टाइल मिल वित्तीय संस्थाओं से कर्ज लेकर और मजदूरों के साथ बे-इन्साफी करने के बाद बन्द कर दिया गया। उज्जैन के विनोद और विमल मिलों की यही हालत हुई। मध्य प्रदेश सरकार ने एक उद्योगपति से मिल ले करके एक दूसरे उद्योगपति को दिया। उसे पैसा दिया उसने सारा पैसा मुनाफे का निकाल लिया। बिजली का बिल चुकता नहीं किया पानी का बिल चुकता नहीं किया। सारी बातों की छूट उनको मिलती रही। फिर वह मिल बन्द होने की स्थिति में है। यह सारा का सारा काम जो चल रहा है। यह जनता की गाड़ी कमाई के पैसे से चल रहा है यह पैसा गांवों तक पहुंचना चाहिए, उनके विकास के लिए खर्च होना चाहिए। आम जनता के हित के लिए खर्च होना चाहिये। लेकिन उसके लिये मिलता नहीं है। ये जो मगरमच्छ बड़े-बड़े पूंजीपति लोग बैठे हुये हैं और उनको सपोर्ट करने वाले लोग

बैठे हुये हैं, उनकी वजह से कोई बात बनेगी नहीं। नीति ठीक हो, किन्तु नीयत साफ नहीं हो तो उससे बात बनती नहीं है। सरकार की नीति राष्ट्रीयकरण की हो, मैं इस समय राष्ट्रीयकरण को ज्यादा से ज्यादा यह कह सकता हूँ कि यह सरकारीकरण हो रहा है। राष्ट्रीयकरण को बदनाम किया जा रहा है। राष्ट्रीयकरण के नाम पर सरकारीकरण की नीति चल रही है और फिर उसी भरोसे पर यह हो रहा है। आखिर फिर कौन चलाता है उस उद्योग को? सरकार ने उसको ले लिया, चलाएंगे वही लोग। फिर वही घाटा, फिर सैर सपाटा, मुनाफा आपस में बांटा और जनता को काटा। इस तरह से बात बनने वाली नहीं है। यह खाने का तेल बहुत महत्वपूर्ण है।

विदेशों से सरकार यह तेल मंगाती है। आंकड़ों को देखें तो 1980-81 में जो तेल मंगाया वह 10 लाख 74 हजार टन है, 81-82 में 9.95 लाख टन और 82-83 में साढ़े 11 लाख टन तेल विदेशों से मंगाया है जिसकी कीमत 516 करोड़, 450.96 करोड़ और 504.46 करोड़ की है। हमारा देश यह कृषि-प्रधान देश है, फिर भी विदेशों से हम तेल का आयात करें, खाद्यान्न का आयात करें यह कोई उचित बात प्रतीत नहीं होती। क्या मुश्किल है इस देश के लिए? और यह तेल जब आप मंगाते हैं तो वह रिफाइनरीज को दिया जाता है वहां से उसको ब्लैक मार्केट में बेच दिया जाता है। इन्दौर का मुझे मालूम है उस बेसहारा आदमी को जो कि मुख्य मन्त्री का मित्र था वह जो तेल रिफाइन करने के लिए मध्य प्रदेश को आप कोटा भेजते थे, दे दिया और कलेक्टरों को निर्देश दे दिया गया कि इस तेल को महीने भर तक उठाएं नहीं, फिर उस को खुले बाजार में बेचने की छूट दे दी गई। तेल के भाव बाजार में 18 रुपये बिका और वह तेल लेता था लगभग 8 रुपये में। इस तरह से डबल मुनाफा कमाने का सारा धन्धा जो चलता था वह बाद में प्रकाश में आया।

मेरा यह कहना है कि यह सारा तेल जो आप मंगाते हैं यह गांवों तक पहुंचने के लिए मंगाते



हैं। खाद्य विभाग और सप्लाई विभाग आप देखते हैं। आप देखें कि यह सारा तेल और खाद्यान्न तथा आम उपभोक्ता की वस्तुएं आप भेजते हैं और गांवों तक पहुंचने के लिए लेकिन वह गांवों में आम आदमी तक पहुंचती नहीं हैं। गांवों की आज हालत यह है कि न खाने का तेल है, न मिट्टी का तेल है और सिर में लगाने की बात तो मैं करता नहीं... (व्यवधान)... इसी तरह कोकोनट आयल की बात है।... (व्यवधान) ..इसलिए मेरा यह कहना है कि आप गांवों की तरफ ध्यान दीजिए, यह जो तेल आप मंगाते हैं, 80 प्रतिशत लोग गांवों में रहते हैं, उनके पास यह पहुंचना चाहिए। मगर यह जो सारा तेल का खेल है यह बड़ा मुश्किल मामला है। यह सारे लोगों को बनाने का खेल जो आप चला रहे हैं सरकार द्वारा यह ठीक नहीं है। जनता और उपभोक्ता के हितों की बात को सोचना, उनको सही चीज सही समय पर मिले इसका ध्यान रखना, यह सरकार का काम होना चाहिए। मगर जिस तरह से यह सारी चीज चल रही है वह ठीक नहीं है।

जिस प्रकार से यह विधेयक लाए वह तो ठीक है ही नहीं। वह प्रजातांत्रिक तरीका तो है ही नहीं, यह चुपके से पिछले दरवाजे से लाना और सारी प्रजातंत्र और संसद की व्यवस्था जो है उसकी उपेक्षा करते हुए लाना, यह किसी तरह भी ठीक नहीं है।

आपने जो सारी चीजों का अर्जन किया है और अर्जन करते चले आ रहे हैं इससे कोई उपकार होने वाला नहीं है। इससे कुछ उत्पादन बढ़े, लोगों की सुविधा बढ़े, देश की प्रगति और विकास हो सके, जनता को अधिक सुविधाएं दे सकें इस बात का आपको निश्चय होना चाहिए। तभी जाकर लोगों को इससे सुविधा दे पायेंगे। अन्यथा कोई बात ठीक होगी नहीं।

पहले तो मुझे यह कहना है कि उद्योग को

बीमार मत होने दीजिए। उद्योग जब बीमार हो तो बीमार उद्योग को ही सरकार क्यों ले? अच्छे अच्छे उद्योग भी सरकार चलाये। बड़ी बड़ी कम्पनियां हैं मल्टी नेशनल्स हैं यहां, वनस्पति का इतना उत्पादन होता है, अनेक प्रकार के उत्पादन हो रहे हैं और अनेक इस तरह के उद्योग हैं उनको सरकार क्यों नहीं चलाती? मुनाफे का जो काम है वह कमाने के लिए तो दूसरे लोग और घाटे के लिए केवल सरकार, यह ठीक बात नहीं है। इसलिये मुनाफे के जो उद्योग हैं उनको भी सरकार चलाए, उनकी व्यवस्था तो ठीक करे, मैनेजमेंट को सुधारे, एक्सपर्ट्स की ओपिनियन ले। घाटे की स्थिति को मुनाफे में लाए यह केवल सरकार का ठेका नहीं है।

केवल यही सरकार की जिम्मेदारी नहीं है कि वह घाटे की मिलों को लेकर चलाए। सरकार मुनाफे के उद्योगों को भी लेकर अच्छा मुनाफा कमाए और उनमें जो कर्मचारी काम करते हैं उनके हितों का संरक्षण करे। मन्त्री महोदय का सम्बन्ध श्रम विभाग से भी काफी निकटतम रहा है और वे जानते हैं कि वहां पर कार्य करने वाले मजदूरों की क्या दशा है। श्रमिकों के वेतनों में समानता की ओर भी उनको ध्यान देना चाहिए। एक जगह पर कार्य करने वाले श्रमिकों को तुलनात्मक दृष्टि से अधिक पारिश्रमिक मिलता है जबकि दूसरी जगह पर कार्य कर रहे श्रमिकों को भय लगा रहता है कि पता नहीं कब मिल बन्द हो जाए। इन सारी बातों की ओर सरकार को ध्यान देना चाहिए। केवल मिलों के प्रबन्धन लेने से ही काम नहीं बनेगा बल्कि वहां पर लाभ कैसे हो, मजदूरों का हित कैसे हो—इन बातों की ओर विशेष ध्यान दिया जाए तभी आपका जो मतव्य है उसकी पूर्ति हो सकेगी।

\*SHRI N. SELVARAJU (Tiruchirappalli) : Mr. Chairman, Sir, on behalf

of D.M.K. I wish to extend my support to this legislative effort seeking to take over the institutions belonging to Ganesh Flour Mills. Sir, I have no hesitation in saying that the hon. Food Minister, Shri Bhagwat Zha Azad, is an epitome of efficiency and this Bill is an example of his commitment to the common weal.

Sir, the owners of these institutions have sucked to marrow and left them like the sugarcane waste. I take this opportunity to demand that no compensation should be paid to them. The loans to be paid by them to the public sector financial institutions should be recovered from them. Similarly, the tax dues also should be collected under the law of the land, without a iota of mercy. I appeal to the hon. Food Minister to make this as deterrent as possible so that others are not tempted to follow suit the owners of Ganesh Flour Mills.

The hon. Food Minister is ceaselessly striving to secure the welfare of the common people. I take this opportunity to apprise him of the appalling condition of thousands of small rice mills in the rural and semi-urban areas of Tamil Nadu who are being harassed under the Centre's modernisation scheme. All of them are living from hand to mouth, converting 10 Kgs to 15 Kgs of paddy a day. Their daily necessities were meagre and they were contented even with this insignificant income. But now they are being thrown to the wolves of uncertainty. Besides the rural employment programmes of the Government, these rice mills have been generating self-employment in the rural areas. They have not taken any loans from the Banks or other financial institutions like the giant flour mills in the country. They set up these small rice mills with their own resources. The State Government officials who are waiting to pounce upon such opportunities are trying to milch these people to ones. You know, Sir, that nearly 3 lakhs of fertile field have been inundated by the unseasonal torrential rains in December and February this year. The people are already suffering. This is the time that the hon. Food Minister should order the exemption of these small rice mills from the implementation of this modernisation scheme. If they are closed for want of funds to modernise, then the inevitable

consequence is more unemployment and the non-availability of rice for the rural people. The concept of reducing to minimum the loss of nutrition in the conversion may be extended to big rice mills. Here such loss is minimum. If that kind of exemption is not feasible, then the hon. Food Minister should ensure enough funds from the public sector funds for the modernisation of rice mills in the rural areas of Tamil Nadu. Presently no Bank is prepared to give loans to them for such modernisation. I appeal to the hon. Food Minister to be considerate to these small rice mills and exempt them from modernisation scheme.

Sir, I have seen in the Election Manifesto of the ruling Congress Party that a chain of rice mills on modern lines would be set up throughout the country by the Congress Governments if it is returned to power. That pledge has remained on paper only. I demand that the Centre and the State Governments should be in the forefront in setting up such modern rice mills in the country.

15 hrs.

When the people of Tamil Nadu are taking up to wheat eating, the Centre has stopped the issuance of licences to set up flour mills. In Tamil Nadu there is the least number of flour mills as compared to other parts in the country. I suggest that this policy should be revoked at least so far as Tamil Nadu is concerned and licences should be issued to set up flour mills.

The hon. Members who preceded me referred to the non-availability of edible oils in the fair price shops. As compared to the consumption of edible oils in advanced countries, India has the lowest per capita consumption of edible oils. There has been persistent demand throughout the country that the edible oils should be distributed through fair price shops. But the reality is different from what is being stated on the floor of this House and elsewhere. In Tamil Nadu you will find plethora of functions organised to emphasise the need for opening more fair price shops. But in fact fair price shops are not opened. I know this from my personal experience in my own village having 2700 voters and a population of 5000.

There is no fair price shop there in Perambalur. They have to walk a distance of 3 miles to get their essential commodities from the fair price shop located there. The Chief Minister is engaged more in fixing the marriage alliance of a cinema actor and a cinema actress than in thinking about the needs of the rural people. He spends his time in planning which cinema actor should get married to which cinema actress and when and where such a marriage should be solemnised. He is not interested in opening more fair price shops in places where there is no fair price shop.

I request the hon. Minister of food to issue directives to the State Government to open more fair price shops in remote areas and ensure that essential commodities are made available to the common people. With these words I support this Bill and resume my seat.

श्री मूलचन्द्र डागा (पाली) : सभापति जी, मैं यह कहना चाहता हूँ कि जब कभी आप किसी कंपनी को अपने अधिकार में लेते हैं, तो संसद के सदस्यों को यह जानने का पूरा अधिकार है कि उस कंपनी के पास कितनी इन्वूवेन्सिबिलिटी प्रापर्टी और कितनी मूवेबिलिटी प्रापर्टी है और उसकी पोजीशन क्या है? आपने जब उस कंपनी को लिया उस वक्त उसकी हालत क्या थी? आपने जो आंकड़े दिए हैं, उससे पूरी बात स्पष्ट नहीं होती है। मैं आपसे डिटेल्स में यह जानना चाहता हूँ कि किसी कंपनी को लेते समय या किसी उद्योग को आप जब अपने कब्जे में लेते हैं, तो यह मालूम होना चाहिए कि उसकी एम्प्लॉयमेंट की कितनी पोटेंशियलिटी है? उसमें कितनी बेवर्स है? यह अभी तक मालूम नहीं हो पाया कि इस कंपनी में कितनी लेबर काम करती है। और उन मजदूरों को इस कंपनी के मिस मैनेजमेंट के कारण काम से वंचित होना पड़ा। मजदूरों का कितना पैसा बकाया है? कितना ई० एस० आई० और प्राविडेन्ट फण्ड का पैसा वहाँ मौजूद था? आप को स्पष्ट रूप से बतलाना चाहिए था कि इस कंपनी में इतने मजदूरों को काम मिलता था, तो मिसमैनेजमेंट

के कारण बेकार हो गये। आप को यह भी बतलाना चाहिए था कि इस कंपनी की सम्पत्ति का विवरण क्या है, कितनी चल और कितनी अचल सम्पत्ति है, मार्केट रेट से उस वक्त क्या वैल्यू थी जब एन्कवायरी कमेटी बैठी थी और उस कमेटी ने क्या रिपोर्ट दी थी। आप ने इस कंपनी के सम्बन्ध में कोई फैक्ट्स सदन के सामने नहीं रखे हैं। ये फैक्ट्स हमें मालूम होने चाहिए। आप ने सिर्फ इतना कहा है—

“A three member Enquiry Committee of the representatives of the Ministry of Agriculture, Ministry of Finance and the Industrial Reconstruction Corporation of India had earlier conducted an enquiry in July-August, 1972 and come to the conclusion that the economic viability of the Company as a whole would largely depend upon the economic viability of the vanaspati units at Delhi and Kanpur.”

आप ने कोई बात स्पष्ट शब्दों में हमारे सामने नहीं रखी है, एन्कवायरी कमेटी ने जो जांच की थी, उस के फैक्ट्स हमारे सामने आने चाहिए। आप जिस चीज को लेना चाहते हैं, जिस में अपना करोड़ों रुपया लगाना चाहते हैं, हमें यह मालूम होना चाहिये कि उस में कितना मुनाफा होगा। आप इस बात को मान चुके हैं कि हमारी पब्लिक अण्डरटेकिंग घाटे में जा रही है और जो मुनाफा हमें उन से मिलना चाहिए, वह नहीं मिल रहा है। जिस क्षमता और योग्यता के साथ इन कंपनियों को काम करना चाहिये, वह नहीं कर पा रही हैं। मैं इस बात को मानता हूँ कि मजदूरों के हित को दृष्टि में रख कर हमें ऐसी कंपनियों को जरूर लेना चाहिए, अपनी दौलत लगाने के बाद अगर हम को 11 परसेन्ट रिटर्न मिलने के बजाय 2 परसेन्ट ही मिलता है, तो भी हमें उन को लेना चाहिए। लेकिन इस में जो रीजन्स आपने दिये हैं उन से यह मालूम नहीं होता है कि उस कंपनी की माली-हालत कैसी थी। मैं चाहता हूँ कि जब कभी सरकार इस तरह के कामों को अपने हाथ में लेती है तो उस को पूरा विवरण देना चाहिये।

इस विवरण मे कुछ भी मालूम नहीं हो रहा है कि इस कम्पनी की हालत कब तक ऐसी रहेगी, आज इस कम्पनी को कितना मुनाफा हो रहा है...

सभापति महोदय : 223 लैक्स

श्री मूलचन्द्र डागा : हम जानना चाहते हैं कि इस कम्पनी से हमें कितने रिटर्न मिलने चाहिये ? आप की एक्सपर्ट कमेटी ने क्या सुझाव दिये हैं । आपने अपने रीजन्ज को मजबूत करने के लिये कुछ भी नहीं कहा है । इस तरह जो कम्पनी ली जाय उस के कुछ उद्देश्य, कुछ लक्ष्य जरूर होने चाहिये और साथ-साथ उन का पूरा विवरण देना चाहिये । सदन को कान्फिडेंस में लेना चाहिए और सब बातें डिटेल् में बतलानी चाहिए । आप जो कदम उठा रहे हैं, वे सराहनीय हैं, सरकार के हित में हैं, देश के हित में हैं, मजदूरों के हित में हैं । लेकिन वास्तव में कम्पनी का राष्ट्रीयकरण नहीं, बल्कि सरकारीकरण हो रहा है । इन का बोर्ड सरकारी कर्मचारियों के हाथ में चला जाता है जिससे समस्या का समाधान नहीं होता है । इस लिये मैं मन्त्री महोदय से प्रार्थना करूंगा कि जब वे जवाब दें, तो इस कम्पनी के बारे में पूरा विवरण सदन के सामने रखेंगे ।

श्री कमला मिश्र मधुकर (मोतीहारी) : सभापति जी, हिन्दुस्तान में सारी वामपंथी और जनवादी विचारधारा वाले लोगों की यह लगातार मांग रही है कि तनाव आवश्यक वस्तुओं पर, जन वितरण होने वाली वस्तुओं पर उत्पादन से वितरण तक सरकार का नियंत्रण होना चाहिए और प्रभावकारी ढंग से नियंत्रण होना चाहिए । इस बात को सरकार नहीं मानती है । ऐसे उद्योगों में चीनी उद्योग है, दवा उद्योग है, वनस्पति उद्योग है और दूसरे सारे उद्योग हैं ।

आप एलान करते हैं कि हम जन वितरण प्रणाली के सिस्टम को लागू करना चाहते हैं,

लेकिन मैं यह कहना चाहता हूँ कि पीसमील ढंग से, खुदरा भाव में जो मिलों का अधिग्रहण कर रहे हैं, इस से काम चलने वाला नहीं है । आज आवश्यकता इस बात की है कि तमाम आवश्यक वस्तुओं के उत्पादन में जो मिलें लगी हुई हैं, उन का राष्ट्रीयकरण किया जाए । ऐसी कौन सी बात है जो आप यह नहीं कर पा रहे हैं । क्या आप को विरला और टाटा का भय है या जो बड़े बड़े पूंजीपति हैं, उन का भय है क्योंकि पहले तो आप बहुत गर्म बोलने वाले थे और मैं समझता हूँ कि आप की भावना उस समय वामपंथी जैसी भावना थी लेकिन सरकार में जाते ही, आप उन सारी बातों को भूल गये हैं और इसीलिए आप ने मिल को 1 करोड़ 57 लाख 30 हजार रुपये का मुआवजा देने की बात कही है । मालिक ने सारे प्रावधानों को भुला कर गलत काम किया है और बैंकों से ली गई पूंजी का दुरुपयोग किया है और मिल का मिसमैनेजमेंट किया है, उस को सजा देने की बजाए, आप उस को मुआविजा देते हैं । उन्होंने कानून को नहीं अपनाया, तो अपराध करने वाले को सजा देने की बजाए, आप मुआवजा दे रहे हैं । यह कौन सा तक है ? आप केवल मुआवजा ही नहीं दे रहे हैं बल्कि सूद भी दे रहे हैं और प्रति वर्ष 10 हजार रुपये और भी दे रहे हैं इस का औचित्य क्या है । इस बात का नतीजा यह होता है कि सरकार जो मिलों का नेशनलाइजेशन करती है, वह उन मिलों का करती है जो कि उन के फेवरीट पूंजीपतियों के होते हैं । उन को कवर करने के लिए उन के मिलों का राष्ट्रीयकरण कर लिया जाता है । इसलिए मेरा कहना यह है कि राष्ट्रीयकरण के बारे में जो आप की नीति है, वह सही नहीं है । ऐसी मिलों को ले लिया जाता है, जिन का अधिग्रहण नहीं होना चाहिए । उन को नहीं लिया जाता है ।

आप के माध्यम से मैं यह बताना चाहता हूँ कि हमारे इलाके में मोतीपुर में जो एक शूगर मिल है, उस चीनी मिल का टेकओवर हो

गया और किसानों का उस पर 2 करोड़ 56 लाख रुपया बकाया है, मजदूरों का वेतन बकाया है और प्रोवीडेंट फंड का पैसा बकाया है।

15.12 hrs.

[SHRI MOOL CHAND DAGA in the Chair]

दूसरी तरफ आप यह देखिए कि रमा कास्ट इन्जीनियरिंग मिल है, जो बिरला के खानदान वालों का मिल है। हमारे सारे प्रयत्न करने के बाद भी उसको आप टेकओवर नहीं कर रहे हैं। टेक-ओवर करने के लिए कहा गया है लेकिन वह अभी तक टेक-ओवर नहीं हुआ है। मैं जानता हूँ कि आप की नीयत साफ है और आप ने जो इस मिल का अधिग्रहण किया है, यह एक सराहनीय कदम है लेकिन जब सरकार की मिक्स्ड एकोनामी की पालिसी है, तो फिर बिरला और टाटा की डर की बजह से क्या वह उन के मिलों को टेकओवर नहीं कर रही है। आप तेल उद्योग को कर्मांडिंग हाइट्स पर ले जाना चाहते हैं लेकिन सब मिलों का राष्ट्रीयकरण नहीं करते। इस बिल से किस हद तक आप कर्मांडिंग हाईट तक पब्लिक सेक्टर को ले जा सकेंगे। आज हालत यह है कि डालडा में मिलावट के लिए कुछ दलों ने भूख-हड़ताल की लेकिन हमारी पार्टी गाय की चरबी या सुअर की चरबी के मामले से, जो कि इस देश में उठाया गया था, संबंधित नहीं है। कुछ लोगों ने तो लोगों को पवित्र करने के लिए, शुद्ध करने के लिए, सारे मुल्क में गंगा जल छिड़कवाया। इस सब के बावजूद हम देखते हैं कि डालडा की कीमतें कम नहीं हुईं वनस्पति घी की कीमतें नहीं गिरी और दूसरी तरफ तेलों की कीमतें बढ़ गईं। पोस्टमेन आयल की कीमत 20 रुपये से बढ़कर 30 रुपये किलो हो गई। आप जानते हैं कि आम जनता और उपभोक्ताओं को सही दाम पर, उचित कीमत पर तेल मिल सके, इसके लिए आपने क्या कदम उठाया है? तेल का जो देश में भारी अभाव है, उसको दूर करने की दिशा में भी आप क्या कदम उठाने जा रहे हैं?

आपने इस मिल को लेने के लिए मुआवजा दिया है यह बिल्कुल अनैतिक कदम है। क्या सरकार के खजाने का वजूद इसलिए है कि पूंजीपतियों के हित में उसका दुरुपयोग हो? यह नहीं होना चाहिए।

आपने इस बिल में एक बात छोड़ दी है। पूरे बिल में कहीं पर भी इस बात की चर्चा नहीं है कि प्रबंधन में मजदूरों का प्रभावकारी सहयोग किस तरीके से लिया जाएगा। इस पर हो रही चर्चा का जवाब देते हुए यह स्पष्ट कीजिए कि इस दिशा में आप क्या पग उठाने जा रहे हैं?

इसके अलावा आप जानते हैं कि सारे देश में आपके नौकरशाह लोग डाइरेक्टर, मैनेजिंग डाइरेक्टर बन कर ऐशोआराम की जिन्दगी बिता रहे हैं। उनको मजदूरों से कोई सहानुभूति नहीं है। आपके पब्लिक सेक्टर के घाटे में चलने और तबाह होने का कारण ये ही लोग हैं। उन लोगों के दिमाग में यह बात नहीं है कि मजदूरों का सहयोग लिया जाए, उनकी बातों को सुना जाए। इस पर आप ध्यान दें जिससे आपकी नौकरशाही की मंशा मजदूरों के प्रति दुरुस्त हो।

मैं चाहूंगा कि तेल उद्योग में मजदूरों की आवाज की कीमत हो, प्रबंधन में उनका सहयोग हो, इस दिशा में आप काम करें। साथ ही मैं चाहूंगा कि इस मिल को टेक-ओवर करने से पहले मिल-मालिकों ने जिन मजदूरों की छंटनी कर दी थी उनको भी वापस लेने की व्यवस्था हो। उन छंटनी किये गये मजदूरों के बारे में इस बिल में कुछ नहीं कहा गया है। जो मजदूर मिल-मालिकों की व्यवस्था के कारण छंटनी कर दिये गये थे, या मिल-मालिकों ने जिनको प्रबंधन के अधिग्रहण के डर से निकाल दिया था, उनको आप कैसे वापस लेने जा रहे हैं? इस बारे में आप बताएं।

साथ ही मैं चाहूंगा कि देश में जो तेल की आवश्यकता है, उसको इस कम्पनी के लेने से

किस हद तक पूरा किया जा सकेगा, इस पर भी आप प्रकाश डालें। इस कम्पनी का अधिग्रहण देश में तेल की आवश्यकता को पूरी करने की कितनी क्षमता रखता है या नहीं ?

मैं यह भी जानना चाहूंगा कि देश भर में तेल, चीनी और और अन्य पौष्टिक आहारों की कितनी आवश्यकता है और उसको पूरा करने के लिए सरकार की क्या नीति है ? इसके विषय में भी यह सदन जान सकता तो यह प्रसन्नता की बात होती। कृपया अब बताएं कि चीनी, तेल, डालडा के अभाव के चलते हुए उनकी पूर्ति के लिए आप क्या कदम उठा रहे हैं।

मैं समझता हूँ कि यह समस्या के समाधान की दिशा में एक कदम है, इसलिए मैं इस बिल का समर्थन करता हूँ।

**SHRI HARIKESH BAHADUR (Gorakhpur):** Mr. Chairman, Sir, I appreciate the measure taken by the Government in taking over this Mill. But I think it should have been done long ago. In 1972 itself, this unit should have been taken over. But at that time the Government failed in doing so. Anyway, the hon. Minister is now doing a good work and I must appreciate this measure. Generally, I find that Mr. Bhagwat Jha Azad brings in better legislations before the House ; and, therefore, I use to support him.

**SHRI BHAGWAT JHA AZAD :** It is a statement of fact.

**SHRI HARIKESH BAHADUR :** But my point is different. Here in the statement, the hon. Minister has said—I quote : “The shareholders were pressing for the return of the company to them.” We always find that Government takes over several industries, modernizes them and invests some money. Sometime thereafter, when production improves, the industry concerned is returned to its owner. This is a bad practice. I hope the Minister will not do this, though these people are pressing for it.

This has been observed in several cases. I have found that when many sugar indus-

tries were taken over : and even when a jute mill in Katihar was taken over, it was again returned to its owners after some time. This is because once Government invests money, the unit should not be handed over to the owners ; otherwise it results in a great loss to the national exchequer. I do not want that public money should be wasted like that.

So far as the availability of edible oil and its price are concerned, I would like to remind the hon. Minister that only a few months back, we had seen that in some of the districts, mustard oil was being sold at Rs. 25/- a Kg. It was a very dangerous situation. I think the hon. Minister will definitely look into this, and try to reduce the prices of edible oils and also ensure their availability.

One very important point comes to my mind, viz. that generally, we find that after nationalization or taking over of these industries, production decreases and corruption increases. That is why public sector industries come under attack. And those who are advocates of private sector get an excuse, and they start criticizing the entire concept of public sector economy, whereas we the supporters of that concept find ourselves in a difficult situation to defend it. Because of mismanagement and other things, many of the public sector industries are incurring losses every year. This year, we find that there had been an overall profit, according to the Economic Survey. But there are several public sector industries which are mainly incurring losses. (*Interruptions.*)

I would like to suggest to the hon. Minister and to the Government that the administration of the public sector organizations must be streamlined, so that they are able to compete with the private sector ; not only compete ; but also give profits to the nation, because the amount invested there is actually the national wealth. More than Rs. 24,000 crores have been invested. If this sector goes into losses, it will be difficult to save our economy from disaster. That is why the public sector has a big responsibility towards the nation. It has to function properly.

My last point is that workers' participation in management must be ensured. I hope that in this particular organization which is being taken over, the hon. Minister will see that workers are given participation in management.

With these words, I again appreciate this Bill and support this measure.

**SHRI BHAGWAT JHA AZAD :** I am grateful to all the hon. Members who have supported this measure. By this I mean every member has supported this measure, some of them with some proviso ; and I think this criticism is constructive excepting some of the members who have questioned the propriety of bringing an Ordinance. I agree that we should avoid, as far as possible, an Ordinance. I did my best. It could have come before the House last session. I wanted to come to the House, but it was not possible for me to do so. I would only submit before the House that in on drafting, amending and in other procedure it took some time and therefore I could not bring it before the House. It was none of my intention (*Interruptions*) I don't say about 12 years. I have replied that question of 12 years. When this company was taken over, after that, there were a few propositions before the government ; whether to nationalise it or to have a controlling share or other method. But, nonetheless, in these 12 years, what we have done is that we have brought this company from a negative worth to a positive one, making good profit.

Some of the members have said about the Ordinance. We have not done anything unconstitutional. The hon. members said about the *garima* of the House. I fully stand for the *garima* of the House. Being a member of this House from the first Parliament of India, 1952, I fully adhere to my faith in the glory, in the esteemness of this House, and there was not the least intention of mine that I should any how harm that. I have confessed in my opening speech that I could not do that. Shri Shejwalkar was very harsh and hard on us about that. It is not unconstitutional what we have done. It is part of the Constitution. Had it been impropriety and had there been

propriety, the founding fathers would not have put this in the Constitution. I agree that normally we should try to avoid it, but when such important things come, I have given an argument that I could not do it last time because the prices were going up ; I thought I should come with the Ordinance and I think I did a better thing by the Ordinance to nationalise a company which under the government management has done very well.

I would not reply to the criticism about the public sector. I have been a blind supporter of public sector through my student days and I still support it. But I have opened my eyes to see that. Shri Hari-kesh Bahadur said, it is difficult for friends like us and him to support this in the mixed economy to have a commanding height, that they must give profit, that they must be run better than private sector, though it is known what are the methods adopted by the private sector and what are the methods which cannot be adopted and should not be adopted by the public sector. That is also known ; that controversy is going on in the country.

When nationalised institutions come forward for the share that they have purchased to have a representative, this is now being opposed ; this is the ethics of some of the supporters of private sector. But that is a long big question in to which I should not go. I am coming for nationalisation of a company whose work I have already proved ; I have come before the House to nationalise a company which government has taken over. You are good enough to say about certain facts when you were speaking from here, asking for it.

The fixed asset, as per the balance-sheet, as on 3.1.1972, - at the time of take-over - was Rs. 162.42 lakhs. But there was over-valuation of the land by Rs. 60 lakhs. That being minus, the net is Rs. 104.42 lakhs. But the investment made in fixed asset which you asked for is Rs. .88 lakhs and then the current asset as assessed by government is Rs. 52.38 lakhs. Therefore, on the take over date, the book value was Rs. 157.68 lakhs. At present, there are 2000 employees. When we took over in 1972 there were 1200 employees. According to the expansion and

modernisation we have increased the number of employees. You would be happy to know that the minimum wage in this company, — we are trying to make it an ideal company, a good Government company — which was about Rs. 250/- has been increased to about Rs. 1,000/-.

You would be happy to know that the networth of this company as on 31st March has been increased to Rs. 770 lakhs compared to the negative one, which is minus Rs. 223.92 lakhs. Therefore, I have come to the House, and hon. Members have generously supported me always as I deserved it, and when I had come before the House with the proposal at the initial stage the Company was absolutely in a bad shape. When we took over, we started looking round the corner. And with proper inputs, managerial inputs with some loans that we took and moratorium in liabilities, we have done well. You would be happy to know that during the period the Government has taken over, from 1972 to 1984 the Ganesh Flour Mills has paid back Rs. 55 lakhs against secured loans. We have paid back that. We have also paid back Rs. 126 lakhs by way of unsecured loans and liability. We have also paid back the loan of the Reconstruction Corporation of India to the tune of Rs. 90 lakhs. What more do you expect from us? We have paid the secured loan and the unsecured loan and other liability, and also paid back Rs. 90 lakhs. We have increased the net-worth to Rs. 770 lakhs. We have increased the remuneration of employees from Rs. 250 to Rs. 1,000. Therefore, in every way we improved the company. Some hon. Members have asked some questions, and I hope I have satisfied them.

While taking over this, I want to emphasise this point, that hon. Members have raised the question about oil policy. I have also mentioned in my first speech. It is not possible — nor do we intend — to take over the entire oil industry by what we are doing now. I am not doing it. But we want to say that with the nationalisation of Amritsar Oil Works and now with this, this will represent one-sixth of the total production of Vanaspati in the country which will certainly give us an important lever in maintaining, in controlling the markets and overcoming the difficulties and also contro-

lling the price. But the facts speak that the day we took over the net worth was minus two hundred and something, and today it is, on 31st March, Rs. 770 lakhs. The number of workers we have increased to 2,000, Their wage has been increased from Rs. 250 to Rs. 1,000/-. We have increased production also and the company is making profits now.

SHRI MOHAMMED ISMAIL : What about provident fund ?

SHRI BHAGWAT JHA AZAD : As I told you, provident fund and all that is required under the Act, I assure you we will do and we will take care of the workers in this company. The most important point that Shri Mohammed Ismail raised is, that he probably feels that a nationalised company means, it will consist of officers and bureaucrats only. That is the impression he has probably got. That is what I told him. He had asked me to be careful. I am careful. My advisers are bureaucrats. But the bureaucrats are of two kinds, those who guide and preside. Those who guide they can be relied to maintain. Those who only preside, it is possible, that they may take some liberty. Therefore, I can say, I have come to you with the advice of bureaucrats in my Ministry. The moment I took over, within a few weeks, I do not want to give the details, the shareholders came to me and said, "Give us back the company ; it is the order of the High Court." I said, "I shall not give you back the company. I have nursed a sick child to a healthy one and now I am trying to give a direction to the oil policy of this country", and therefore, within a short time I came to this House. They prompted me to nationalise the company. Similarly, I have come with the same. I have come with the same advice to you and with this nationalisation one-sixth of the production of Vanaspati we will be controlling. We will be controlling the production of Vanaspati and that will help in maintaining the price also.

The most important question which almost all the hon. Members have referred to is about the workers, participation in management. I am a blind believer in this principle. Since 1950s I have been suppor-



ting this case in this House. Therefore, I being the Minister in charge have a chance to implement this. I can assure the House that I will do my best to have the workers, participation in this. I tell my friends who are incharge today and who will be incharge afterwards that we must take them into confidence. Government stands by it. This is the Government's policy to have workers participation in management. Government has implemented it in certain units where they have got good results. Therefore, I hope and wish that there will be workers participation in this. As I have given you the facts, here we have given the maximum to the workers in terms of number, wages production, etc. Therefore, we will do this also. Mr. Mohanty, Prof. Mehta, Mr. Arakal, Mr. Madhukar, Mr. Harikesh Bahadur and other hon. Members have supported this. This is the avowed policy of the Government. We will try to implement of this, because we know, as this company is going on it should not look back. And for not looking back, there must be confidence in the workers and they must be given a due share in the management and in the production of the company.

I appreciate the sentiments of my young friends like Mr. Jagpal Singh, Mr. Jatiya and others. They have said that a sick mill once taken over by the Government should not be given back. I have taken over this sick mill and I have not given back and I will not give it back. I hope the same will be true in the case of other Ministries.

I appreciate the point of the young Members who have said very strongly that in this country private enterprise takes the majority of their capital from the public institutions. It is not their capital ; it is people's capital. Therefore, they must behave according to that. They must give the people the return even they if are in private hands. Therefore, I appreciate their point of view that sick units should not be given back. I appreciate their sentiments that private industries must behave. I fully support them. I am in line with their policy and sentiments. I hope for others they will continue the pressure wherever it is desirable to see that this is implemented and this is given effect to.

Mr. Arakal talked about the import of oil. It is true that for a few years in this country the graph of oilseed production has not gone up. As you know, land being the same, we have lot of things to produce. We need more wheat, more rice, more pulses, more oilseeds, more sugarcane. And the Government from time to time is giving procurement price which is reasonable and incentive-oriented. We are having schemes. Take for example, oilseeds. This does not come under my Department. The Ministry of Agriculture is having it. For example, for soyabean we have a special project in Madhya Pradesh where we are growing more soyabean. There is a special incentive given for the groundnut. We are going to have a soyabean oil complex. At present, we are possibly using 15 per cent of the soyabean in the form of oil. But when we will have the Soyabean Complex, we will be using 85 per cent, of it for human consumption by way of nutritious projects. So, the projects are there. The farmers have a lot of incentives. According to the area, production and soil they produce it. Therefore, in spite of our best efforts it has not been possible for the last few years to put the graph high in respect of oilseed production. This year we expect a production of 33 lakh metric tonnes. In the past it has varied from 28 to 33 lakh tonnes during the last few years. The demand is about 44 to 45 lakh metric tonnes of oil. Therefore, the gap is about 12 lakh tonnes. We are trying to bridge this gap by importing from outside. This has been a difficult year for us because of the drought of the century in 1981-82, which was a very severe drought. With the good wishes of the members and the public, we have been able to cross over that drought and even the State Governments have appreciated all that we have done. It must be remembered that our role either in the public distribution system or in the supply of foodgrains or edible oils is only supplementary. When there is shortage, we import from outside. This year we are keeping our fingers crossed. We will see what best can be done to keep the prices down. With the policy that the Government is following, we are trying to control the prices.

When this Bill becomes an Act, we will have control over one-sixth of the vanaspati production in the country. This mill has got

good capacity for refining oil, which we can utilize.

So far as the question about the Ordinance is concerned, I have replied to that. I have also explained why we took it over. I have given the details of the assets. So, I hope he will withdraw the Resolution and allow this good Bill to be passed into law, to give affect to the oil policy of the Government, which will give Government control over a large portion of the oil production in the country. Of course, even after the passing of this Bill, quite a large portion of oil production will remain outside, but this would be a powerful instrument in our hands to manage both availability and price in the country.

With these words, I would request the hon. Members to adopt this Bill un-animously.

**SHRI N. K. SHEJWALKAR :** Sir, I am sorry, I cannot accede to the request of the hon. Minister that I should withdraw the Resolution. In fact, my point has not been just a technical one. I have stressed my point over and over again. The fundamental question is whether you are respecting the provisions of the Constitution or not. Unfortunately, even after hoaring the hon. Minister so patiently, I am not satisfied.

This is a case where the management of the company had remained with the Government right from 1972. So, this Bill could have been brought forward in this session, without resorting to the promulgation of an Ordinance earlier. After all, heavens would not have fallen and no harm would have been done to the country. This Bill could have been brought forward in the normal course and discussed here, as it has been discussed today, for over one hour. What was the urgency for bringing in an Ordinance is still not clear to me. So, I am not able to agree with him on this point.

**SHRI BHAGWAT JHA AZAD :** Have I done anything unconstitutional ?

**SHRI N. K. SHEJWALKAR :** Of course, it is unconstitutional in the sense

you have not properly utilized the provisions of the Constitution.

Secondly, I raised another point regarding article 39 (c), which you have quoted in your Bill. You have not said a single word about it.

**SHRI BHAGWAT JHA AZAD :** I have said it so many times that we want to have commanding heights and control over the property.

**SHRI N. K. SHEJWALKAR :** Clause (c) of article 39 refers to the concentration of wealth. You have not said a single word about it. Of course, you have said that you want to have control over the material resources ; but that is quite different from concentration of wealth. You have stated that by taking over this mill, you will have control over one-sixth of the production. But what about pricing ? If you say that it is the policy of the Government to go ahead with taking over of further mills, if that is the policy, then I can understand it, as you have done in the case of airlines and railways. If you say that you are going to take over the entire oil production, I can understand it. But you are not prepared to commit yourself on that. You do not say what you are going to do the future.

I must say very clearly that I am not opposed to the principle of taking over. If that is your objective, and if you state it so, I have no objection. Now you are going to spend about a few crores of rupees. Have you calculated the amount of interest on that. The minimum interests at the rate of 10 per cent will be Rs. 16 lakhs. Have you made any provision for that ? You have not explained all these things.

The management is already with you. Now you want to invest more money, out of which you are not going to get anything substantial. You say that you may get a little profit but that is not substantial. So, what was the necessity for investing this amended, especially when the management is already with you ?

For all these reasons, I am not con-

vinced with the arguments of the Minister. So, I do not want to withdraw my resolution. I press my resolution.

MR. CHAIRMAN : The question is :

“This House disapproves of the Ganesh Flour Mills Company Limited (Acquisition and Transfer of Undertakings) Ordinance, 1984 (Ordinance No. 2 of 1984) promulgated by the President on the 28th January, 1984.”

*The motion was negatived*

MR. CHAIRMAN : The question is :

“That the Bill to provide for the acquisition and transfer of the right, title and interest of certain undertakings of the Ganesh Flour Mills Company Limited with a view to sustaining and strengthening the nucleus of public owned or controlled units required for ensuring supply of wholesome vanaspati and refined edible oils, nutritious foods and other consumer commodities to the public at reasonable prices and thereby to give effect to the policy of the State towards securing the principles specified in clauses (b) and (c) of article 39 of the Constitution, be taken into consideration.”

*The motion was adopted*

MR. CHAIRMAN : We will now take up clause by clause consideration. The question is :

“The clause 2 to 29 and the Schedule stand part of the Bill”

*The motion was adopted*

*Clauses 2 to 29 and the Schedule were added to the Bill.*

*Clause I, the Enacting Formula, the preamble and the title were added to the Bill.*

SHRI BHAGWAT JHA AZAD : Sir, I beg to move :

“That the Bill be passed.”

MR. CHAIRMAN : Motion moved :

“That the Bill be passed.”

श्री रामावतार शास्त्री (पटना) : सभापति महोदय, गणेश फ्लोर मिल्स कंपनी लिमिटेड (उपक्रमों का अर्जन और अन्तरण) विधेयक 1984 के क्रम में मैं कुछ प्रश्न उठाना चाहता हूँ।

माननीय मंत्री ने इस विधेयक के उद्देश्यों और कारणों के कथन में कहा है :—“गणेश फ्लोर मिल्स कम्पनी लिमिटेड एक पब्लिक लिमिटेड कम्पनी है, जो 1891 में निगमित की गई थी। कम्पनी का प्रबन्ध उसके आकार और स्थिति के लिए उपयुक्त रीति में नहीं किया जा रहा था। इससे इसके कार्यकरण में पूर्ण कुप्रबंधता और गम्भीर वित्तीय अनियमितता आ गई थी। परिणामस्वरूप गणेश फ्लोर मिल्स कम्पनी लिमिटेड बन्द हो गई। अतः गणेश फ्लोर मिल्स कम्पनी लिमिटेड का प्रबन्ध उद्योग (विकास और विनियमन) अधिनियम, 1951 की धारा 18क के अधीन 3 नवम्बर, 1972 को ग्रहण कर लिया गया।”

इस रोशनी में मैं यह जानना चाहता हूँ कि उक्त कम्पनी की कार्य-पूँजी कितनी थी, उस पूँजी का क्या हुआ, उक्त पूँजी को कौन लोग हज्म कर गए और उनके विरुद्ध कौन सी कार्यवाही की गई।

परन्तु दुख है कि ऐसे लुटेरों की कमर में रस्सा लगा कर जेल भेजने के बजाए कम्पनी के मालिकों को 1,37,68,000 रुपए का मुआवजा दिया जा रहा है। इतना ही नहीं, उन्हें प्रत्येक वर्ष दस हजार रुपए और दिए जाएंगे और जब तक मुआवजे की पूरी राशि का भुगतान नहीं कर दिया जाता, तब तक उन्हें चार प्रतिशत के हिसाब से सूद देने की व्यवस्था भी की गई है। इस अनैतिक व्यवस्था का क्या औचित्य है? अगर सरकार के लिए संविधान के अनुसार राशि का भुगतान करना आवश्यक है, तो फिर इस लूट को रोकने के लिए संविधान में संशोधन करने से सरकार को कौन रोकता है? जब संविधान में 46, 47 और संशोधन किया जा

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सकता है, तो मुआवजे की अदायगी की नीति का परित्याग कर इजारेदारों पर चोट करने के लिए संविधान में संशोधन क्यों नहीं किया जा सकता ?

सरकार समाजवाद का नाम तो लेती है, पर वास्तव में इजारेदारों को अधिक से अधिक लाभ पहुंचा रही है, जिसके परिणामस्वरूप भारतीय अर्थ-तन्त्र पर उनका शिकंजा कायम है।

अभी हाल में प्रधान मंत्री ने वित्त संकट के नाम पर सरकारी सेवाओं में भर्ती करने पर 9 महीनों के लिए प्रतिबन्ध लगा दिया है। एक और आर्थिक क्षेत्र में अनुशासन को कसने की कोशिश की जा रही है और दूसरी ओर इस कम्पनी के मालिकों को इतनी भारी राशि दी जा रही है। मैं इसका जोरदार विरोध करता हूँ।

श्री भागवत झा आजाद : सभापति महोदय, माननीय सदस्य ने 1.57 करोड़ रुपए देने की बात कही है। इसका कारण यह है कि यह उनकी बुक वैल्यु आन दि टेक ओवर डेट है और बुक वैल्यु न देने से बड़ी कठिनाई होती है। मामला कोर्ट में जाता है और वहां कहा जाता है कि सरकार ने मुआवजा दिए बिना ले लिया। आप जानते हैं कि देश में क्या हो रहा है और क्या कठिनाई है। उस कठिनाई को हल करने के लिए उनको बुक वैल्यु पर 1.57 करोड़ रुपए और मैनेजमेंट लेने के कारण 10 लाख रुपए प्रतिवर्ष देने की व्यवस्था की गई है। इस तरह के अधिग्रहण के बारे में जो भी बिल आते हैं, उन सब में कानूनी कठिनाई से बचाने के लिए यह प्रावधान किया है।

मैं समझता हूँ कि शास्त्री जी ने हल्के ढंग से कहा होगा कि हम समाजवाद की बात कहते हैं और इजारेदारों के हित में काम करते हैं।

हम सिद्धान्त, नियमों, विचारों और कार्यक्रम में समाजवाद को मानते हैं। इसी लिए इस देश में प्राइवेट सेक्टर की तुलना में सार्वजनिक क्षेत्र का अधिकाधिक विकास हो रहा है। माननीय सदस्य इस काम में सहयोग दें, अपनी शुभ-कामना दें। वह कोई अशुभ बात न कहें। जो हम कहते हैं, वही करते हैं।

MR. CHAIRMAN : The question is ;

“That the Bill be passed.”

*The motion was adopted*

15-55 hrs.

**COMPTROLLER AND AUDITOR-GENERAL'S (DUTIES, POWERS AND CONDITIONS OF SERVICE) AMENDMENT BILL**

MR. CHAIRMAN : Now, we shall take up the next item. Shri S. M. Krishna on behalf of Mr. Pranab Mukherjee will move the motion.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI S. M. KRISHNA) : Sir, I beg to move :\*

“That the Bill further to amend the Comptroller and Auditor-General's Duties, Powers and Conditions of Service) Act, 1971, be taken into consideration,”

This Bill seeks to amended certain provisions of the Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Act.

Sir, under Articles 148 (3) and 149 of the Constitution the salary and other conditions of service of the Comptroller and Auditor General and also his duties and powers are to be determined by a law enacted by Parliament. This law was enacted in 1971 and the present Bill which I have moved seeks to amend certain sec-

tions of the Act dealing with the pensionary benefits of the Comptroller and Auditor General, and also this duties and powers.

Sir, the Act has not been amended since 1971. The Act was amended in 1976 mainly for the purpose of making necessary provision for relieving, the Comptroller and Auditor General from the responsibility for compilling accounts for Central Government Departments.

The circumstances have changed and out of the experience gained from the working of the provisions of the Act, it has been considered necessary by Government to make certain further amendments.

The first amendment relates to pension admissible to the Comptroller and Auditor General. Since 1971, the pensions payable to officers of Government and other authorities have been modified whereas the pension payable to the Comptroller and Auditor General remains the same as fixed in 1971. It is, therefore, proposed to provide that a serving officer appointed as Comptroller and Auditor General will be entitled by way of pension to (i) the pension a missible to him in the service to which he belonged by treating his service as Comptroller and Auditor General as continued approved service for this purpose and (ii) a special pension calculated at the rate of Rs. 700/- per annum for each completed year of service as Comptroller and Auditor General. However, the aggregate of the two pensions will be subject to a maximum of Rs. 20,400 per annum. Similarly, it is also proposed to provide that a retired officer appointed to this office will also be entitled by way of pension to the aggregate of the pension admissible to him under the rules governing the service to which he belonged and a special pension calculated at the rate of Rs. 700 per annum for each completed year of service as C. and A.G. In this case also, the total will be subject to a maximum of Rs. 20,400/- per annum. These revised provisions regarding pension are proposed to be made applicable to persons demitting office as C. and A.G. after the commencement of the proposed legislation.

The Bill also seeks to amend two of

the sections of the Act dealing with the duties and powers of the C. & A.G.

Under Section 14 of the Act, the C. and A.G. is required to audit the receipts and expenditure of a body or authority which is substantially financed by grants or loans from the Consolidated Fund of India or of any State or of any Union Territory having a Legislative Assembly.

According to the Explanation, the grant or loan is treated as substantial if it is not less than Rs. 5 lakhs and the amount of such grant or loan is not less than seventy-five per cent of the total expenditure of that body or authority. As this limit involves audit of numerous institutions involving small amounts, it is proposed to enhance the limit from Rs. 5 lakhs to Rs. 25 lakhs.

16.00 hrs.

It is also proposed to provide that the C. and A.G. may, with the approval of the President or Governor or Administrator, undertake audit of the receipt and expenditure of a body or authority which is in receipt of Government grant or loan of rupees one crore or more in a year, though this may be less than 75% of the total expenditure of that body or authority.

To ensure some continuity in the audit, it is proposed to provide that where a body or authority comes within the purview of the audit of the C. and A.G. in any year, the C. and A.G. shall continue to audit the receipts and expenditure of such body or authority for the succeeding two years also even if the grant or loan to the body in those years is less than the limit prescribed.

The present opportunity is being availed of to amend Section 19 of the Act to provide for the laying of audit reports of the C. and A. G. in relation to the accounts of Government companies or corporations before Parliament or the Legislature of the State concerned.

This is an innocuous Bill. With these words I move.

MR. CHAIRMAN : Motion moved :

"That the Bill further to amend

the Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Act, 1971, be taken into consideration."

Shri Satish Agarwal.

SHRI SATISH AGARWAL (Jaipur) :  
At the outset I wish to compliment my dear friend Shri S.M. Krishna for having taken over the charge of this important portfolio -- Minister of State for Finance. This is a very challenging job. I wish him all well in this new assignment.

So far as the present Bill is concerned, I would be very brief in my observations. I welcome the measure.

As you are well aware, the powers and conditions of service of the Comptroller and Auditor General of India were decided somewhere in 1971 ; this amendment is being brought after thirteen years so far as this is concerned. As you are aware, the post of the Comptroller and Auditor General of India is provided in the Constitution itself. The Comptroller and Auditor General of India is a constitutional functionary like the High Court judges, Supreme Court judges or the Election Commissioner. Government having accepted the principle of additional pension available to the Comptroller and Auditor General of India after demitting office as Rs. 700 per annum every year, I fail to understand as to why this has been packed as Rs. 20,400/-. My only objection to the whole Bill is that this injustice which was there in the Act itself is being rectified now and the Government is providing now an additional pension benefit of Rs. 700/- per annum for each service year to the Comptroller and Auditor General, why have you fixed up any proviso that this will be subject to a maximum of Rs. 20,400/-. The only argument given is that the Cabinet Secretary gets a maximum pension of Rs. 20,400/-. Now in this particular connection I wish to observe that there cannot be any comparison so far as the emoluments of the Cabinet Secretary are concerned with that of the Comptroller and Auditor General of India. The Cabinet Secretary is a civil servant, while the Comptroller and Auditor General of India is a constitutional authority. If pensions of civil servants

are revised in between this period, say in another three years or four years, that can be done without amending the law.

But if the pensionary benefits of the C&AG are to be revised, then the Government will again come before Parliament to amend the law. This is another point.

Then, the Cabinet Secretary gets a salary of Rs. 3,500 while the C&AG as on date gets a salary of Rs. 4,000. It is not only that. Even under the Constitution, re-employment has been prohibited so far as the C&AG is concerned. But so far as the Cabinet Secretary is concerned, re-employment is not prohibited. Secondly, Sir, under the old scales, if I am not wrong, in 1971, the pension that was available to the All India Services—Secretaries, Cabinet Secretary or the Chief of the Staff—was Rs. 8100 while that of the C&AG was Rs 12,700. That Particular discrepancy or difference was already there in 1971. The Cabinet Secretary was getting Rs. 8,100 while the C&AG was getting Rs. 12,700. I fail to understand why the Government has not maintained the same parity now. Why do they beg at Rs. 20,400 ? If he has to be paid Rs. 15,000 or Rs. 20,000 or Rs. 22,000, Let him get whatever it is. A few thousand here and there does not make a difference. It is a question of principle. Why do you want to equate the position or post of the C&AG which has got wider jurisdiction and authority and particularly having a Constitutional sanction, with that of the Cabinet Secretary. I am sorry, Sir. This is one thing.

By this particular proviso which you have in your clause here that it will be a maximum of Rs. 20,400, you are lowering down the status and dignity of the C&AG's post and position. That is my whole objection to the Bill.

I welcome these measures. But so far as this provision is concerned, you are lowering down the prestige, position, status and dignity of the C&AG in the eyes of the whole world. The Comptroller & Auditor General's office is very very important. He is the only one authority which is associated with the Parliamentary Committees. I know, Sir, as being a Member of the Public Accounts Committee of Parliament and

being its chairman from 1981 to 1983, what services were rendered by the C&AG to various parliamentary committees, whether it is PAC or PUC or Estimates Committee or other committees. And in this particular post and position, he is never guided by anybody. The C&AG is never obsessed that he is a civil servant because he is not. He is a Constitutional functionary. He advises the Committees in such a way that we in the Committees are able to dissect the Governmental accounts, the whole wasteful expenditure, negatory expenditure and misappropriation of public funds by various civil servants in the entire country. These Committees are able to do only with the assistance of the C&AG. The C&AG can never be equated with a civil servant. The C & A G is not a civil servant. He has to be given some sort of a higher status. I am sorry to say that the Finance Ministry though it tried to do justice, accepting and admitting this particular position, could not do. I am reiterating on the floor of Parliament that they completely surrendered before the civil servants—the Cabinet Secretary. You made a proposal. The Finance Ministry accepted this position in principle. The Finance Ministry made this proposal that this maximum limit, should not be there. The Home Ministry approved the proposal that the maximum limit should not be there. But I do not know why at the civil servants' level—I mean, the Cabinet Secretary—the whole thing has been sabotaged and the Finance Ministry feel that they are helpless. The Finance Minister feels that he is helpless. The Home Minister feels that he is helpless. Of course, these two Ministers do not have any authority before the Cabinet Secretary ! They are too much junior to him. It so seems. Otherwise, this injustice should be rectified. The Minister should given an assurance on the floor of this House that his senior Minister will take up this issue again with the Prime Minister and see to it that this lowering down of the office, post and position of the C&AG will be rectified in times to come.

Apart from this, the Government has also availed of the opportunity of amending Section 19. While Amending Section 19 by Clause 4, you have laid down that the Reports of the Comptroller & Auditor General of India shall be placed before the

Parliament as well as the State Assembly as soon as possible. May I know from the hon. Minister whether it is not a fact that for more than 5 years or 6 years the Reports have been submitted to the State Governments by the Accountant General of various States but those Reports have not yet been laid on the Table of the State Assemblies for more than 5 or 6 years ? The State Governments are sitting tight over those Reports. The Members of the State Assemblies are being deprived of the work done by the Accountant Generals in various States. As those Reports are not placed on the Table of the House in each State Assembly, naturally, the Public Accounts Committee and the Public Undertakings Committee of those various States are not able to do their job effectively. Will he kindly look into that and direct or persuade or pressurise the various State Governments to lay the Audit Reports on the Table of the Assembly which are pending to be placed on the Table of the House for more than 5 or 6 years ? Will he also kindly take up the issue with the various State Governments that the Audit Reports should be placed on the Table of the House as soon as possible ? You have made a provision of "as soon as possible". This does not mean 5 or 6 years.

It is a good augury that so far as Parliament is concerned, you immediately place the Audit Reports as soon as possible though, of course, here also, you are making a small lapse. You have received the Audit Reports concerning Direct Taxes and Indirect Taxes ; you have received the Audit Reports concerning other Departments. But you have not yet placed those Audit Reports on the Table of the House. They are lying in the North Block for some weeks or for some days. Why are you withholding these Audit Reports ? We are going to have a general discussion on the Budget next week. It would have been better if the Audit Reports had been placed on the Table of the House. "As soon as possible" means as soon as the Finance Ministry gets them.

Lastly, I would like to make certain suggestions. One of the important suggestions is that the organisation of the Comptroller & Auditor General of India is an indispensable part of our system. The House may very well remember that it was for the

first time in the year 1921 that the first regular Budget of the Central Government was placed in the Central Legislative Assembly on 1st March, 1921. At the point of time, the total receipts were Rs 118 crores and the total expenditure was Rs. 128 crores, leaving a deficit of Rs 10 crores. In 1921, that was the colonial economy. After 1947, the colonial economy was converted into a national economy. Our Budget now runs into Rs 40,000 crores. So far as receipts side is concerned, our taxes are to the tune of Rs. 23,000 crores. With this change and various other governmental activities having taken shape, with the public sector occupying the commanding heights of our economy, does the Government not feel that so many other institutions and organisations which are outside the purview of the jurisdiction of the C&AG of India should be brought ? purview ?

Take, for example, the nationalised banks. The nationalised banks have occupied such a pivotal role in today's developmental economy. What is the position ? Excepting asking certain questions with regard to the functioning of the banks, no parliamentary committee can look into the accounts of the banks as such. We had nationalised banks in 1969. Some more banks were nationalised 3 or 4 years back. The total number of nationalised banks become 20. So far as the nationalised banking sector is concerned, the C&AG's office has no jurisdiction over them. Consequently, no parliamentary committee has any control over the functioning or the malfunctioning of the banks in this country. The total deposits of the banks may be near about Rs 65,000 crores or Rs 7,000 crores. The total developmental activities of this country are very much related to the functioning or malfunctioning of banks in this country now. And, therefore, it is very essential that this nationalised banking sector must be brought within the purview of Parliamentary control and that is possibly only when we bring it within the purview of the jurisdiction of CAG.

Similarly, LIC has near about a business of Rs. 130 crores in all. Just see the volume and yet LIC is outside the purview of the jurisdiction of CAG.

In the financial institutions like the

IDBI, IFCI and ICICI which are controlling the whole developmental or the industrial activities in this country, which are advancing loans to the tune of crores of rupees, so many defaults, frauds, dacoities, thefts and misappropriations and giving of advances against inadequate securities are taking place. There is no Parliamentary scrutiny as such of these financial institutions. Why not bring these important financial institutions which form the backbone of our economic development, within the purview of Parliamentary control ? And that can be possible only when they are brought within the jurisdiction of the CAG.

As I have repeatedly said in Parliament, the scrutiny by Parliament of public expenditure is very minimal in our country at present.

A Study Group was set up in London in September, 1979 and I was deputed by our Parliament to represent our country. That Study Group has come to the conclusion that there is much to be desired in regard to the scrutiny of public expenditure by Parliament and that some new ways and means should be devised in order to strengthen the effectiveness of Parliamentary control over public expenditure.

We have seen in our Parliamentary Committees, the Members of Parliament belonging to different Parties in the House, functioning as one man irrespective of party differences. There is consensus. There is no dissent. The whole approach of the Members of Parliament in the Committees is bureaucrats *versus* democrats. In the Committees, we all function as a team, giving up Party affiliations.

The Kuo Oil deal was brought to light by the report of the Committee on Public Undertakings which is headed by a Congressman. It became a possibility because in the Committees we all look to the interests of the nation as a whole and, therefore, it was possible to bring forth that report. Otherwise, that report would not have seen the light of the day.

That is the reason why I strongly plead in this House that the Ministry of Finance especially should consider and agree to the various proposals made by Members of



Parliament regarding creation of more Committees.

For instance, we have got one Committee on Public Undertakings. Our investment is nearing Rs. 30,000 crores in public sector. We are not getting that much we should get. Now we have got only one Committee. And we have got more than 200 public sector undertakings in the Central sector. Hardly 10 undertakings are examined by the present Committee on Public Undertakings. The rest of the undertakings are left out of the examination of the present PUC. How can we examine 200 or more public undertakings unless we have two or three Committees on Public Undertakings ?

If we have two or more Committees on Public Undertakings, we can divide the functions and there can be a Committee each to look into the affairs of those companies which are manufacturing, of those which are non-manufacturing, of those having more than Rs. 500 crores investment, of those having Rs. 100 crores investment, of those with trading aspects of the Government of India and of those with commercial aspects of the Government. Some sort of a division of work can be made between the different committees.

But the Ministry of Finance is very much concerned about it and is opposed to the creation of more Committees not only when suggested by me or by Prof. N.G. Ranga but even when suggested by the Hon. Speaker. There is no reason why this suggestion should not be accepted when we have got such Subjects Committees in Kerala in our own country and in foreign countries like U.K., Australia, and recently about three or four years back in Canada also.

I made a humble plea in the House that we should pressurise the Government to create more statutory committees in order to have more control over the administrative affairs of this country.

If only we create more statutory committees and if only we really expand the area and jurisdiction of the CAG, can there be more effective control by the Audit and more check on wasteful expenditure in the country ?

With these observations, I would plead

with my Hon. friend Shri S.M. Krishna to take up these issues with the Senior Minister and see to it that the injustice which is meted out to the post position of CAG irrespective of the man today or tomorrow is removed. I hope that Shri S.M. Krishna would prevail his view point upon the civil servants in the Prime Minister's Secretariat and would rectify the mistake

So far as the other points are concerned, I hope you will take appropriate action at the appropriate level.

With these observations and comments, I support the Bill by and large.

श्री कमला मिश्र मधुकर (मोतीहारी) :  
शभापति जी, इस बिल को सपोर्ट न करने का तो कोई सवाल ही नहीं उठता। श्री अग्रवाल जी ने इस बिल को बहुत एक्सप्लेन कर दिया है इसलिए मैं इस पर अधिक कुछ नहीं कहूंगा।

मैं इस बिल पर बोलते हुए एक नया प्रश्न उठाना चाहता हूँ। हमारे बिहार में आडिटरस ने बहुत यूजफुल काम किया है जिनके बारे में मैं एक घटना मंत्री जी को बताना चाहता हूँ। बिहार के सिक्वोरिटी प्रिंस में 9 लाख रुपये की मनोरजन कर की जाली स्टाम्प छपी। बिहार के आडिटरों ने ही इस बात का पता लगाया और रिपोर्ट बनाई। जब बिहार के अधिकारियों को इस बात का पता लगा कि 9 लाख रुपये की जाली स्टाम्प छपने का पता लग गया है तो आडिटरों को मुअत्तिल करने की धमकी दी जा रही है और उन पर यह दबाव डाला जा रहा है कि उस रिपोर्ट को रफा-दफा कर दिया जाए।

मैं इस बात को सदन में कह रहा हूँ और मैं चाहूंगा कि मंत्री जी बिहार में हुए इस गोलमाल के बारे में पता लगाये कि 9 लाख रुपये की जाली स्टाम्प वहाँ छपी या नहीं छपी। अब उन आडिटरों को जिन्होंने इस गोलमाल का पता लगाया उन्हें इस सही काम के बदले में मुअत्तिल किया जा रहा है या नहीं। सही काम के बदले में, उनको मुअत्तिल किये जाने के या धमकी दिये जाने के बजाए पुरस्कृत किया जाता,

उन पर यह कार्यवाही की जा रही है। मैं यह बात इसलिए कह रहा हूँ कि आडिटर लोगों ने किस तरह से अच्छा काम किया है और उनको उस अच्छे काम के बदले में सजा दी जा रही है। आडिटरोँ ने जाली स्टाम्प छपने का पता लगाया है, वे बेगुनाह लोग हैं, उनको पुरस्कृत किया जाना चाहिए, न कि उनको सजा दी जानी चाहिए। आप इसको देखें और इस पर कार्यवाही करें।

**SHRI HARIKESH BAHADUR** (Gorakhpur) : Mr. Chairman, Sir, so far as this Bill is concerned, I am not rising here with the intention of opposing it. But certain modifications are necessary. Hon. Member Shri Satish Agarwal has already delivered a very eloquent speech advancing good arguments and I hope that the hon. Minister will accept all those points which have been raised by Shri Satish Agarwal—because I am also of the same opinion. Once you are providing Rs. 700/- per annum as an additional pension, as a special pension, to the Comptroller & Auditor General, why should there be this maximum limit of Rs. 20,400/- per annum? That is perhaps because the Cabinet Secretary also gets that. Once you are equating the Cabinet Secretary with the Comptroller & Auditor General of India, I find that there is a great injustice done to the post of C.A.G. itself because the C.A.G. is really a constitutional authority while the Cabinet Secretary is a civil servant, and you cannot equate a civil servant with a Constitutional authority. If you are doing this, then it is a great injustice and, therefore, I would like that you withdraw this Bill and bring forward another one. I do not know what the hon. Minister is going to do in this matter, but definitely I would like to plead with him that he should correct this position and come before the House with a modified Bill.

The second point I would like to raise is, as Mr. Satish Agarwal has already said, in the year 1971 this pension limit for the C.A.G. was more than that for the other officers of the Central Government, including the Cabinet Secretary. Then, what has prompted him to bring it to that level again which means that there is something wrong and perhaps the entire Finance Ministry is

being dictated from a particular place, where they cannot dare to do anything. If any direction comes from there, then it becomes difficult for the entire Government to go against that. But, if that direction is wrong, certainly the Minister must take up that issue with the main person who is creating a terror for the entire Cabinet.

The second point I would like to say is that all the financial institutions like banks, LIC, the Industrial Development Bank of India and others should also be brought under the purview of the Comptroller & Auditor General so that they can be properly scrutinised and the public money which sometimes we feel is being wasted or being misused or that there is some kind of mismanagement - that may also be properly checked by the C & AG.

So far as the reports submitted by the C&AG are concerned, I would like to ask that there must be a specific time-limit and within 3 months of receipt of the report, it should be placed before the Parliament.

I hope these modifications will be made by the hon. Minister and then we will be for the passing of this Bill. I hope he will accept my suggestions.

**SHRI G. L. DOGRA** (Jammu) : I am here to support the Bill. Propriety requires that the C & AG's status should be higher than that of other civil servants. It is not necessarily that it is the pay that makes for an independent and statutory authority or constitutional authority. Otherwise in the Constitution he has his own position irrespective of the pay but propriety requires that some status should be given. Naturally, when the man becomes Comptroller & Auditor General before that he has served in various capacities. It is not that a man is recruited direct from the market or recruitment made from politicians. So, naturally that is not a very strong point but propriety requires that his status should be higher than that of other authorities. But it is not a condition precedent. The main thing is that not only the CAG's status should be higher but his organisation will have to be expanded and expansion means that because the activities of the Government are expanding, the expenditure is going up, the departments are expanding, his orga-

nisation also should be expanded and I do not think it is taking place — including the offices of the Accountant-Generals in the States in the same proportion.

A quick audit is very necessary to control the irregularities. Therefore, that aspect should also be kept in view not immediately in passing this Bill, that is not a condition precedent but that aspect will have to be looked into by the Auditor-General and the proposal for further staff means not only the lower staff but also the officers as the deeper they go into it and the more they examine it, the more useful it is.

I also support the suggestion of my friend, Mr. Agarwal that the control of Parliament over the expenditure and scrutiny of the reports of the C&AG should be as thorough as possible. And that is possible only if we increase the number of committees which the House appoints because financial control cannot be ensured merely by passing the Bill and discussing it but actually we must be able to look into the expenditure, how it is being done, where the loopholes are and whether there are any loopholes in the system etc. As has been rightly pointed out, the number of public sector organisation and other organisations are increasing as also expenditure on various other things and I think the PAC is not able to do justice. A thorough scrutiny of certain departments is necessary. For example, the expenditure by the Railways requires to be watched. In Defence also although there are certain things which cannot be thoroughly discussed in the House, although you cannot publicly do certain things, yet, when you go into the accounts you will find that there is a certain wasteful expenditure incurred by them which could have been avoided. That is one aspect which should be kept in mind. And somebody will have to go into that thoroughly. That should be gone into by a Committee of Experts as also by the Auditor General. And on the Parliament side also, we must go into these matters and we must see as to how other countries are doing. Taking the views of these countries, the Parliament or whatever may be the appropriate body, should look into these things and make certain suggestions. These should then be thoroughly discussed. The expenditure goes on increasing year by year but the scrutiny is lagging behind. That is

the experience that I have. I too was connected with the State Legislature as well as Parliament. In Parliament it is my first term. My experience here shows that the scrutiny of expenditure is not as much as it should be.

With these suggestions and remarks, I support the Bill. We should pass this Bill, as it has been brought forward and, at the same time, we should give suggestions to the hon. Minister so that he can examine them and further discuss these points and then take some action on them.

With these words, I thank you, Mr. Chairman.

MR. CHAIRMAN : Shri Krishna.

PROF. SAIFUDDIN SOZ (Baramulla) : Before he starts, I want to say that from both sides of the House, this Bill has been supported. There is no doubt that this is a progressive step taken by Government. I would request the Minister to take into account the points raised by Shri Satish Agarwal. Around Rs. 60,000 crores are circulated through the Banks and around Rs. 30,000 crores through the L. I. C. But, this huge amount of money does not fall within the purview of Parliament. It is a very serious thing. For the sake of discussion we can go on speaking. Nobody takes note of these from the Treasury Benches. (*Intrrptions*) At least since the hon. Minister is likely to answer the points raised in this House, he must kindly express his opinions on the specific points raised by Shri Satish Agarwal. He has raised very important points, Sir.

MR. CHAIRMAN : Now, the hon. Minister will reply.

SHRI S.M. KRISHNA : Mr. Chairman, I must thank Shri Agarwal for speaking on this Bill with a degree of authority that he could legitimately command by virtue of the fact that he was associated with the management of the finances of this country for quite some time. Any suggestion made by a distinguished Member like him deserves the utmost consideration and I take this opportunity of thanking him for the very constructive and thought-provoking suggestions which he has made.

There are no two opinions at all that the

Constitution places the Auditor-General in an altogether different pedestal as compared to other civil servants of the Government. And that was perhaps the reason why that special enactment of Parliament was necessary; this is necessary in order to regulate the functions and various other duties of the Comptroller and Auditor-General. Now, we too realise that the office has got to be treated with utmost respect and special consideration. With reference to the equation of the pensionary benefits which accrue to a retiring CAG there have been some discrepancies in the past and all that the Bill attempts to do now is to set these distortions right. But it is debatable whether any pecuniary consideration either enhances the importance of a particular office or minimises the importance of a particular office. Here there could be honest differences of opinion and as our distinguished friend, Shri Dogra, pointed out in order to gauge the importance of a particular office the financial emoluments need not necessarily be the only measuring yardstick and, perhaps, that is the spirit with which this amendment has been brought about.

As regards the point that Shri Satish Agarwal made about the placing of these reports promptly before Parliament and State legislatures, I may say that it is a fact that in some State legislatures this is not being done and, perhaps, we will on our own would like to make some queries as to whether or not the reports are being placed promptly but it also depends upon how vigilant the State legislature itself is about asserting his own right. The point that we should persuade and try to pressurise them to place these reports is also well taken.

(Interruptions)

The other point that Shri Satish Agarwal has made is about the good work that various Committees of Parliament are doing and the useful contribution that the office of CAG is making to make the work of the committees more meaningful and productive is good and it is the desire of the Government that they should continue to do this work.

Two specific points have been made by Shri Satish Agarwal about bringing the

banks and LIC under the Parliamentary control through the CAG. But I may respectfully submit to this House that the nationalisation of banks, which has been approved by this Parliament through an enactment, provides its own checks and counter-checks, auditing and various other things.

Government feel that the workload of the C&AG is growing day by day. So, any suggestion which will add to the workload of the C&AG will have to be looked into with a degree of caution. While this is not an assurance, the suggestion of the hon. Member will certainly be considered. Let me hasten to add that when the LIC was nationalised, it provided for its own audit. So, it would not be fair to say that there is no Parliamentary control over the functioning of banks or auditing the accounts of nationalised banks. Parliament, as the supreme legislative body of this country, has a decisive say in the affairs of the nationalised banks as well as the LIC, which are part and parcel of the Government.

Shri Madhukar made a point about the Bihar Security press. I will have that checked up.

Shri Harikesh Bahadur has more or less reinforced the suggestions made by Shri Satish Agarwal. Our friend from Jammu and Kashmir has also added his bit to the arguments which have been made.

Before concluding, let me reiterate that the Government attaches the greatest respect to the office of the C&AG. We realise the special pedestal that the Constitution provides for this office.

With these words, I commend the Bill for consideration.

MR. CHAIRMAN : The question is :

“That the Bill further to amend the Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Act, 1971, be taken into consideration.”

*The motion was adopted.*

MR. CHAIRMAN : We will now take up clause by clause consideration. The question is :

"That Clauses 2 to 4 stand part of the Bill"

*The motion was adopted.*

*Clauses 2 to 4 were added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI S.M. KRISHNA : I beg to move:

"That the Bill be passed"

MR. CHAIRMAN : Motion moved :

"That the Bill be passed"

श्री रामावतार शास्त्री (पटना) : सभापति जी, मैं अपने दक्तव्य को पढ़ने के पहले आप तमाम लोगों से क्षमा मांग लेता हूँ अगर मेरी बात पसन्द नहीं आये तो मुझे क्षमा कर दीजिये। लेकिन मैं समझता हूँ कि इस बात को यहां उठाना आवश्यक है।

नियंत्रक और महालेखा परीक्षक (कार्य शक्तियां और सेवा की शर्तें संशोधन) विधेयक, 1984 के क्रम में मैं केवल एक सवाल सरकार के सामने विचार एवं आवश्यक कार्यवाही के लिये सदन के सामने पेश करना चाहता हूँ।

संसद् की 5 महत्वपूर्ण समितियां तथा कुछ अन्य समितियां महत्वपूर्ण कार्य कर रही हैं जिनसे सरकारी कार्यों में बहुत मदद मिलती है एवं सरकार के मन्त्रालयों, विभागों, अधीनस्थ कार्यालयों और कम्पनियों के कार्यकलापों पर नियंत्रण रखने में मदद मिलती है। संसद् की वे समितियां इस प्रकार हैं :—

1. लोक लेखा समिति
2. पब्लिक अण्डर टेकिंगज कमेटी (सार्वजनिक उपक्रम समिति)
3. एस्टीमेटस कमेटी (प्राक्कलन समिति)
4. अनुसूचित जाति और अनुसूचित जनजाति कल्याण समिति और
5. संसदीय राजभाषा समिति आदि और छोटी-छोटी कमेटियां। इनमें उपरोक्त प्रमुख पांच हैं।

संसद् के सत्रों के बाद ये पांचों समितियां अपने कार्यों के सिलसिले में देश के विभिन्न भागों का दौरा करती हैं। जिन कार्यालयों कम्पनियों, सार्वजनिक संस्थानों के कार्यकलापों की जांच के लिये ये समितियां जाती हैं, वहां से इनके सदस्यों और स्टाफ के लोगों को कीमती वस्तुएं भेंट की जाती हैं। ऐसा किस हिसाब से किया जाता है और किस फण्ड से किया जाता है ?

सन 1974 में मैं पब्लिक अंडरटेकिंगज कमेटी का सदस्य था। उस समय इण्डियन आयल कार्पोरेशन की ओर से कमेटी के प्रत्येक सदस्य एवं स्टाफ के लोगों को भेंट में कीमती टेबल घड़ी और कीमती टेबल लैम्प दिये गये। मैंने दोनों वस्तुओं का एक पैकेट बनाकर उस समय के पेट्रोलियम मन्त्री श्री डी० के० बरुआ के पास विरोध-पत्र के साथ वापिस कर दिया। साथ ही मैंने उस प्रकार की कीमती भेंटों का विरोध करते हुए प्रधान मन्त्री और महालेखा परीक्षक के पास पत्र लिखकर इस बात की मांग की कि किस कोष से इस प्रकार की भेंट दी जाती हैं ?

इस बात का प्रकाशन उस समय अखबारों में बहुत मोटे हरफों में किया गया, किन्तु दुःख है कि महालेखा परीक्षक की ओर से कोई जवाब नहीं मिला। परन्तु इसका परिणाम यह जरूर निकला कि इस प्रकार की भेंट देने की प्रथा बंद कर दी गई।

सभापति महोदय : यह कोई प्रथा नहीं थी, एक उदाहरण हो गया।

श्री रामावतार शास्त्री : सबको देते हैं। परन्तु खेद के साथ कहना पड़ता है कि जनता गवर्नमेंट के राज्य में भेंट देने की यह प्रथा पुनः जारी कर दी गई, जो आज तक जारी है।

1980 के चुनाव के बाद मैं प्रधान मन्त्री को कीमती वस्तुएं देने के विरोध में दो पत्र लिख चुका हूँ, परन्तु भेंट देने का सिलसिला जारी है

जो कि उन्होंने जवाब में यह अवश्य कहा था कि ऐसा नहीं होना चाहिये।

कमेटी के सदस्यों के नाम पर मन्त्रालयों, विभागों, अधीनस्थ कार्यालयों की ओर से पंच-सितारा होटलों में भोज आयोजित किये जाते हैं जिनमें संसद् सदस्य तो बहुत कम होते हैं, सरकारी अधिकारियों की बड़ी पलटन भोजों में शामिल रहती है। इस प्रकार लाखों करोड़ों रुपये का अप-व्यय होता है।

जब श्री ज्योतिर्मय बसु लोक-लेखा समिति के अध्यक्ष थे, तो उन्होंने भोज के सिलसिले को बन्द कर दिया था। महालेखा परीक्षक को इन बातों का जायजा लेना चाहिये ताकि सार्वजनिक धन के अपव्यय को रोका जा सके। अगर यह अधिकार उन्हें प्राप्त है, तब तो ठीक है, अगर प्राप्त नहीं है तो यह अधिकार उन्हें देना चाहिये और उन्हें इस अधिकार का प्रयोग भी करना चाहिये।

**SHRI SATISH AGARWAL :** It is a good suggestion for consideration.

**MR. CHAIRMAN :** The hon. Minister will reply to this.

**SHRI S.M. KRISHNA :** I was a Member of the Committee on Public Undertakings between 1981-82 and 1982-83. I did visit some of the public sector units. Unfortunately, I was not the recipient of any gifts except the Air India calendar and the Indian Airlines calendar which all of us do get as Members of Parliament. When we visited Mysore Sandal Factory, they gave us some sandal soap which is very customary. But I entirely agree with the spirit with which Shri Ramavatar Shastri has been saying, with the rich experience that Shastriji has in parliamentary life. He has also rightly said that he had brought it to the notice of the Prime Minister and the Prime Minister, of her own, had expressed displeasure. If some companies try to influence or impress upon

Members of Parliament, they are sadly mistaken. Our Members of Parliament are not so gullible as to be impressed by the little gift that they give either to pass on a word of praise if there is incompetence or vice-versa. But, anyway, I entirely agree with the spirit of Shastriji.

**SHRI RAMAVATAR SHASTRI :** There are three sub-committees of the Committee on the Official languages. Those who are visiting banks, they are getting very valuable presents. I know it personally although I am not in that sub-committee.

**SHRI SATISH AGARWAL :** I would like to make one suggestion. I think it would be more appropriate if you pass on a copy of this speech to the hon. Speaker because the hon. Speaker is issuing guidelines and directions to various Committees and Chairmen with regard to these gifts and present. I distinctly remember when I was Chairman of the PAC. We had decided that no costly gift should be accepted by any member of the Committee and no costly gift should be given. Of course, we have also been receiving calendars, diaries, some small ballpens. But then we were very vigilant about it. But this does happen. This is true, this does happen and something has to be done on this score. The best authority to take action in this case is the hon. Speaker. So, you may bring it to his notice or send a copy of Shri Shastri's speech to the hon. Speaker for his directions.

श्री इन्द्रजीत गुप्त (बसीरहाट) : सभापति महोदय, माननीय सदस्य ने घड़ी और दूसरी चीजें वापस कर दीं। इसके लिए आप उन्हें बधाई तो दीजिए।

सभापति महोदय : मैं अपने मन से उन्हें बधाई देता हूँ। उन्होंने अच्छा काम किया है। मैं समझता हूँ कि हम सब उसका अनुकरण करेंगे।

The question is :

"That the Bill be passed",

*The motion was adopted.*

16.54 hrs.

**STATUTORY RESOLUTION RE DIS-  
APPROVAL OF INCHEK TYRES LIMITED  
AND NATIONAL RUBBER MANUFAC-  
TURERS LIMITED (NATIONALISA-  
TION) ORDINANCE, 1984  
AND  
INCHEK TYRES LIMITED AND  
NATIONAL RUBBER MANU-  
FACTURERS LIMITED  
(NATIONALISATION)  
BILL**

MR. CHAIRMAN : Now the House shall take up items nos. 3 and 4 together, for which 1½ hours have been allotted. Prof. Soz to move the Statutory Resolution and also to speak.

PROF. SAIFUDDIN SOZ (Baramulla) : I beg to move the following resolution :—

“This House disapproves of the Inchek Tyres Limited and National Rubber Manufacturers Limited (Nationalisation) Ordinance, 1984 (Ordinance No. 4 of 1984) promulgated by the President on the 14th February, 1984.”

I want to make this clear that I am an ardent supporter of the socialistic pattern of society and I welcome nationalisation. But I have moved the resolution only to make it known to the House that the government does these things, take these measures rather haphazardly. Now you can see that both Inchek Tyres Limited and National Rubber Manufacturers Limited have been sick units for a number of years. And the Government had already taken over these two companies and these companies have been under the control of the Government for the last six years. And, therefore, one does not understand the delayed proposal, the delayed Ordinance suggesting nationalisation. You can see that Government takes these measures only after there is a great hullabaloo, there are strikes and workers suffered from insecurity and in that atmosphere of uncertainty which some times, I do not know whether it is a design that they should cry hoarse, they should organise strikes and thereafter the Government rises to the occasion.

Now, it was in 1972 that the Indian National Chemical Workers' Federation

wanted the nationalisation of both the Companies and from that time now it is more than 11 years since when the workers, that is, the representative body of the workers, the Federation, came forward and requested the Government to nationalise. But they have not done it. Now, finally the Government came forward with this Ordinance. The reason why I say that the Government does these things haphazardly is that there is no cohesion in the Government policy ; on 14th February the Government got the Ordinance promulgated and at that time the hon. Minister suggested that Parliament was not meeting. The Ordinance says,—

“And whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action.”

Now this happens on 14th February and on 23rd February the Parliament was meeting. So, there was no necessity for this Ordinance and immediately after some time, now, there is the Bill. This shows that there is no cohesion in the Government policy to take corrective measures.

Now as far as the Ordinance is concerned, I have no disagreement with it, but there are one or two measures that have been suggested which are very good. One step is that the workers, under this Ordinance, and now under this Bill, become employees of the Government. It is a very laudable step and then the other measure is that the principle of compensation, that also is a very laudable step and a detailed procedure has been suggested. But in that it has not been specifically mentioned that, I think the hon. Minister may say something about that verbally but in the Ordinance as also in the Bill which will come up later, it has not been specifically suggested or mentioned that top priority will be given to the payments that are due to the workers. And the procedure that has been suggested, I think it is a very laudable thing, that the compensation will be given and a Commissioner will be appointed. But sub-clauses (3) and (4) to Section 21 indicate that the Commissioner meant for compensation shall have arbitrary powers. I would invite your attention to sub-clause (3) of Section 21,

It says—

“(3) Every claimant who fails to file the proof of his claim within the period specified by the Commissioner shall be excluded from the disbursement made by the Commissioner.

(4) The Commissioner shall, after such investigation as may, in his opinion, be necessary and after giving the concerned company an opportunity of refuting the claim and after giving the claimant a reasonable opportunity of being heard, admit or reject by order in writing the claim in whole or in part.”

17 hrs.

The Commissioner will have to receive these claims and thereafter he will advertise. But when he advertises in certain newspapers there is no mention that those claimants will receive registered letters or letters direct from the Commissioner. That should be provided. Otherwise, it is a kind of red-tapism whereby people can suffer. The claimants may be 100 or 200. It is not a big thing to write to them on their respective addresses. The period of time within which he will decide the claims has not been mentioned here. So, the Commissioner becomes all powerful and there is no check on him and he can work according to his own whims and fancies. In clause 4 when he gives an opportunity to a company, there could be an individual claimant. So, here it should be mentioned the concerned company or the individual claimant. There has to be a time period within which the claim has to be settled.

The other clauses regarding compensation, taking the workers into the employment of Central Government are very laudable ones. But my complaint was that the Government is having these measures in a haphazard manner, which it should not have done.

MR. CHAIRMAN : Resolution moved :

“This House disapproves of the Inchek Tyres Limited and National Rubber Manufacturers Limited (Nationalisation) Ordinance, 1984 (Ordinance

No. 4 of 1984) promulgated by the President on the 14th February, 1984.”

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI PATTABHI RAMA RAO) : I beg to move :\*

“That the Bill to provide for acquisition and transfer of the undertakings of the Inchek Tyres Limited and the National Rubber Manufacturers Limited, with a view to securing the proper management of such undertakings so as to subserve the interests of the general public by ensuring the continued manufacture, production and distribution of tyres, tubes and other rubber goods which are essential to the needs of the economy of the country and for matters connected therewith or incidental thereto, be taken into consideration.”

MR. CHAIRMAN : Motion moved :

“That the Bill to provide for acquisition and transfer of the undertakings of the Inchek Tyres Limited and the National Rubber Manufacturers Limited, with a view to securing the proper management of such undertakings so as to subserve the interests of the general public by ensuring the continued manufacture, production and distribution of tyres, tubes and other rubber goods which are essential to the needs of the economy of the country and for matters connected therewith or incidental thereto, be taken into consideration.”

श्री मोहम्मद इस्माइल (बैरकपुर) : चेयरमैन साहब, जो बिल इस हाउस में लाया गया है उसका मैं समर्थन करता हूँ। हमारे कोलीग ने कहा है कि गवर्नमेंट ने 6 मास तक इस चीज को सीरियसली नहीं लिया। इसका ताल्लुक खास तौर से मेरी कांस्टीट्यून्सी से है। वहां से कितने ही रेप्रेजेन्टेशन्स दिए गए, कितने ही डेपुटेशन आए, प्राइम मिनिस्टर तक आए लेकिन सभी जगह यही कह दिया गया कि कंसिडर कर रहे हैं। 6 हजार लोग और उनकी फेमिलीज का



सवाल था। मुझे यही कहना है कि डिले करने की क्या जरूरत थी? एकाएक आपकी नींद खुली और आप आर्डिनेंस ले आए चूँकि पार्लमेंट नहीं चल रही थी। इसके बाद स्टेट गवर्नमेंट के साथ आप के रेप्रेजेन्टेटिव्स बैठे और एग्रीमेंट हो गया कि अब कारखाना खुलेगा लेकिन वह एग्रीमेंट भी अभी तक पूरा नहीं हुआ है और यह भी डेफिनिट नहीं है कि वह कब तक इंप्लीमेंट होगा।

कहते थे कि जब नेशनलाइजेशन होगा, तब इंप्लीमेंट होगा। फिर छः हजार मजदूर अनसर्टेटिटी की जिन्दगी बसर करने लगे। अब आप का यह आर्डिनेंस आया है, जिसकी वजह से आप यहां पर बिल लेकर आए हैं। यह आपने बहुत अच्छा काम किया है। मैं चाहता था कि इन्डस्ट्री मिनिस्टर, श्री तिवारी जी, भी यहां पर उपस्थित होते। मैं बताना चाहता हूँ कि मेरे निर्वाचन क्षेत्र में कारखाने बन्द हैं और लॉक-आउट हैं। लॉक-आउट ही नहीं क्लोजर किए हैं और बैंकों ने लिक्विडेशन कर दिया। ऐसी हालत में हजारों मजदूर वहां पर बेकार बैठे हुए हैं, अनिश्चित समय के लिए। पता नहीं उनका क्या होगा। सरकार अपना कोई निर्णय नहीं देती है और न ही राज्य सरकार उसमें इन्टरविन करती हैं। लोग जलूस लेकर उनके पास जाते हैं, लेकिन कोई नतीजा नहीं निकलता है। मैंने भी चिट्ठी लिखी थी, उसका भी कोई जवाब नहीं मिलता है। इसलिए मैं आपसे पूछना चाहता हूँ कि ऐसा बर्ताव मजदूरों के साथ क्यों किया जाता है?

मैं आपको एक और उदाहरण देता हूँ। इस सम्बन्ध में मंत्री महोदय से मिले छः महीने पहले कि क्या होगा, वे भी कोई जवाब नहीं दे सके और कहा कि अच्छा देखा जाएगा। कोशिश कर रहे हैं। इससे पहले जितने भी रिप्रजेंटेशन दिये गये उन सबको कोई जवाब नहीं मिला। लेकिन अब जवाब मिला है कि उसको लिक्विडेशन में कर दिया। 900 आदमी बेकार पड़े हुए हैं,

अभी तक कोई निर्णय नहीं लिया गया है। यह इन्डस्ट्री मिनिस्ट्री का फंक्शन है। जो इतनी प्रामपट होकर इतने दिनों के बाद अब यह बिल लेकर आए हैं, जिसका मैं समर्थन करता हूँ। लेकिन मैं एक बात और कहना चाहता हूँ कि इन्डस्ट्री मिनिस्ट्री को अपना इस प्रकार का एटीचूड बदलना चाहिये। यह मजदूरों के साथ तमाशा करने का सवाल नहीं है, जब चाहा बन्द कर दिया और जब चाहा खोल दिया। मैनेजमेंट और आई०आर०सी० की गलतियों की वजह से इस प्रकार के काम होते हैं। मजदूरों ने सैक्रिफाइस किया है, जो बोर्ड बना है, उसने उस पर ध्यान नहीं दिया। मैं एक बात यह कहना चाहता हूँ कि जो एग्रीमेंट है, उसको कैंसिल करना होगा। दूसरे टोटागढ़ में आठ-दस हजार मजदूर ऐसे ही पड़े हुए हैं, उनकी ओर ध्यान देना होगा। उनको चिट्ठी लिखी जाती है, उसको कोई जवाब नहीं आता है। कहा जाता है कि कम्पनी के ड्यूज बहुत हैं, जिसकी वजह से कम्पनी नहीं चल सकती है, इसलिए उसको बन्द कर दिया। कहा जाता है कि सैन्ट्रल गवर्नमेंट के पास जाकर बात करिए। मेरी कान्स्टीच्यूएँसी में बिन्नी मिल्स आई०आर०सी० नहीं चला रही है। उसको बैंक चला रहा है। वह भी सिक-इन्डस्ट्री है, लेकिन अभी तक इस मिनिस्ट्री का कोई फैसला नहीं हुआ है।

मैं एक-दो बातें और कहना चाहता हूँ। कानपुर में जे०के० रेयन है। मालिकों ने वहां मजदूरों से कहा कि 50 परसेन्ट तनखाहें कम करो, अगर इस बात पर राजी हो तो कारखाना खोलेंगे क्योंकि कम्पनी को मुनाफा नहीं होता है। अभी तक कोई फैसला नहीं हुआ है और मिनिस्ट्री की तरफ से भी कोई इन्टरवेन्शन अभी तक नहीं हुआ है। वहां 9 हजार मजदूर बेकार पड़े हैं। इस बात का जवाब भी आपको देना चाहिये।

आपके अन्दर एक नई आदत शुरू हो गई है—जब किसी कारखाने को लेते हैं और उसमें नुकसान होता है तो बैंकों से कर्जा ले लेते हैं।

उसके बाद बैंक से कह देते हैं कि तुम लिक्विडेशन की दरखास्त करो और इस तरह से वह कारखाना बन्द हो जाता है। मिनिस्ट्री से पूछते हैं तो वह कहते हैं—हम क्या करें, बैंक ने लिक्विडेशन की कार्यवाही की है। तीन-चार महीने पहले ही ऐसा एक कारखाने में हुआ है—हमने उसकी पंटीशन यहां पार्लियामेंट में दी हुई है। आपका यह एटीच्यूड बिलकुल गलत है। क्या यही आपकी इण्डस्ट्रीयल पालिसी है? बामर लारी कम्पनी है जो सरकार की है—उसके लिए एन्वारी कराई गई और मालूम हुआ कि वह इकानामिकली वायाबिल हो सकती है, लेकिन अभी तक कोई स्टेप नहीं लिया गया और अब मिनिस्टर साहब कहते हैं कि हमने उसको डी-नोटिफाई कर दिया है। अगर आपकी मिनिस्ट्री का यही एटीच्यूड है तो इन्चेक-रबड़ का भी यही हाल होगा। यहां के अफसरों और वर्कर्स ने मिल कर फैसला किया है और आप से अपील की है कि जब आप इस कारखाने को नेशनलाइज करने जा रहे हैं तो हम आपके साथ कोआपरेट करेंगे और प्रोडक्शन को बढ़ाकर दिखाएंगे। उन्होंने हमारे समर मुखर्जी साहब के पास चिट्ठी भेजी है जिसमें कहा है कि इस काम के लिए सरकार हमारा कोआपरेशन ले, जो बोर्ड बनाया जाय उसमें हमारे नुमायन्दे को लिया जाय, इस काम में हमारी राय ली जाय जिससे कारखाने का प्रोडक्शन बढ़ सके। लेकिन अफसोस यह है कि आपकी अब तक की प्रैक्टिस कुछ दूसरी है। आपको प्रैक्टिस यह रही है कि जिस कारखाने को टेक-ओवर किया उसमें ऐसे आदमी को भेज दिया जो टेकनीकल-हेड नहीं है, जो वहां जाकर दल-बाजी शुरू कर देते हैं, जिससे प्रोडक्शन नहीं होती है। वर्कर्स को कहा जाता है कि अब गवर्नमेंट ने ले लिया है—इसलिए आपको डिस्प्लंड होना होगा। इस तरह के एटीच्यूड से प्रोडक्शन नहीं बढ़ सकती है। आपको यहां एशोर्स देना चाहिए कि आप उनको कोआपरेशन हासिल करेंगे और जो बोर्ड बनेगा उसमें उनके नुमाइन्दे को लिया जाएगा ताकि उसमें

वर्कर्स पार्टिसिपेशन हो सके। इन्चेक रबड़ के वर्कर्स ने आज तक बहुत सफर किया है। यह कारखाना मेरी कांस्टीचूएन्सी में है। मैं देखूंगा कि आप उनसे कैसा कोआपरेशन लेते हैं—इस लिए इस बात को यहाँ मैशन कर रहा हूँ। अगर आप उनसे कोआपरेशन लेंगे तो उनका 100 परसेन्ट कोआपरेशन आपको मिलेगा। उनकी चिट्ठी हमारे पास है, उसको यहां पर रखने की जरूरत नहीं है। मैं फिर यही कहना चाहता हूँ—आपने इसको नेशनलाइज किया है, इसके लिए तिवारी जी को बहुत धन्यवाद। हमारे तिवारी जी इतने सीधे आदमी हैं कि वे सबके लिए हां कह देते हैं, लेकिन करते उल्टा हैं। उनकी यह आदत मेम्बर आफ पार्लियामेंट के साथ है, यहां तक कि कलकत्ता जाते हैं तो हमारी गवर्नमेंट को भी मिसलीड करके आते हैं। यह जरूर हो जाएगा लेकिन आखिर में वह लिक्विडेशन में चली गई। यह तरीका इंडस्ट्रीज मिनिस्ट्री को बदलना होगा। बड़ी-बड़ी बातें हम लोग करते हैं लेकिन होता कुछ नहीं है।

अभी आडीटर जनरल के बारे में जो बिल आया, वह अभी पास किया है और हमने कहा कि पब्लिक फाइनेन्सेज पर कुछ कंट्रोल होना चाहिए, एल० आई० सी० और बैंक पर कंट्रोल होना चाहिए। अगर ऐसा हुआ तब कहीं जाकर कुछ हिन्दुस्तान में हो सकता है और पार्लियामेंट का कुछ कंट्रोल हो सकता है। मैं आपको एल० आई० सी० की एक मिशाल देता हूँ। कलकत्ता में रीज होटल के लिए एल० आई० सी० ने एक आदमी को पैसा दिया गया और कई लाख रुपया खर्च करके स्मगलर से दोस्ती करके वह आदमी भाग गया। वह होटल अभी तक ऐसा ही षड़ा हुआ है। उसकी बिल्डिंग पर लाखों रुपया खर्च हुआ है लेकिन एल० आई० सी० पर आडीटर जनरल का अगर कोई कंट्रोल होता है, तो वह उससे पूछता कि इस पैसे का क्या हुआ है और उस आदमी का क्या हुआ जिसने पैसा लिया था। वह एक बहुत नामी आदमी है। अब सब वर्कर्स ऐसे ही बैठे हैं और बिल्डिंग ऐसी ही

पड़ी है और सरकार का लाखों रुपया उसमें डूब गया है। इस तरह के पब्लिक फाइनेन्सेज पर कन्ट्रोल न होने से कुछ नहीं हो सका है। इस चीज को आप कैसे बदलेंगे।

जहां तक गवर्नमेंट का ताल्लुक है, हम बहुत सी बातें सुनते हैं कि गवर्नमेंट स्माल स्केल इन्डस्ट्रीज के लिए यह कर रही है और वह कर रही है और उनको बढ़ावा दिया जा रहा है लेकिन जो बिग मोनोपोलिस्ट हैं, वे छोटी-छोटी इन्डस्ट्रीज में अपना काम कराते हैं, अपना माल बनवाते हैं और अपना छापा उस पर लगाकर उस माल को अपने नाम से बेच देते हैं। अगर पकड़े जाते हैं, तो फिर लोक-आऊट कर देते हैं और इस तरह से सैकड़ों हजारों वर्कर्स बेकार हो जाते हैं। इस तरह की जो बातें हैं, उनसे स्माल स्केल इन्डस्ट्री वालों को बचाया जाना चाहिए और अपोजीशन की तरफ से जो इस तरह की बात बही गई है, उसको सीरियसली लेना चाहिए। यूनियन्स की बातों को सुनना चाहिए। आज तो वर्कर्स जो पेटिशन देते हैं या कुछ बोलते हैं, उसकी कोई हियरिंग नहीं होती है। मेरा कहना यह है कि यूनियन्स के रेप्रेजेन्टेटिव्स को बुलाकर और वर्कर्स को बुलाकर बातें करनी चाहिए और यह जो धांधलेबाजी चल रही है, यह खत्म होनी चाहिए।

मैं आपको बताऊँ कि उषा जो एक बहुत बड़ी कंपनी है, उसका काम यह है कि फेन्स के पार्ट्स वह इन्सीलियेरी इन्डस्ट्रीज में वर्कर्स से बनवाती है और फिर उनको निकाल देती है। जब उन लोगों ने आन्दोलन किया तो उसको बन्द कर दिया। एन्सीलियेरी इन्डस्ट्री में जो वर्कर्स काम करते हैं, उन्होंने अपनी मांगें उषा कंपनीके सामने रखी और आप जानते ही हैं कि वह डी० सी० एम० वालों की एक बहुत बड़ी कंपनी है लेकिन उन लोगों को पूरी तनख्वाह नहीं दी जाती है। जब लोगों ने यह सवाल उठाया, तो उनको रिट्रेन्च कर दिया और जब उन्होंने कहा कि हमें आप रिट्रेन्च क्यों कर रहे

हैं, तो फिर कम्पनी को बन्द कर दिया। 6 महीने तक वर्कर्स इसके लिए लड़ते रहे और छः महीने भूखे मरने के बाद अब वह फैक्ट्री चली है। इस तरह से सरकार की जो गाइड-लाइन्स हैं इन्सीलियेरी इन्डस्ट्रीज को मदद देने की, वह मानी नहीं जा रही हैं। आपकी इन्डस्ट्री मिनिस्ट्री में यह क्या हो रहा है। नेशनेलाइजेशन जो आप ने किया है वह एक बहुत अच्छी बात है लेकिन मेरा कहना यह है कि आपको इस काम में यूनियन्स का कोआपरेशन लेना चाहिए, वर्कर्स का कोआपरेशन लेना चाहिए। तभी यह ठीक से चल सकता है। अलग-अलग नहीं बल्कि जो सेन्ट्रल आर्गनाइजेशन्स हैं, उनसे मिलकर इस काम को करना चाहिए और जो लीक आउट करके चले जाते हैं, उनके खिलाफ कार्यवाही करनी चाहिए। इसके बारे में सरकार को प्रस्ताव दिया है और तजबीज रखी है। ये लोक-आउट क्यों होते हैं और मालिक फैक्टरीज को बन्द क्यों करते हैं, इसके बारे में आप को यूनियनों से बात करनी चाहिए और वर्कर्स का कोआपरेशन लेना चाहिए।

मैनेजमेंट में वर्कर्स के पार्टीसिपेशन की बात भी की जाती है लेकिन मेरा कहना यह है कि इस दिशा में कुछ नहीं हो रहा है। मैनेजमेंट वर्कर्स को कोई राइट्स नहीं देता है और एक वर्कर को उसमें नाममात्र के लिए रख लेते हैं और उसको डांटकर जो करवाना होता है, करवा लेते हैं। इस तरह से सही माइनों में वर्कर्स का पार्टीसिपेशन मैनेजमेंट में कैसे हो सकता है। आप बिना वर्कर्स की कोआपरेशन के इन्डस्ट्रीज को नहीं चला सकते हैं और आपकी जो पालिसी मैनेजमेंट में पार्टीसिपेशन की है, उसको सही माइनों में अमल में लाना चाहिए और जो वर्कर्स हैं और जो प्रोडक्शन फोर्स है, उनका कुल कोआपरेशन लेना चाहिए। आप जिस तरीके से भी उन्हें मदद दे सकते हैं, वह दें। आप उनको मदद देने के लिए जो चाहें वह करें। नहीं तो वर्कर्स की बात को कौन सुनेगा।

अब मैं और न बोलते हुए इस बिल को सपोर्ट

करता हूं और आपसे उम्मीद करता हूं कि आप वर्कर्स से हर तरह की कोआपरेशन लेंगे और इनको आगे अच्छी तरह से चलाएंगे।

\*SHRI N. SELVARAJU (Tiruchirapalli): Mr. Chairman, Sir, on behalf of my party the Dravida Munnetra Kazhagam, I rise to support the Incheck Tyres and National Rubber Manufacturers Limited (Nationalisation) Bill, 1984. This is a welcome measure. This need not have been delayed by five years. I am sure that this bill will receive universal support from all sides of the House.

India is a vast country which cannot be fully covered by rail transport facilities. Transport by roads has assumed serious significance in the face of increasing wagon shortage and paucity of funds for developing railways. Transport by road means lorries and trucks which require tyres and that too tyres fit for long haulage. In other words tyre has become a vital commodity in the development of our economy. In metropolitan towns public transport is not able to meet the growing demand of the people. Hence the production of cars, motors, three wheelers and two wheelers has been stepped up considerably. We have recently set up Maruti Udyog for producing small cars. This leads to growing demand for tyres of all types and varieties. But, unfortunately the tyre industry is in the stranglehold of MRTP and FERA companies, who have no compunction in exploiting the demand and supply situation so far as tyres are concerned.

The Government of India in October 1983 reduced the excise duty on tyres and expected that this benefit would be passed on to the consumers. But the tyre manufacturers not only swallowed that monetagry benefit but also hiked up the tyre prices. Incensed by this avarice, the hon. Finance Minister has in his 1984-85 budget withdrawn the concession in excise duty on tyres. He has ventilated his ire also in his Budget speech.

Sir, the Indian Petro-chemical Corporation, which is in the public sector, is selling the polybutadene rubber at a

throwaway price. There was a Parliamentary Question about this only the other day. The pioneering private sector producing styrene butadene rubber is selling this synthetic price at constant prices for so many years, irrespective of the fact of increase in the inputs like coal and power. In addition to this, the tyre giants are importing synthetic rubber from abroad in many devious ways. One of the devious ways was plugged last year by the Finance Ministry. The price of imported synthetic rubber is no doubt cheaper and inspite of all this, the tyre prices are going up at a phenomenal pace. The tyre companies do not allow the indigenous installed capacity for synthetic rubber to be fully utilised. They are more concerned for amassing profits. They sell tyres at fancy prices though they get the inputs at depressed prices. Sir, under a system called DHARMADHA one tyre company is collected huge sums of money from the transporters. If they show any reluctance the supply of tyres is delayed. Recently the capital city of Delhi witnessed violent clashes and conflict between the transporters and the tyre companies. There is no doubt that the tyre companies are exploiting the situation. The Bureau of Industrial Costs and Prices has several times studied the cost structure of tyre manufacturing and this body has given many recommendations, which have not yet been implemented by the Government. I will also refer to the import of natural rubber to contain the price of indigenous natural rubber though the production is picking up. Just because natural rubber is available at a low price abroad, we are importing it with the idea of stabilising the price of natural rubber. It means that natural rubber is also being made available at competitive prices to the tyre manufacturers. In spite of all this soft approach to tyre manufacturers, they are not reducing the tyre prices.

In view of this continuing recalcitrance, I suggest with all the force at my command that the import of synthetic rubber should be banned for ever. If the ban on import of natural rubber poses any problem, then there should be a permanent standing committee to ensure proper production and distribution pattern of tyres

\*The original speech was delivered in Tamil.

at competitive prices to the consumers. This is very much necessary for transport economy of the country.

I would go to the extent of demanding nationalisation of all the tyre units in the country, which alone will help in consolidating the economic gains that we have achieved so far. I am sure that just by nationalising Incheck tyres and National Rubber the Government will not be able to achieve the objectives enumerated in the Statement of Objects and Reasons of this Bill.

I would substantiate my demand by referring to the fact that the farmers in our country transport their produce by bullock carts. They transport the grains from the field to their tenements; they carry the sugarcane from the field to the factories. They bring the inputs like fertilisers, seeds etc. in such bullock carts. They cannot do these things in trucks or lorries. It will be impossible for them to meet the fuel costs, particularly in the environment of ever increasing agricultural input costs. They are harassed by the increasing price of tyres for these bullock carts. The Centre has levied excise duty on such tyres. The State Government levies heavy dose of sales tax on such tyres. The hon. Minister cannot dispute that bullock carts still play vital role in our agricultural economy. The political leaders shout from house tops that the needs of farmers would be given prime importance. In reality the needs of the farmers are given the lowest priority. If what we profess is really to be practised, then I demand the removal of excise duty on the tyres of bullock carts and also the issuance of directives to the State Government for removing sales tax on such tyres. Sir, this must be done if we want to sustain the green revolution of our country.

The accumulated losses soared to Rs. 25.81 crores in the Incheck Tyres and to Rs. 18.74 crores in National Rubber Manufacturers as on 31.3.1982. The Centre has come forth to undertake this huge financial drag in order to save about 4500 workers from unemployment. I welcome this Bill mainly because of the Government's concern for the plight of workers. We have to commend this

effort of the Government inspite of severe financial constraints.

Sir, I belong to the party, the D.M.K. which is wedded to nationalisation of all core sector units for the growth of the country. The Tamil Nadu Government headed by Dr. Kalaignar Karunanidhi started the nationalisation of bus transport in Tamil Nadu. The bus owners of Nilgiris District took up the legislation to High Court first and then to the Supreme Court the bus nationalisation Act passed in 1973. After ten years, in 1983 the Supreme Court has upheld the bus nationalisation legislation of Tamil Nadu Government. Instead of hailing this judgement and implementing it, the Chief Minister of Tamil Nadu, who is concerned more with his personal popularity and affluence, has sidetracked the provisions of the Bill and has allowed private bus owner to enter the field again. He has circumvented the provisions of the Act in many devious ways to serve his ulterior motives.

Just a while ago the House passed the taking over of Ganesh Flour Mills' units. I should say that there is this public impression that the Government is taking over only sick units. In other words, the Government is coming to the succour of those industrialists who have exploited such units for personal ends. They also have this experience that the public sector undertakings after a few years of operation start losing. They compare this performance with that of private sector units which are best managed. This impression of the people must be eliminated. You should send a talented team of managers to man these two units so that they become an example of efficiency. Secondly, the Government should not hesitate to take over profit-making units also in the interest of the nation. If the economic circumstances demand such taking over, the Government should not be reluctant in taking over profit-making units also like the tyre giants who repatriate huge profits outside the country and who show scant respect for the laws of the land and who are not interested in the economic development of the country.

With these words I support this Bill and resume my seat.

SHRI INDRAJIT GUPTA (Basirhat) :

Mr. Chairman, I echo what my friend, Mr. Ismail has said that this is a long long over due measure—the nationalisation of these two companies. Of course, it is better late than never.

I welcome it very much because, we have been pressing for it for many many years. The Minister may not know it but his senior Minister has received at least half-a-dozen deputations which came from Calcutta composed of all the trade-unions in these two factories including the union of the ruling party. The Congress union along with other unions together have been agitating for years now for nationalisation so that these two companies can be put on a proper footing and can be saved and run properly. There is no explanation given here why this long delay has taken place. There is a long gap. The management take-over was 7 or 8 years ago and only now after repeatedly telling us that the matter was still under consideration, this step has been taken. Any-way, as I said, it is better late than never.

There are some points here which must be explained, I suppose, by the Government. When the House is being asked to vote a compensation which amounts to almost Rs. 5 crores to the two companies—Rs. 490.04 lakhs, a little short of Rs. 5 crores—which is not a very small sum, the House should be told at least what is the basis of the calculation of this figure. How have they arrived at this figure of Rs. 5 crores? This is in addition to the other amount of Rs. 50,000, a year which is going to be given to them also. There is no explanation given is the House supposed to judge for what such a large amount is to be paid out of the Consolidated Fund of India? Some explanation must be given as to how it was calculated and the basis of calculation. Nothing is there.

Then, Sir, we would like to have some assurance about the new management set-up which the Government proposes in order to run these two companies. Two companies, judging from the Press report that I have seen, are going to be functioning as a single concern now and the report is that one of

the old established companies in West Bengal, Andrew view is to be given the authority of looking after these concerns. We do not know. We want to know authoritatively from the Government on the floor of the House what is the arrangement now proposed for the actual management of these two concerns.

Then, the question will come about the workers' participation. I am glad that the Labour Minister is here. Only recently, his Ministry has circulated another scheme for workers' participation in management. I do not know how many such schemes have been circulated or discussed and accepted also in the last several years. But new schemes go on being formulated because, obviously, nothing effective is taking place yet.

I was interested to see the other day a book which has been published recently and has attracted some attention also because the author happens to be one of the Ministers of the Central Government. In that book, he has written in one place on the question of workers' participation in management that, whenever an industry is running into losses or is sick, so many people come forward and say, let the workers take it over and run it, but the moment an industry is running properly or profitably or is sound lines, the workers are forgotten completely. Nobody bothers about them. The whole attitude is as if they are some sort of an inferior people, who do not have any kind of intelligence to contribute to the running of a concern. So, I want to know from the hon. Minister what is the Position in respect of this type of company which has been running at such heavy losses and which has been sick. There are a large number of sick units in West Bengal. I for the moment will confine myself to that State only though there are certain things happening all over the country. There is a whole group of companies which are in this plight. Nowhere do we ever find any serious attempt being made to enlist the active cooperation of the workers in running the management of these concerns.

Now, I would like to know, in the case of the Inchek Tyres Limited and National Rubber Manufacturers Limited, the new set up which is going to be brought in, whether

the workers are going to get any part in the management of those concerns or not.

Just now, we have heard that the salaries and wages for the month of January, 1984, have not yet been paid to the workers. I would like to know what is the latest position regarding this. I have received a complaint from there that they have not received their salaries and wages for the month of January. If that is true, I would ask, why it is so. Who is responsible for it? If it is now being paid, let him confirm that also. But these kind of things raise very many doubts in our mind as to what kind of management is going to be brought in there now.

I only want to say that, as my hon. friend, Mr. Ismail, has said, we are thoroughly dissatisfied with the policy or rather lack of policy of the Government towards this whole problem. I can tell you from 3 or 4 examples in West Bengal that the Government does not seem to have any clear or any coherent policy as to how they propose deal with this problem of companies which are either sick or which are mismanaged or which are running in big losses or which have been rendered sick by previous owners. What is their line of thinking? They must tell us what is their policy going to be. We find that they have been experimenting with so many things.

Some companies were handed over to the I.R.C.I. I have in mind a very well-known, a long-established and one of the pioneers in their own field in this country, that is, the Bengal Potteries Ltd. which is manufacturing not only the table-ware or the crockery but also manufacturing a large number of porcelain products which are required by the electrical industry, like, insulators, capacitors and all that. They have got two factories in Calcutta. The Bengal Potteries are supposed to have fallen sick. They were handed over to the I.R.C.I. for restoring it back to health. But the gentleman—I do not want to name him—who was put in-charge of this whole rehabilitation process was the very same gentleman under whose managing directorship the company was first made sick. The same person was kept. Now, after large amounts of money from the I.R.C.I. being injected into these concerns, which are under the

control of the same gentleman, the situation still is quite hopeless. One does not know how this company will carry on.

In this case, we are repeatedly asking that if Inchek and the National Rubber can be taken over and can be run as nationalised concern, why not the Bengal Potteries? The Government has no answer. Just last week I received a letter again, in reply to my query, from Shri Narayan Datt Tiwari, because there was a rumour that they were trying to hand it over to some private party. In fact, at one time, a name was being bandied about. It was the name of Birlas and it was said that they were interested in taking it over. Anyway, in his reply to me, Shri Narayan Datt Tiwari has stated that it is not proposed to hand it over to Birlas and that Birlas are not interested in it or something like that. But, what they propose to do, nothing is stated.

Last time, I was informed by the Senior Minister that he is sending some high official of his Ministry to Calcutta to discuss there, with the State Government, as to how to deal with this Bengal Potteries. But this is going on year after year. 5,000 people are there and they do not know what their fate is going to be the next day why they should follow one criterion in one case and another criterion in another case, we do not know.

There is another company, the Hindustan Pilkington Glass Works. It is an old established concern, making sheet glass by very modern methods. Originally it had foreign collaboration and all that. It also fell sick and was closed for a long period. Then they tried a new formula. They caught hold of a well-known foreign bank, the Grindlays. It was brought into the picture. They caught hold of a gentleman in Bombay or, may be, in Gujarat, one Mr. Taktawala who is supposed to own many glass manufacturing concerns in Gujarat. With the help of this money from the Grindlays and with the technical expertise of Mr. Taktawala, we were assured that this Hindustan Pilkington Factory would start functioning again and that this sheet-glass operation would be resumed as soon as possible. That was the most profitable thing to do. But now I read from press reports that Mr. Taktawala is again backing out from the whole affair,

He is not doing what he was expected to do and the Company is again facing disaster. The Sheet Glass Department has not started functioning. We do not know what you are proposing to do.

I read in the newspaper the other day—of course, this is in Bengali. I am afraid I have not got the English version here just now. There is a daily newspaper in Calcutta called 'Ajkal'. This newspaper has brought out a report quoting our Minister of Labour and Rehabilitation Shri Veerendra Patil as having said on the 6th February that in West Bengal three companies, the Containers and Closures, the Indian Rubber Manufacturers and the Carter Pooler, can only survive if they are taken over by the Government and run by the Government. I do not know if this is correct or not but this is what appeared in the press. In the meantime, what has happened? The Ministry of Industries has publicly announced that this Containers and Closures is to be denotified and allowed to be closed down, and that nothing is to be done about it. Every day we are getting letters and a peals from them, "Please do something to save us, We will be finished". They made a very constructive proposal. They are manufacturers of these containers which are required by the oil industry and you have got a concern in Bengal called, Balmer Lawrie, not the old Balmer Lawrie but the Balmer Lawrie which has been taken over. This Balmer Lawrie could easily take over the Containers and Closures as a kind of subsidiary today because they are interested in making these containers for the Oil Corporation and the other public sector companies and in that case these 800 people could have been saved. I wrote about that and I spoke to the Hon. Minister about that. But now they have replied again saying that nothing can be done. Balmer Lawrie is also not interested. Nobody is interested. So the whole company has been closed down. The same thing has happened with Carter Pooler. At one time it was suggested that the Ministry of Defence might make use of the resources of Carter Pooler to manufacture certain type of equipments, not armaments, of course, but some other type of equipment they needed. But after some time, we find that the whole affair has also been abandoned and that Carter Pooler has been closed down. So, we

do not know what is the policy at all which is being followed. Either you have to tell us that you do not intend in future to take over and run this type of concerns which, in the majority of cases, have been brought to this pass by the previous owners or you have to say that you will run it as a joint venture. There should be some policy. I do not support this joint venture idea. But if that is your idea, come out with it and say that the Government cannot do it alone, you will bring in some private party also if he is interested and he and the Government together as a joint venture can run. Or, you say that you will hand it over to the IRCI or you will sell it totally to some private employer. Of course, we will oppose all that. I am saying, after the management has been taken over, which we consider to be as a transition, the first step towards full take-over or nationalisation, they want to go back from management take-over either to joint venture or to closing down the thing altogether, denotifying it. This is a retrograde step and is playing havoc with the industrial economy there. At one time West Bengal used to be taunted and given a bad name that it is a place where strikes take place, all the time there is labour unrest, and so on. Now the statistics will prove, the figures show, that the mandays which are lost due to strikes are much less than the havoc that is being caused by closures which are imposed by the employers—lock-outs and closures. I am not mentioning all these other industries. Mr. Ismail has referred to many lockouts there—in Tita-garh Paper Mills. As far as jute mills are concerned, everybody knows that last year at one time 21 jute mills were closed down simultaneously. Have you done anything about it? Do you ever pull up these employers? All these sermons and strictures are reserved only for the workers, 'you must not go on strike; if you go on strike, then so much production is lost and that is against the interest of the country' and so on. But all these hundreds of employers take money from banks and public financial institutions without investing their own money, run these concerns and then ruin them, fleece them, steal the money and then one day declare that they have no liquid funds and, therefore, they are closing down the concern. I do not hear your Government saying a single word against those people.



Are they not guilty of ruining the productive assets of this country? And they are being allowed to do it with the help of public funds. Now the whole thing has been exposed. The private sector is no private sector at all. It is a private sector running entirely on public money, then the money is misappropriated, they are mismanaged and then these companies are brought to this state of affairs. This may have come up in the form of a Bill relating to a particular concern, but it brings in the whole question of what is the government's policy going to be. Therefore, I want to know from the Minister about these companies which I have mentioned, specially the Bengal Pottery which is a very viable concern; it can have a very good export market also; it is making on the one hand very high quality crockery and tableware and also these insulators and capacitors for the electrical industry. Why should it be allowed to be ruined? I cannot understand for the life of it. Production can be diversified and many other things also can be made. The workers are prepared to cooperate. But it is dragging on from year to year. The IRCI has failed to put it on its feet. We begged of the Minister, 'For goodness' sake, remove this gentleman; he is the man who was responsible for having first made this company sick and you keep him there expecting that he will bring it back to health again; at least change the management. Even that was not done. So, what is your motive, what is your purpose, we are not able to follow at all. Kindly tell us something if you can. I do not know whether you are prepared with the facts regarding the situation in some of these concerns. Probably you have not come prepared with those about the Bengal Pottery or the Hindustan Pilkington and all that. Out of these three concerns which were mentioned, according to the press report, by Mr. Veerendra Patil in which he is supposed to have favoured the idea of Government taking them over, two of them, I know, the Containers and Closures and the Carter Pooler, have just been closed down. So the Labour Ministry seems to be thinking on some lines and the Industry Ministry seems to be thinking on some other and absolutely contrary line....

MR. CHAIRMAN: The hon. Member's time is almost over.

SHRI INDRAJIT GUPTA: I am sorry for you, Sir. We are making you work overtime.

MR. CHAIRMAN: You have already taken 20 minutes.

SHRI INDRAJIT GUPTA: Actually I do not want to say anything more. The point is that I have to speak for the record because I do not expect that he is going to expound the policy of the Government on this matter, but at least some specific questions I have asked regarding this particular Bill, those at least he should explain one regarding the compensation and the other is about the new management structure which they intend to bring in to ensure that these companies do really now run on proper lines. I hope he will tell us something about that.

SHRI T.R. SHAMANNA (Bangalore South): I welcome this with a serious reservation.

In the first instance the Bill should not have been brought through an ordinance. The ordinance was issued just 9 days before the Parliament was to meet. The very fact that the ordinance was issued takes away the right of the Parliament to either refer the matter to a Select Committee or for circulation. Such an important Bill should not be brought in the form of an ordinance particularly after allowing this company to be working at a loss for six years after the Government has taken it over. The Government has been sleeping for 6 years and then the ordinance is brought at the last stage. Furthermore, the government has taken only the management in 1977-78. In the meantime they have caused a loss to the tune of Rs. 17 crores in the first company and Rs. 14 crores in the second company and even after the Government has taken over the management, the companies have been incurring more losses than they were incurring before they were taken over. My serious objection here is that with such a huge loss even after six years of management, can we expect the Government to run the concern successfully after nationalising it? I have my own serious doubts about it.

One serious objection here is that in the case of Maruti Motors, because the

Prime Minister had interest in it, the concern has worked out successfully and in the course of two years, not only the concern was made to produce but it also earned international reputation. Why not the same interest be taken in the other concerns also which have been nationalised by the Government?

Most of the concerns which have been nationalised in these years have been working at a loss even after the Government have taken them over. In this particular concern, the concern has been nationalised on grounds—the grounds which are given here are: (1) labour trouble, (2) acute shortage of power, (3) financial trouble and (4) non-availability of some raw material. And there is also the question of repairs, renewals and modernisation of machinery, etc. If it is nationalised, unless and until these drawbacks that have been stated here are set right, what good could be done to see that the concern works profitably. Furthermore, the Government is paying now a hard cash of Rs. 4 crores but it is expected to pay more than 3 times that to meet the liability of the bank and the government and these liabilities also are not accounted. Rs. 4 crores will not even suffice to meet one-fourth of the demand which is there to see that the concern is set right. Even if it is taken that the machinery and other things are to be modernised, it is very necessary that they should have more money. Therefore, it is very necessary now that they must down the policy as to how nationalisation has to be done.

Sir, the Company Law provides on how to set right the defects of the companies such as by amalgamation, reconstruction and then absorption of the companies. When two concerns do not work satisfactorily, in order to see that they work economically, the concerns are amalgamated. Bigger concerns work at a loss as compared to the smaller concerns. If the concerns work haphazardly, to give a new life, why not the Government make use of the provisions of reconstruction etc.? Why should they allow the concerns to work on very heavy losses of the order of crores of rupees? Why should the losses be borne by the exchequer, the Government?

Under the provisions of the Act, they are forced to take over these concerns. Under the Industries Development and Regulations Act, they can take over the concerns which are working at a loss for a long time. Furthermore, Sir, I think the Government has taken over many concerns in the course of four years or so. As a Member of Parliament, I know that nearly 20 concerns have been taken over by Government. I hardly find about four or five concerns working satisfactorily and the rest of them are working with heavy losses nowadays.

Now, the Labour Ministry, Finance and the Industry Ministry should sit together and lay down a policy in the basis of which nationalisation has to be done and on how to prevent the concerns from going sick. After the nationalisation if the concerns are run hopelessly bad, then only the question of liquidation can come. To save those concerns, they take them over. They should lay down the policy as to which concerns should be nationalised and which should be liquidated. That policy is very necessary. For that purpose the first thing that is necessary for us to do is this. The Ministry must get into an agreement with labour. In East Germany, a communist country, I find that there is no strike or closure. Why not you enter into an agreement with the labour and see that the strikes are not there? Why not we follow them in order to see that these concerns run smoothly? If a concern is not working satisfactorily, hand it over to the labour instead of closing it down. If financial assistance is needed, give that to them so that the concerns are managed by them.

Power is a big problem in our country. When power problem is there, we automatically raise the coal prices by 25%. And many concerns are stopped for want of power. The public sector industries in Karnataka are on the verge of closure because there is fifty per cent power cut there. Unless something is done, how can you see that the industries are regulated?

With regard to finance, Government must have a policy in regard to this. Many concerns are not running properly because most of their machines are outmoded and

they have to be modernised. For modernisation of machinery, huge capital is required. All this should be studied. Then only it is possible to see that these industries are brought into order. If thus is not done, I am quite sure that in the longrun, the public money will be lost and the country will not be in a position to recover the amount. The sooner we lay down a policy for nationalisation, the better it will be.

I would, therefore, urge upon the Government not to bring in the nationalisation of the concerns in a haphazard way but to see that nationalisation is done in a regulated and practical way.

18.00 hrs.

I am sure that hereafterwards, such a nationalisation does not take place unless and until they have got all the seriousness which they had in regard to Maruthi Limited. Unless the same seriousness as we have taken for Maruti Automobiles, is shown, it will not be possible to regularise the industrial development of the country.

18.01 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Monday, March 5, 1984/Phalguna 15, 1905 (Saka)*