

**(vii) Need to take Concrete steps to check increasing Incidents of Atrocities on Women.**

SHRIMATI BHAVNA CHIKHLIA (Junagarh) : Atrocities on Women are on the increase day by day. Tandoor murder case and the murder of a woman by her husband in Distt. Sagar, Madhya Pradesh we dumped the dead body in step dam of Lalitpur so that the crocodiles may eat it and no trace as left of the murder are glaring examples of such incidents. Often such incidents are hushed up due to political pressure. Sometimes even the police force, which is supposed to provide protection, is involved in such incidents. The need of the hour is to check incidents of molestation dowry deaths, custodial rape, trafficking of young girls. Not only legislation should be enacted providing for stringent measure but they should be enforced also strictly.

A World Women Conference is being held in Beijing in September. I urge the Government to chalk out a new policy for the protection of rights of women in India, keeping in view the spirit of the proposed Conference.

**(viii) Need to Provide Funds for the Overall Development of Sambhal (Distt. Moradabad. U.P.)**

DR. S.P. YADAV (Sambhal) : Despite proximity of Sambhal to Delhi, its development has not been of the required level. It is by and large a rural areas comprising barren and wasteland. The areas is not only bereft of rail and road transport facilities but also lacks infrastructural facilities like water, power etc. In the absence of any employment opportunities, the youth of the area are either attracted to Delhi or have taken to a life of crime.

I would, therefore, request the Union Government to provide adequate funds for the overall development and construction of roads in the Sambhal Lok Sabha Constituency.

[English]

MR. DEPUTY SPEAKER : In this case, when Dr. S.P. Yadav's name was called, the hon. Member was absent with the result that Shri Geeta Mukherjee's name was called. Subsequently, Dr. S.P. Yadav appeared in the House and took part in the Rule 377 proceedings. Through the Chair was very much compelled not to call the name of Shrimati Geeta Mukherjee, under special circumstances, I call the name of Shrimati Geeta Mukherjee to take part in the Rule 377 proceedings.

**(ix) Need to give early clearance to Project for Flood Control of Keleghai River in Midnapur District, West Bengal.**

SHRIMATI GEETA MUKHERJEE (Panskura) : Sir, Keleghai river in Panskura in Midnapur district in West Bengal is flood-prone. A project for flood control of Keleghai river has been sent to the Central Government by the Government of West Bengal. Environment clearance of the project has been obtained. But it is still awaiting clearance from Ganga Flood Control Board.

I request the hon. Minister in-charge of Water Resources to see that it is cleared by Ganga Flood Control Board without further delay.

MR. DEPUTY SPEAKER : The House stands adjourned to meet again at 2.45 p.m.

13.47 hrs.

*The Lok Sabha then adjourned for Lunch till Forty-Five minutes past Fourteen of the Clock.*

14.56 hrs.

*The Lok Sabha re-assembled after Lunch at Fifty-Six Minutes past Fourteen of the clock.*

[MR. DEPUTY-SPEAKER in the Chair]

STATUTORY RESOLUTION RE :  
DISAPPROVAL OF SICK TEXTILE  
UNDERTAKINGS (NATIONALISATION)  
AMENDMENT ORDINANCE, 1995

SICK TEXTILE UNDERTAKINGS  
(NATIONALISATION) AMENDMENT BILL;

STATUTORY RESOLUTION RE : DISAPPROVAL  
OF TEXTILE UNDERTAKINGS  
(NATIONALISATION) ORDINANCE, 1995

AND

TEXTILE UNDERTAKINGS  
(NATIONALISATION) BILL

MR. DEPUTY SPEAKER : We shall now take up Item Nos. 18 to 21 of today's agenda. The time allotted for this discussion is four hours. The time allotted to each political party is like this : Congress-one hour and 48 minutes; BJP-49 minutes; CPI (M)- 15 minutes; Janata Dal-10 minutes; CPI-6 minutes; Samata Party-6 minutes; AIADMK-5 minutes; Janata Dal (A)- 4 minutes; Telugu Desam-3 minutes; and other small political parties and groups have very small time...(Interruptions)

PROF. PREM DHUMAL (Hamirpur) : What about Arjun Singh's party's time?... (Interruptions)

MR. DEPUTY SPEAKER : Now it is up to the whips of the parties to see how many speakers they want to put up and how much time they want to take.

SHRI M.R. KADAMBUR JANARTHANAN (Tirunelveli) : It will be only in paper.

MR. DEPUTY SPEAKER : It should be in reality also

because in one case where one hour was allotted, six hours have been consumed. Therefore, my request is that the whips may kindly arrange and see as to how much time they will take and how many speakers they will put up. Now, Shri Ram Naik.

[Translation]

SHRI RAM NAIK (Bombay North) : Mr. Deputy Speaker, Sir, I beg to move the following two Statutory Resolutions—

"This House disapproves of the Sick Textile Undertakings (Nationalisation) Amendment Ordinance, 1995 (No 7 of 1995) promulgated by the President on June 27, 1995."

"This house disapproves of the Textile Undertakings (Nationalisation) Ordinance, 1995 (No 6 of 1995) promulgated by the President on June 27, 1995."

Mr. Deputy Speaker, Sir, if the other Minister do not disturb the Minister, then he may be able to may attention to us.

Mr. Deputy Speaker, Sir, my main contention is that powers vested in the Centre by the Constitution have always been misused and the promulgation of ordinances at this juncture was highly unjustified...*(Interruptions)*

15.00 hrs.

Mr. Deputy Speaker, Sir, this misuse is unprecedented.

[English]

There is no parallel in parliamentary history of issuing ordinances.

[Translation]

The main objective of the nationalisation of 109 sick N.T.C. mills and 15 other mills-13 in Bombay and 2 in Kanpur-is to acquire rights to sell the plant, machinery and land belonging to these mills.

Mr. Deputy Speaker, Sir, you may recall that the hon. Minister had introduced a Bill on N.T.C. in this House on June 2. At that time I had asked the hon. Minister as to when he proposed to introduce the other Bill? On my insistence, the hon. Minister introduced both the Bill late in the evening and then the House was adjourned **Sine Die**. Thereafter, the Bills were referred to the standing Committee of the Commerce Ministry on June 9 and then on 27th June, these two ordinances were promulgated.

The Standing Committees have the same status as that of a Select Committee. Now it is unprecedented in the

history of Parliament that when a Bill has been referred to a Standing Committee, or a Select Committee, an ordinance has been promulgated. It has never happened before. This is the reason that I feel that it is a misuse of the authority vested in the Union Government and I deplore it.

Mr. Deputy Speaker, Sir, this measure relates to the 15 mills whose management was taken over in 1983 i.e. it is a 12 year old matter. How is it that the Government slept over the matter for 12 years and now what was the hurry? It is highly improper and hence this Resolution.

And the Bill in respect of which the hon. Minister had requested that it be passed without consideration, the report of the Standing Committee thereon has been received. The committee had held nine sittings to deliberate on the Bill and the hon. Minister was suggesting that the Bill be passed without consideration. The committee has submitted a Voluminous report. I would like to draw the attention of the House to two paragraphs only comprising two pages. It is at page 37, para 59-60. I would like to read it verbatim.

[English]

Paragraph 59 says :

"The committee was informed that the Government filed an appeal in the Supreme Court against the decision of the High Court in 1983 which is still pending. The Committee was further informed that the Supreme of India restrained the Union of India and the National Textile Corporation from disposing off, parting with possession or encumbering any of the immovable property. Fixed assets and plant and machinery of the impugned textile undertaking without obtaining the prior leave of the Court. They were also restrained from removing any of the plant, machinery, equipment, furniture or fixtures from the premises of the impugned mills.

60. The Committee has been given to understand that the matter is still pending and subjudice even though a period of more than ten years has passed and Government have not been able to get the restriction vacated. Clause 11 of the Bill under reference seeks to confer on the Government the power to transfer, dispose, mortgage or sell any property of the 15 mills including those whose cases of takeover are subjudice. Clause 11 as also the other provisions of the Bill have been made effective with effect from 27th June, 1995, by virtue of promulgation of an Ordinance. The

committee has been given to understand by the Ministry of Textiles as also the Ministry of Law, Justice and Company Affairs that restriction imposed by the Supreme Court is against the executive and this, in any way, does not affect the power of the legislature for passing a legislation in this regard. The Committee feels that as it may complicate matters before the Court, this matter should have been looked into by the Government much earlier.

[Translation]

The observation of the Committee is that this case has been pending for more than twelve years and was not treated seriously by the Government. The Government could have approached the Supreme Court for according it priority as the fate of lakhs of workers hinges on the solution of the problem. But no such effort was made. I want to know the future course of action by the Government to solve this problem.

The second recommendation is at page 38, para 61. I quote it here :

[English]

"Under the provisions of the Bill, a revival package for modernisation and rehabilitation of these mills would be implemented through NTC. The Committee observes that the past record of the NTC has not been encouraging but dismal at all levels. All the mills, nationalised or taken over, under the NTC are stated to be persistently accumulating losses that amounted to Rs. 3790.94 crores as on 31.3.1994. In these circumstances, the Committee doubts whether NTC would be in a position to implement the revival package effectively with its past record and allegation of all sorts. The Committee, therefore, feels that a close and persistent monitoring of the entire exercise by the Tripartite Committee would be necessary. The Committee, therefore, recommends that the Ministry should take adequate steps in this regard. This would include a complete restructuring of the management of NTC."

[Translation]

The Committee has recommended complete restructuring of N.T.C which has incurred a total accumulated loss of Rs. 3,900 crores. What steps are proposed to be taken the Government to reduce this loss? An honest reply by Government would give the right direction to the discussion on the subject, other the discussion would be fruitless effort.

[English]

MR. DEPUTY SPEAKER : One list was issued on 22.8.95 and subsequently, another list was issued on 23.8.95 and it is that which has come up on 24.8.95. So, probably, two lists had come up. Earlier list was on 22.8.95.

SHRI RAM NAIK : It is OK, Sir. It makes no difference. My only point was that I was speaking with reference to the list of business which was in my hands.

MR. DEPUTY SPEAKER : Probably, you may be misguided in that regard. Now, the office has done its job.

SHRI RAM NAIK : It is possible but that makes no difference. It can be corrected for the records.

[Translation]

109 NTC mills and 15 nationalised mills—i.e. 124 mills in all—are located in various parts of the country besides Bombay and Ahmedabad. Thousands of workers have been rendered unemployed. It is the textile industry which has given prominence to Bombay and Ahmedabad on the industrial map of India.

Digheji and Rawaleji can hear me out, today Girini area of Bombay has the look of a cemetery. There was a time when it was hustling with activity with workers gathering there after change of shift or holding gate meetings. But now the mills have closed down and the workers have not been paid their provident fund and gratuity. N.T.C. and the mill owners are the villain of the piece.

Now the question is, can these mills be revived or will the workers who sought voluntary retirement be paid their arrears? Perhaps the hon. Minister has found a panacea for the ills plaguing the textile industry—sell the land of the mills. The prices of land have sky rocketed in Bombay i.e. Rs. 50,000 to Rs. 60,000 per sq. feet. In Ahmedabad, Indore and Kanpur also it can fetch a good price.

15.12 hrs .

[SHRIMATI MALINI BHATTACHARYA *in the Chair*]

I will not suggest that without selling the land a solution to the problem can be found out and even the Girini workers have conceded that this is the only solution. But there should be transparency in the sale of the said land i.e. it should be disposed of through tenders. A Committee for the purpose should be constituted comprising representatives drawn from the State Government, Municipal Committee or Municipal Corporation and from among the workers. The Committee should decide about the extent of surplus land required to be disposed of. It is done in a transparent manner, to my mind, the results would definitely be good.

I have given notice of two amendments to the Bill. I would like to speak on my amendments now itself so as to advocate the need to speak again. As per my amendments, the proceeds accruing from the sale of the land should be used to defray changes on account of the workers, for purchasing new machinery and restructuring the plants. I think even after meeting charges on all these counts, funds to the tune of crores would remain surplus. Those surplus funds should be used for the modernisation of textile industry in the country. If you are still left with some funds, you must bring it to the notice of Parliament so that they are not used without the Concurrence of Parliament for any other purpose. I hope my amendment would be adopted.

I would like to conclude with one or two suggestions. In the future management of the mills, workers must be allowed to participate in the management. These representatives must be elected by the workers. The trade unions in the mills are generally dominated by different political outfits e.g. R.M.M.S., Shiv Sena, C.P.M. etc. A committee should be constituted to look after the management of the mills. This Committee should consist of representatives of workers, Municipal Corporation and the State Government.

It is in my knowledge that some of the mills in Bombay have offered to run their mills on cooperative basis. This proposal should also be considered favourably and such workers must get priority.

My last submission is that you have nationalised these mills after 12 years and your Government has also been in power for more than four years. An impression is gaining ground among the workers that all this is being done now in view of the forthcoming elections and it appears to be a good election gimmick as well as a source for raising funds. In your reply you must give us information about the millwise steps taken by you after the promulgation of the ordinance.

I have opposed the promulgation of the ordinance in the background of the points raised by me and I hope the House would approve my Resolution.

[English]

MR. CHAIRMAN : Item Number 19 and 21 may be taken together. The Minister may now move the Bill.

THE MINISTER OF TEXTILES (SHRI G. VENKAT SWAMY) : I beg to move :\*

"That the Bill to amend the Sick Textile Under-

takings (Nationalisation) Act, 1974 and the Swadeshi Cotton Mills Company Limited (Acquisition and Transfer of Undertakings) Act, 1986 be taken into consideration."

"That the Bill to provide for the acquisition and transfer of the textile undertakings and the right, title and interest of the owners in respect of the textile undertakings specified in the First Schedule with a view to augmenting the production and distribution of different varieties of cloth and yarn so as to subserve the interests of the general public and for matters connected therewith or incidental there to, be taken into consideration."

Pending their nationalisation the management of Elpinstone Spinning and Weaving Mills, Bombay and 12 other textile mills at Bombay was taken over by the Central Government by the Textile Undertakings (Taking Over of Management) Act, 1983 in public interest. Similarly, the management of two other textile undertakings at Kanpur was taken over by the Central Government by the Laxmirattan and Atherton West Cotton Mills (Taking Over of Management) Act, 1976.

After the take over of the management of the 15 undertakings, large sums of money have been invested with a view to making these undertakings viable. However, investment for modernisation has not been done primarily because of the fact that the ownership of these undertakings has not vested in the Central Government. The undertakings have continued to be sick on account of a variety of factors, namely, obsolete machinery excess manpower, shortage of working capital, etc.

The Government have approved a revised Turn Around Plan for the modernisation of these mills. The modernisation plan had also been approved by the Special Tripartite Committee of the Ministry of Labour. Nationalisation of these mills will result in vesting of ownership of these mills in the Central Government and facilitate their modernisation and restructuring, if necessary by transfer, mortgage, sale or by otherwise disposing of land, plant, machinery or any other assets of any of these textile undertakings.

The Parliamentary Standing Committee and Textile in its 15th Report presented on 21st August, 1995 had generally commented in favour of the need to modernise and restructure the National Textile Corporation with a view to improve its efficiency and to eliminate the recurring losses. The Committee further feels that a close and persistent monitoring of the entire rehabilitation and modernisation programme is necessary. I would like to

\* Moved with the recommendation of the President.



mention that the Government is fully committed to a successful revival of the National Textile Corporation which will be eminently in public and national interest and the process will be kept under regular and close monitoring and review by the Government.

Sir, I also beg to move that the Bill to amend the Sick Textile Undertakings (Nationalisation) Act, 1974 and the Swadeshi Cotton Mills Company Limited (Acquisition and Transfer of Undertakings) Act, 1986 be considered and passed by the Lok Sabha.

As per the plan it is necessary to modernise all the NTC Mills including the recently nationalised mills and restructure these mills for their revival by transfer, mortgage, sale or by otherwise disposing of any land, plant, machinery and other assets of any of these undertakings. In order to provide flexibility and make explicit the specific enabling provision in the Sick Textile Undertakings (Nationalisation) Act, 1974 and the Swadeshi Cotton Mills Co. Ltd. (Acquisition and Transfer of Undertakings) Act, 1986, it has become necessary to amend these two Acts.

Sir, I do not want to take much time of the House and beg to move that the Textile Undertakings (Nationalisation) Bill, 1995 and the Sick Textile Undertakings (Nationalisation) Amendment Bill, 1995 be taken into consideration.

MR. CHAIRMAN : Motions moved :

"That this House disapproves of the Sick Textile Undertakings (Nationalisation) Amendment Ordinance, 1995 (No. 7 of 1995) promulgated by the President on June 27, 1995."

"That this House disapproves of the Textile Undertakings (Nationalisation) Ordinance, 1995 (No. 6 of 1995) promulgated by the President on June 27, 1995."

"That the Bill to amend the Sick Textile Undertakings (Nationalisation) Act, 1974 and the Swadeshi Cotton Mills Company Limited (Acquisition and Transfer of Undertakings) Act, 1986, be taken into consideration."

"That the Bill to provide for the acquisition and transfer of the textile undertakings, and the right, title and interest of the owners in respect of the textile undertakings specified in the First Schedule with a view to augmenting the production and distribution of different varieties of cloth and yarn so as to subserve the interest of the general public and for matters connected therewith or incidental thereto, be taken into consideration."

[Translation]

SHRI HARIN PATHAK (Ahmedabad) : I would like to draw the attention of the hon. Minister to the health of the textile industry during the period between the passing process and the passage of the Bill through legislative process. It is a well known fact within and outside the country that the textile industry had held a place of pride from centuries in the world.

I represent a constituency which is known as the Manchester of India. Ahmedabad can boast of the maximum concentration of textile mills in the country. Now I would like to draw the attention of the hon. Minister to the health of the textile mills during the last twelve years. In 1982-83 there were 85 mills in Ahmedabad. Now the position is that 30 mills are facing liquidation, 9 mills have been taken over by NTC and 11 by Gujarat Textile Corporation. The rest of the mills are lying closed. The textile industry has suffered incalculable damage in Gujarat and more than 1.5 lakh workers have been rendered unemployed during the past five years. Under the Bill, it is sought to transfer, mortgage, sell or by otherwise dispose of any land, plants, machinery of the 124 mills under NTC with a view to restructure these mills for their revival and to rehabilitate the workers. A grave injustice has been done to Gujarat. Out of 85 mills in Gujarat, only 9 have been taken over by NTC, whereas in Maharashtra, all the 13 mills under the Maharashtra Textile Corporation have been taken over by NTC about 2 months back. If you really want to salvage the textile industry in the country then it cannot be achieved by taking over 1 or 2 mills; you must chalk out a strategy for the hundreds of textile mills.

In 1984, Abid Hussain Committee was constituted which submitted its report in 1991 after making a deep study of the subject. Had the Government implemented the recommendations of the Committee, the textile industry in Gujarat would not have been in such a deplorable state. I would request you to implement the recommendations of the Abid Hussain Committee in order to revive the closed mills. 2-3 mills were closed during Diwali. The workers of the 9 NTC mills have not been paid their wages. The future of the workers of the mills under liquidation is bleak. 7-8 mills are under BIFR.

SHRI G. VENKAT SWAMY : Bonus was paid during Diwali.

SHRI HARIN PATHAK : It was paid in one mill only.

SHRI G. VENKAT SWAMY : Bonus was paid in all the NTC mills.

SHRI HARIN PATHAK : Bonus has been paid but not the wages. NTC workers are not being paid their wages. These were paid in Bombay but not in Ahmedabad.

357 Re : Sick Textile Undertaking  
(Nationalisation) Amendment  
Ordinance and Bill  
Re : Textile Undertaking (Nationali-  
sation) Ordinance and Bill

Bhadra 2, 1917 (Saka)

Re : Sick Textile Undertaking 358  
(Nationalisation) Amendment  
Ordinance and Bill  
Re : Textile Undertaking (Nationali-  
sation) Ordinance and Bill

SHRI G. VENKAT SWAMY : The wages have been paid in all the units.

SHRI HARIN PATHAK : One of the recommendations of the Abid Hussain Committee was that a Textile Reconstruction Area Trust should be set up and the funds deposited in the Trust should be used to revive the closed mills. It is regrettable that in both the Bills, no provision has been made to nationalize the textile mills lying closed in Ahmedabad. I urge the Central Government that the mills lying closed in Gujarat and Ahmedabad should be taken over by NTC.

[English]

I quote :

"If the National Textile Corporation considers it necessary or expedient for the better management, modernisation, reconstruction and revival of the sick textile undertakings so do so, with the previous sanction of the Central Government transfer, mortgage, sale or otherwise dispose of any land, plant, machinery or any other assets of the sick textile undertakings."

[Translation]

I agree with the suggestion of Shri Ram Babu that the land, plant, machinery or any other assets of the sick textile undertakings should be disposed of to revive and modernise the textile mills. Through you, Sir, I would request the Government to utilise the proceeds earned through the sale of land, plant etc, to pay the workers their arrears on account of wages, provident funds etc. In case those mills are modernised and some units start working then the workers of the mills must be accorded priority in giving employment in these units. The cases of the mills referred to BIFR remain pending for an inordinate period and the workers are left in the lurch. At present, the cases of 7 mills are pending with the BIFR. Do you propose to take any decision thereon? Take the case of the Calico mill where the workers have not been paid wages for the past 3 months; same is the fate of workers of NTC mills.

SHRI G. VENKAT SWAMY : It is wrong to say that the workers have not been paid wages. You produce the facts and I will get them verified by the evening, today itself.

SHRI HARIN PATHAK : I will give you the names of the mills under NTC in Ahmedabad where the workers have not received their wages for the past one and a half month.

SHRI G. VENKAT SWAMY : Earlier you were saying no wages have been paid, now you have come down to

1½ months. Mr. Chairman, Sir, the workers are not receiving the ideal wage because of resource constraint. But it is wrong to say that they are not receiving their wages.

SHRI HARIN PATHAK : It means the workers are not getting their wages on time. These workers have no fixed deposits. If they get their wages after 1½ months instead of the 7th of the month it would be difficult for them to make their both ends meet.

SHRI G. VENKAT SWAMY : As a Trade Union Leader, I would like to bring it to your notice that we are at least paying them wages but what are you doing about the 100 mills lying closed? You are complaining about NTC where wages are being paid.

SHRI HARIN PATHAK : This is what I was going to dwell on.

MR. CHAIRMAN : In case you have some documents you may hand them over to him.

SHRI HARIN PATHAK : The crux of my submission was that let the Union Government take care of NTC and the State Government will take care of GSTC. I want to know the steps proposed to be taken by you in respect of the hundreds of mills lying closed? My demand is that the mills lying closed should be taken over by NTC, just as you did in Bombay and Kanpur. The dues of the workers of Gujarat which amount to Rs. 264 crore should be met from the National Renewal Fund. They have not been paid anything even under the Textile Weavers Rehabilitation Scheme, 1994, which should have been given effect to by now.

In the end, I would like to plead the cause of lakhs of textile workers of Gujarat. The Central Government should ameliorate their lot by taking over the textile industry, whatever be its present management.

In conclusion, I would hold the mill owners responsible for the closure of mills. Sometimes, the mills are closed because of disconnection of power or on account of non-payment of dues. Thousands of workers are rendered unemployed because of the indifference of the millowners... (Interruptions).

[English]

SHRI SYED SHAHABUDDIN (Kishanganj) : What is the remedy you suggest?

SHRI HARIN PATHAK : I am suggesting the remedy.

SHRI SYED SHAHABUDDIN : Do you have anything short of nationalisation?

SHRI HARIN PATHAK : Why? Nationalisation is the only solution.

[Translation]

Action should be taken against such mill owners.

[English]

SHRI SYED SHAHABUDDIN : Under which law?

SHRI HARIN PATHAK : This august House can make the law. We have made so many laws.

MR. CHAIRMAN : Please conclude.

[Translation]

SHRI HARIN PATHAK : We have enacted legislation to dispose of the land of the mills to provide employment to the workers and to compensate the mill owners. But these two bills are insufficient to deal with the problem facing the textile mills in the entire country. The Government must implement other schemes to salvage the rest of the mills.

I would conclude with one or two suggestions.

[English]

MR. CHAIRMAN : Please conclude. You have already taken more than 20 minutes.

SHRI HARIN PATHAK (Ahmedabad) : Kindly give me half-a-minute more. These are my observations. I will just read it out. There is no clarification about the payment of dues to the workers of these mills who were either due to retrenchment or due to illegal closure, rendered jobless. For the transparent management of the mills, there should be effective participation of workers in the management, not on paper, but in action.

[Translation]

The workers' representatives should be associated in the deals to dispose of the land and assets of the mills and only then we will be able to save this industry. It would ensure actual participation of the workers.

[English]

SHRI SHARAD DIGHE (Bombay North Central) : Madam Chairperson, I rise to welcome both these Bills wholeheartedly. Particularly Bill No. 41, the Textile Undertakings (Nationalisation) Bill, 1995 concerns my constituency and, therefore, I will confine myself to my remarks on that Bill particularly.

Madam, both these Bills were overdue and I have been demanding that the Bill for nationalisation of 15 take-over mills out of which 13 are in Bombay should be

immediately introduced and passed by this House. By way of questions, by way of discussions and by way of demands under Rule 377 and also in the Zero Hour, I think, for the last one year I have been demanding that this Nationalisation Bill should be promptly introduced. Therefore, today I am very happy that ultimately this Bill has come up for passing as far as this House is concerned.

I, therefore, do not appreciate much the Resolution disapproving the Ordinance. As far as nationalisation is concerned, promptly the steps have to be taken and all over the world whenever the step of nationalisation is taken, it is done by an ordinance and immediately it is done. In fact, in this case, the hon. Minister was announcing this nationalisation for a long time but did not do it for some time. But ultimately this had to be done by an Ordinance only.

This Bill was introduced and it was to come during the last Session, on the last day and we were insisting that it should be taken up by suspending all the rules. But the hon. Shri Ram Naik objected on that day and said that there was no hurry, that we should not do so, that he had to move his amendments and we should not suspend the rules. Therefore, there has been, in fact, some delay. If further delay was there and if the Ordinance had not been issued, this cause would have suffered. Because, as we know, the need of urgent action to implement modernisation plan prepared by the Textile Research Association and approved by the Special Tripartite Committee of the Ministry of Labour was fully appreciated. It was very much necessary to implement, modernisation was not possible.

The mills were closed or were about to be closed though idle wages were being paid. How long is the Government going to pay? The NTC accumulated losses were to the tune of Rs. 3,790.94 lakhs and in those circumstances it would not have been possible for any Government to run these mills unless modernisation takes place and modernisation was not possible unless nationalisation was made of these take-over mills. Merely taken over mills cannot be modernised. Their surplus lands cannot be sold, nothing can be done they cannot be merged also and viable units cannot be found.

Therefore, from this point of view it was very necessary to take urgent steps even though the Bill was pending before the Standing Committee. Shri Ram Naik says that the Standing Committee has equal status with the Select Committee. I do not agree with that. The Select Committees are on a different footing altogether. They work on different lines and different rules also apply. Therefore, there is nothing in the meantime in issuing this Ordinance and nationalising the mills immediately. The

delay would have resulted in escalation of the cost of modernisation.

There would have been further labour unrest and more sickness in these mills; possibly winding up proceedings before the BIFR would have also proceeded further and the total accumulated loss of NTC would have also gone further.

Now, madam, as far as the provisions of these Bills are concerned, they are based on Tripartite Committee's decision and there most of the Trade Unions were represented and it was their decision.

Now, as far as certain aspects are concerned, many commitments are there before the Standing Committee on behalf of the Ministry of Textiles. Therefore, I would like the hon. Minister to confirm these commitments so that those commitments will be made on the floor of the House.

At page 25, the whole scheme has been mentioned by the Ministry of Textiles in the Standing Committee Report and I quote :

"As per the modernisation plans prepared by the TRAs no mills will be closed outright."

This commitment the hon. Minister has made a number of times, but today I would like him to confirm it again. Only the merger of unviable mills is planned and this would result in viable units. Thirty-six unviable mills in this process are expected to be merged, resulting in 16 viable units. A part of the machinery and work forces will be utilised in the resultant viable units. If such a restructuring does not take place then all the 36 unviable mills will have to face closure.

It was also committed before the Standing Committee that only surplus work force will be offered Voluntary Retirement Scheme and there will be no retrenchment at all. These commitments which are given before the Standing Committee, I think, are necessary to be reiterated on the floor of the House. I will further refer to certain commitments made before the Standing Committee on Commerce, as far as the Badli workers are concerned. At page 26, the Ministry of Textiles in their reply have stated and I quote :

"Only the surplus work-force would be offered VRS which is purely voluntary. No Badlis would be removed. It is proposed that Badlis would also be given the facility of VRS at par with the regular workers. No mills would be closed outright".

These are very important commitments on behalf of the Ministry of Textiles.

So, I urge upon the hon. Minister to reiterate all these commitments as far as the protection of these labourers is concerned.

As far as the participation of the workers is concerned, I also demand that there should be a clear cut provisions for full democratisation of the management of making it mandatory to associate elected representatives of the workers at all levels from floor level to Board level.

The Ministry has stated before the Standing Committee at page 12 in paragraph 17(b) and I quote :

"In regard to the point that provision should be made to ensure workers' participation in management at Board level, it is not necessary to make any special provision for this purpose in the Bill since such participation will be governed by the extant instructions of the Department of Public Enterprises applicable to Public Sector Undertakings."

I would like the hon. Minister also to make a commitment that these instructions will be given so that participation of the workers will effectively take place from the floor level to the Board level.

As far as the workers' dues in respect of take over management period is concerned, it is very important from the point of view of workers.

The strike of textile mills in Bombay took place on 14.1.1982. The taking over ordinance was issued at that time by the Prime Minister Shrimati Indira Gandhi on 18th October, 1983. Ultimately the management was taken over by N.T.C. actually on 10th February, 1984. During this period of strike so many workers lost their jobs. They were not absorbed in; they were not taken in and they were also not paid their dues and NTC had taken the stand all the time that this time they were not responsible for the dues because they were to be paid by the management. Fortunately for the workers in the Kohinoor Mills case it was decided by the Judiciary from the level of Labour Court right upto the Supreme Court in their favour.

SHRI G. VENKAT SWAMY : I think for 1992-93 strike period they were paid.

SHRI SHARAD DIGHE : For the pre-take-over period if any wages are due they are to be paid.

As far as the Kohinoor Mills case is concerned it is well known and it established certain well-known principles as far as it is concerned. On 14.1.1982 the workmen went on strike. The Rashtriya Mills Mazdoor Sangh, representative union for the textile industry filed an application for the payment of the past wages. Now they succeeded before the Labour Court. They succeeded before a Division

Bench of the Bombay High Court. But the N.T.C. took up this matter to the Supreme Court through a Special Leave Petition. The Supreme Court has observed in the following manner and I quote :

"...the transfer of management in the present case has not resulted in the termination of the contract of employment of the workmen...In fact, we are surprised that the appellants should have taken the stand that the workmen had not continued in their employment. As has been pointed out at the outset, 10,002 workmen had resigned voluntarily and the appellants had accepted their resignation and had also paid them gratuity. If the workmen had not continued in employment, there was no question of accepting their resignation and paying them the gratuity...since the matter is pending before the Labour Court, we direct the Labour Court to dispose of the same..."

So, this whole principle should apply. But in this Bill the workers' dues, arrears in relation to P.F., salary and wages and other amounts due to the employees during the pre-take-over of management period are put in Part (b) of Category (3). I demand that it should be put in Category (1), Part (a). It should have precedence over the other revenue taxes and other dues etc. In Category (1) they should find place as far as the dues of the amounts for pre-take-over management period are concerned. From the point of view of the workers it is very important. I would suggest that it should be done by the hon. Minister.

The next point is about the disposal of the land. Shri Ram Naik has also said many things about the disposal of land. I would only say that the disposal of surplus land should not be left to the executive. Some transparency should be there. Therefore, I suggest that even the Members of Parliament of these areas should be involved in the decision of the surplus land as far as it is concerned. It is because the land prices in Bombay are astronomical and the executive may perhaps sell the land at unrealistic prices. Therefore, it should be done in that way.

Further on, the money realised by sale of surplus land should not be used for any other purpose. That also was stated by the Ministry of Textiles in the report of the Standing Committee which is at page 25 and I quote :

"It is emphasised that the sale proceeds of surplus land and assets will be utilised by NTC for modernisation and restructuring of their mills only".

Therefore, I would like the Minister to reiterate this decision which they have stated before the Standing Committee.

16.00 hrs.

Now, as far as the Stating Committee is concerned, it has made six suggestions by way of amendments for this Bill No. 41. These are listed at page 34 and 35. I would like the Minister to consider those suggestions seriously.

Firstly, the Preamble which says :

"Bill to provide for the acquisition and transfer of the textile undertakings, and the right, title and the interest of the owners in respect of the textile undertakings specified, in the First Schedule with a view to augmenting the production and distribution of different varieties of cloth and yarn so as to subserve the interest of the general public."

In this connection, the Committee has suggested, on the demand of the President of the RMMS, Bombay, Mr. Govind Ram Adik — who is also an MP of Rajya Sabha — that the words should be added 'including workers'. So, this should be 'subserve the interest of general public including workers'. I support this suggestion.

Then, participation of management, I have already dealt with. Though it is silent and the Committee has also recommended and the Ministry has given some commitment.

Now, as far as Clause 16 is concerned, it has suggested that there should be continuity of service as far as the workers who will be transferred from one unit to the other. I will read the relevant provision. It says :

"Where any textile undertaking or any part thereof is transferred under this Act to a subsidiary textile of corporation, every person referred to in sub-section(1) and sub-section (2) of Section 14 shall, on and from the date of such transfer, become an employee of the subsidiary textile corporation."

Now, here I would like that it should be made clear that there will be continuity in his service. He will not only be transferred to that unit but his service in the other unit which he has already put in, should also be taken up. That is also a suggestion of the Standing Committee and I wholeheartedly support it.

Then, as far as Clause 20 is concerned, the suggestion is that the period of 30 days which is given to persons having a claim against the owner textile undertaking shall prefer such claim before the Commissioner within 30 days from the specified date. I think, a period of 30 days would not be adequate and it should be increased to 180 days as suggested by the Standing Committee.

Lastly, Clauses 27 (1) and (2), regarding pre-take over period, I have already stated that it should be put in Part A, category I.

Therefore, if these suggestions are considered, then I think, it will be a foolproof Bill and it will serve the interest of the workers, it will satisfy them and it will also achieve the purpose for which we are nationalising these textile mills.

I again wholeheartedly support this Bill. I congratulate the Minister for Textiles for having ultimately taken this step and I wish that it should be passed today as early as possible.

SHRI TARIT BARAN TOPDAR (Barrackpore) : This Bill should have come before Parliament a year ago. This delay is because of the procrastination and the reluctance of the Government of India and it is because of its anti-people policies which are clearly aimed against public undertakings and which are eroding the vital and core sectors of our country. That policy has hindered this Bill even though it is imperative to place it before Parliament a year ago. However, the Bill has come up today before the House after a long wait. In this context, I refer to another aspect of the general policy. During the past, denationalisation and disinvestment were the policies of the Government. The policy of the Government was to sell out. Now some such situation has arisen in this sector.

I thank the hon. Minister of Textiles that he has appreciated that it is a very vicious circle which we are in and that he has rightly understood the point that the National Textiles Corporation must be modernised, if not upto the standard of Europe or America, but according to the needs and standards of our country and, with this end in view, a Committee was set up. The Committee went at length into the different aspects of the problem and finally a special tripartite Committee under the Department of Labour accepted the recommendations of the Sub-Committee where a modernisation programme has been finalised. The National Textiles Corporation used to look after 16 mills as taken over mills. Fifteen mills are still continuing with the National Textiles Corporation and the one which is unfortunately situated in West Bengal, the Mohini Mills, were denationalised by the Government of India. Probably that was the starting point at which the Government of India was experimenting with the policies of selling out, denotifying and disinvestment and it pursued those policies. The first scapegoat was the Mohini Mills.

Time and again, we have led the delegation to the Minister, to the Secretaries and to the people concerned. A case was there in the Calcutta High Court. It was negotiated that the case would be withdrawn and matters had to be sorted out. When a package was being pre-

pared, at that stage also, it was pointed out but to no effect. It is a gross discrimination that was committed against the Mohini Mills, the workers and the people at large. However, despite that discrimination, political discrimination, regional discrimination or whatever it is, I do not stand in the way of nationalising the remaining 15 mills. In his reply, I understand the Minister will argue that 13 mills were taken over by such and such Act, two mills were taken over by such and such Act and the other was taken over by such and such Act. These are lame excuses. However, the remaining 15 mills are going to be nationalised. From the standard of taken over condition, managed by NTC, it will be a nationalised company under NTC. It will be a part and parcel of NTC. The Bill provides for that also. Therefore, the modernisation programme of NTC will be applicable to these 15 mills just like those of others.

It is correct that in the course of discussion in the Standing Committee on Commerce and Textiles, we have suggested a few very important points which have been made by Shri Sharad Dighe earlier. I reiterate that in the Preamble the word "workers" should be added. We have agreed to that. Clause 16 says :

"Where any textile undertaking or any part thereof is transferred under this Act to a subsidiary textile corporation, every person referred to in sub-section (1) and sub-section (2) of section 14 shall, on and from the date of such transfer, become an employee of the subsidiary textile corporation."

The point is that continuity in service is not mentioned there. There were provisions in the earlier Acts where under 18(aa) of the Industrial Development and Regulation Act, which was in force then, continuity of service was guaranteed. When it was taken over under section 18(fa), continuity was not guaranteed. There is discontinuity in service. There is no reference like that. I do not know whether it will be there automatically.

Therefore, a clear cut mention of continuity of service to the workers who will be transferred from one subsidiary to the another, has to be introduced in this.

Clause 20 deals with the claims to be made to the Commissioner. It says :

"Every person having a claim against the owner of a textile undertaking shall prefer such claim before the Commissioner within thirty days from the specified date :

Provided that if the Commissioner is satisfied that the claimant was prevented by sufficient



cause from preferring the claim within the said period of thirty days, he may entertain the claim within a further period of thirty days but not thereafter."

These words 'but not thereafter' are unnecessary. Even after that the Commissioner of Payment may consider it if he considers the case to be fit. I do not agree to give any time frame as Shri Sharad Dighe has mentioned of 180 days. I would like to say that this is a provision for payment to the workers in respect of pre-take-over liabilities. This is not the post-take-over liability. The post-take-over period has to be taken care of by the NTC, the period when the NTC had managed it. I understand, that is clear in the provision. If any suggestion comes to make it further clear, I may agree to it. But as far as I understand, the post-take-over period before nationalisation will be taken care of by the NTC. They must clear out whatever is due to anyone. The pre-take-over liability has to be taken care of by the Commissioner of Payment who will receive the compensation amount against the property that has been nationalised. Therefore, in that case, the period of sixty days is too small a period. By this time, many people might have died and they will have to be identified. There will be a lot of paraphernalia; things will have to be undertaken if the payment has to be made to proper persons. These are some of the important additions in respect of the provisions made here.

There are certain amendments—the technical part of it—which will have to be taken care of like 'may' to be substituted by 'shall' or 'will' to be substituted by 'shall'. There are a few other amendments moved by Shri Ram Naik. Shall we discuss those amendments at a later stage? Should I take up the amendment part now or at the time when you take up the amendments?

MR. CHAIRMAN : You will have a chance to speak then also if you like.

SHRI TARIT BARAN TOPDAR : Then I will speak at that.

Now, I have precisely said that the Government with great reluctance has come forward. I know that there was a lot of hindrance. It was pending before the Cabinet for sanction for more than one year. Even then, this came out as a Bill for nationalisation of fifteen mills, which were taken over. I especially support it on practical grounds and on political grounds because it has come in the days of denationalisation.

[Translation]

SHRI RAM KRIPAL YADAV (Patna) : The objective

of the two Bills-Sick Textile Undertakings Nationalisation Bill and Textile Undertakings Nationalisation Bill introduced by the hon. Minister is laudable. But by preceding the introduction by promulgation of the Ordinance, the hon. Minister has lowered the prestige of the House. I hope in future such constructive Bills would be introduced directly in the House because otherwise it is a contempt of the Members of Parliament.

Secondly, the Parliamentary Standing Committee had pointed out in para 13 of its report presented to Parliament that the case relating to sale of the land of the mills is pending in the Supreme Court which had granted a stay in the case. I would like the hon. Minister to clarify how these Bills were introduced in view of the case being sub-judice.

This process of nationalisation of the Mills started in 1994 and by now about 123-124 mills have been nationalised.

16.25 hrs.

[SHRI SHARAD DIGHE *in the Chair*]

The NTC mills have been incurring losses for the past 21-22 years which has accumulated to Rs. 3652.64 crore. I would like the hon. Minister to clarify in his reply how the NTC failed to put its house in order to check losses even after an experience of 21 years.

Mr. Chairman, Sir, the Bills seek to mobilise funds by selling the land and assets of the mills and with that money, to effect modernisation in the mills. But you must also spell out the concrete measures proposed to be taken to revive the mills which are closed for the past several years and to reduce the losses being incurred by NTC.

Besides, you must take the trade unions into confidence. You have of course, interacted with some of the trade unions but not all the Trade unions have been contacted. You will not succeed in your objective if you do not take into confidence all the trade unions. Some of the trade unions have protested also. It is, therefore, imperative for you to initiate dialogue with the trade unions so as to chalk out some concrete measures in this direction.

Mr. Chairman, Sir, the mills which are lying closed are located in various parts of the country and own vast areas of land. The rates of the land vary from place to place. In the Bill, it has not been specified, who will determine the rates of the land? A committee should be constituted to fix the prices of land and also to ensure that the agency entrusted with the sale of land does not indulge in any corrupt practice.

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Secondly, I would request the hon. Minister through you, that in place of proposed modernisation scheme, the payment of the dues of the workers by way of arrears of wages and provident fund should be accorded priority. The workers would be put to a lot of inconvenience and hardship if their wages are not paid to them. The officers responsible for non-payment of wages should be taken to task.

In the Bills, it has not been specified which mills would be modernised and what would be the mode of restructuring.

I would suggest that the mills should be run on cooperative basis so that all the concerned parties can make their contribution for the success of the mills. The participation of the workers and also the Government in the management would go a long way in increasing the production of the mills.

The plight of the several NTC mills is deplorable either the machinery or the building are in dilapidated condition. You have not mentioned in the Bill any effective measures which would be taken to modernise and revive the mills. It is my suggestion that the funds generated through the sale of the land should be utilised properly to revive the mills lying closed and we should be assured that such funds would not be diverted.

SHRI G. VENKAT SWAMY : What do you propose to do about the two closed mills in Bihar?

SHRI RAM KRIPAL YADAV : My submission is that funds meant for the modernisation and revival of the mills should not be diverted in any case. The income accruing from the mills should be used to provide employment to the unemployed workers.

The hon. Minister had very emphatically stated that all the NTC workers are being paid their wages. I would like to draw his attention to the marketing division employees of NTC who have not been paid their wages for the past one year. Employees of Calcutta Zone are being paid their wages regularly but there seems to be some sort of prejudice against the Bihar employees who are being denied their wages and they had given a Memo also to you.

SHRI G. VENKAT SWAMY : All the 17 NTC shops in your zone are running in loss. I had visited those shops and was shocked to see their functioning. I think it is a waste of national resources. You must find out the causes of their malfunctioning. It is wrong to say that we are not paying their wages. If wages have not paid in any shop, please bring it to our notice and I will apprise you about the factual position.

SHRI RAM KRIPAL YADAV : The Union leaders of the employees of the 17 shops had met you and I had also written a letter to you that the employees of the 17 NTC shops have not been paid their wages. I would request you to ensure that the employees are paid their wages. Besides, NTC is not supplying any cloth to those shops with a result that the shops have no income from which they may meet the wages of their employees. I would request you to rise above this prejudice against Bihar and resume supply of NTC cloth to the NTC shops in Bihar.

SHRI G. VENKAT SWAMY : Your representation is misleading. All the employees in Bihar have received their wages.

SHRI RAM KRIPAL YADAV : No payment has been made in the shops, in Bihar.

SHRI G. VENKAT SWAMY : I am saying on the basis of the report with me. If I am proved wrong I am prepared to undergo any punishment. But if you are proved wrong, you can speak for yourself.

SHRI RAM KRIPAL YADAV : The objective with which these Bills have been introduced is laudable and I hope the hon. Minister would heed the suggestions given by me and I also hope that he will reply to the points raised by me.

[English]

SHRI SYED SHAHABUDDIN (Kishanganj) : Mr. Chairman, Sir, as I look at the textile industry today and as I read the papers that are before us, the Bills, I find a state of irony. The textile industry is flourishing, production is rising, exports are rising, we are seeking bigger quotas and the mills are dying. And the remedy that we have suggested some years ago, I admit, under political pressure—whenever a mill falls sick, take it over; if it still remains sick, nationalise it, has not worked. And yet they have suggested the same remedy again. After we have entered this new blessed age of liberalisation and what not—it is also called the age of privatisation, liberalisation—you are disinvesting the industry, you are opening the doors—I hope not to foreign investments—and here the Minister himself comes and says, 'I want to nationalise more mills'. So, the entire focus really is neither on the industry nor on the state of the health of the doctor or the remedial capacity of the medicine but on something else, just to get some resources. And the fight that I find here between the Government and the opposition is only about 'how to use that money'. That money, MR. CHAIRMAN, belongs to the people of India as a whole. It does not belong to a particular state or mill; it does not belong just

to the Government; it does not belong to any political party; it does not belong to a single trade union. That surplus money which may be generated by sale of surplus lands must be used for the industrial rehabilitation of entire India.

AN HON. MEMBER : Surplus land.

SHRI SYED SHAHABUDDIN : Surplus money coming out of that. Never was the problem of money being generated.

[Translation]

SHRI G. VENKAT SWAMY : If you do not want, we will not undertake it.

SHRI SYED SHAHABUDDIN : I am not suggesting that you do not undertake it but the dilemma is beyond my comprehension.

[English]

The money will come from the surplus land. But the point that I am trying to make is that each one of us is speaking from his very narrow angle instead of taking an overview of the situation. The overview of the situation that I see is that the Government have not yet decided upon their Textile Policy. The Government does not know whether the textile industry should remain in the Government's hands or should it be privatised. That is the key issue today. Not today, Mr. Chairman, about 10 years ago I said that the expansion of the public sector has taken place in a fit of absent-mindedness. Just take over anything—and we are all responsible for it—instead of limiting it to the core under the 1956 Industrial Policy Resolution. And it is that seed that we had sown, whose harvest we are reaping today.

I do not see any objective reason, Mr. Chairman, that the Government of India should own or run a textile mill. There is enough technology, enough management skill, enough experience, enough capacity in this country to run the textile mills. We can run them for the entire world.

We do not need a Minister to run the textile mills. So, this core problem needs to be addressed. *Ad hoc*, piece meal solution will not do. Even, Bill which you have brought today, Mr. Minister, is only half-way house. You have left out many mills in Ahmedabad. What is the reason for it? Why do you not apply the same yardstick to everybody? You should take over all the sick mills. Why should limit yourself only to certain areas? Are they of more political importance than other areas? What about the

unfinished jute mill in my constituency Kishanganj, in which you have not invested a penny for the last 10 years after Mrs. Gandhi laid the foundation stone? What about the sick jute and textile mills in Bihar which nobody cares for?

So, you must decide one way or the other. If you want to raise the resources, sell the sick mills to the highest bidder. You pass a law and allow the private company to sell the surplus land to raise resources. If your objective by means of this legislation is really to have the authority to sell the land, then by the same token allow the private mills to sell the surplus land and then force them to invest the proceeds in their own medication, in their own health and in their own rehabilitation. But you have adopted a wrong method. You first nationalise them, then sell the land, obtain the money and then you are being forced that this money cannot go anywhere and this must first remain here.

I admit only one claim with respect to Mr. Naik and other friends. Those whose dues have not been paid, they have in any case the first claim on any civilised Government, civilised Administration or civilised Management. If somebody has worked for you and has been on your rolls, he has to be paid first. Beyond that I do not see any pattern of utilisation. You must clarify before the House what is your overall policy and what do you finally want to do. How do you envision the future of the textile industry in this new golden era of Indian economy for which you are today telling us that you are opening the door? Where shall it take us? Will it be in the public sector of private sector? What will you slowly do with these textile units? Will you sell them off bit by bit or will you slowly take over as the mills fall sick nurse them and put them back in the private sector? That is what I want to know.

As I was listening to this debate, it seemed to me that we were not really concentrating on the fundamentals or the essentials of the problem. These mills are one century old. Some of them may have equipment which are 100 years old. We were on the top of the world's textile industry and perhaps today also we are, but have you taken note of the fact that a new intermediate technology has sprung up? A third sector has come up and that sector is called the power loom sector. The mills are sick. The powerlooms are flourishing. Powerlooms are producing and mills are selling. The mills are closed and yet the mills are exporting. This is what is happening. They are fulfilling their orders. And, to these things you just close your eyes. There is an industrial transition taking place and you refuse to fall in line with this transition. You again give us the same old dose of the same old medicine which some old doctor had prescribed.

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SHRI G. VENKAT SWAMY : You may please give your suggestions to stop this.

SHRI SYED SHAHABUDDIN : I would really say that the Government should make up its mind and tell us in line with its new prescription and the new economic policy what does it wish to do. Please do not take *Ad hoc* decisions. That is what I am saying. Do not take decision from mill to mill. And there, you have a number of options. If you only want to sell the land, it is fine. But there may also be some units which may have to be sold, of course if the trade unions permit. That is why we have pleading for participation in management. You have one policy for retrenchment, a special policy for retrenchment and then Golden hand—Shake theory for retrenchment.

Today you are hovering on the horns of a dilemma. You want to privatise the industry but you do not have the strength to carry it off because you are afraid of four lakh people coming out on to the streets and doing a *gherao* under the leadership of Shri Ram Naikji. That is why you do not have any clear-cut policy. You are a Government without a policy. You are a Government without moral strength. That is why I am saying — “first clear your own thinking”. You are the Government, I am not the Government. If I were the Government, if I have the authority, I would take a clear-cut decision. I would say — “Unless your unit is viable, it will be sold. If your mill can be modernised, I will sell some of your assets and convert them into modern equipment and technology, and then sell them to the highest bidder, as has been done in many countries, after they are in a state of good health, so that I can get a good price.”

SHRI G. VENKAT SWAMY : After selling the land, whom will he go to?

SHRI SYED SHAHABUDDIN : To whomsoever he wants to be with. Even the land you will sell would be to the private parties. You are selling here in Delhi. The leaders of many political parties are selling and their sons and nephews are buying the land at Rs. 4 crore to Rs. 5 crore an acre. I do not wish to mention the names. ...*(Interruptions)*... I am asking them to find a solution for the problem. But I would suggest one thing. If you proceed with the present line of action, I believe there is only one point and that is, whatever resources you generate I would request you to regard that as a trust for the entire industrial rehabilitation of India, at least for the entire textile industry of India and not merely a preserve for a single unit, as my friend Mr. Ram Naik seems to suggest, because that will not be fair. In the mean time, make up your mind whether you want to keep the textile industry in the public

sector or not. Come up with a clear policy statement before the House. These are the two suggestions that I would like to make.

My last suggestion is : while selling, please do not allow foreign interests foreign penetration into this field where at least we have a hundred years of technology and where our products are selling all over the world. I can assure you, they are selling even in USA as you know better than I do. This is at least one field where we do not want any foreign technology or foreign expertise. Also you yourself are going to admit in the Bill, perhaps enough resources can be generated from within.

These are the three points that I am making. The first is, clear-cut enunciation of a policy, because all this seems to me to be one step forward and two steps backward going round in circles and circles without knowing where we are heading. Secondly, if we are proceeding on this line that we have adopted in this Bill in which you refer only to 15 of the mills, please keep this in view that the resources you generate are made available at least to the entire textile industry and used in the best interest of the industry. In fact a new fund should be created, a Textile Rehabilitation Fund where all these resources, all this money should be put into after paying for the dues that pertain to the labour because that is the legitimate, fair and moral charge and because that should be the first charge. Thirdly, at least in this field, privatise as you will, but do not make it a foreign preserve.

Thank you very much, Mr. Chairman.

*[Translation]*

SHRI MOHAN RAWALE (Bombay South Central) : Mr. Chairman, Sir eight mills in my constituency and five in your constituency are on the verge of closure. Out of 13 mills proposed to be modernised, 8 are in your constituency and 5 in my constituency and I hope I will be favoured with more time.

In spite of being an opposition Member, I applaud the Textile Minister, Shri G. Venkat Swamy and Shri Narsimha Rao for bringing these mills in the public sector.

We must try to find out the cause of the closure of these mills. A paltry sum of Rs. 1 crore has been allocated for 124 N.T.C. mills whereas a sum of Rs. 300 crores has been earmarked under voluntary retirement scheme to throw out the workers.

Last year, the hon. Minister had informed me that out of 1,75,000 N.T.C. workers, 36,000 workers had opted for V.R.S. But the fact is that nobody willingly opts for

V.R.S. They opt for it under the fear that the mills would be closed down. Most of the mills had closed down because those lacked working capital and hence they could not get the material.

Government had sanctioned Rs. 750 crores for the Textile Modernisation Fund and had distributed about Rs. 877 crores. But on the contrary the workers of the N.T.C. mills in Bombay are still demanding working capital, raw material and cotton and they are prepared to run the mills. But this very Government has not paid a single paisa to them whereas Rs. 300 crores have been sanctioned for Reliance which is an affluent company.

On August 18, the hon. Minister had stated in this very House that the officers of N.T.C. are indulging in corrupt practice in the matter of purchase of cotton and sale and purchase of cloth. Now if these very corrupt officers continue even after modernisation, the mills may continue to run in loss. I would suggest that a new corporation, other than N.T.C., should be floated to look after the management of these mills. I would also suggest that besides the Member of Parliament of the area where the mills are located, Members belonging to other political parties should also be associated to act as the watchdog.

I would like to cite the example of one or two mills to demonstrate how the mills run in loss. Finally Mills in my area was running in loss. In August, 1992, Shri Ray was appointed the General Manager of the mill when it had incurred an accumulated loss of Rs. 1.24 crores. He streamlined the working of the mill and within 10 months not only the entire loss was wiped out but the mill earned a profit of Rs. 24 lakh. But in August 93 he was again transferred because he failed to bribe his senior officers.

17.00 hrs.

The workers are still on strike. The number of workers on strike is 70,000 and not 22 thousand, as claimed by the administration. These workers should also receive the benefit of voluntary retirement scheme. The 'badli' workers or the casual workers should also be extended this benefit. All the mills which were taken over in 1983 were acquired with their liabilities.

In my constituency, the cloth produced by Jupiter Mills and Finlay Mills can be exported. We have some good mills and these should not be disposed of in the name of surplus land. Kohinoor Mills is known for its quality bleaching and dyeing and cloth produced by it can be exported. Such mills should not be disposed of in the name of surplus land.

Besides, the technology is advancing at a very fast

pace after five years our present machinery would become outdated. The Government must keep in mind the protection of the interest of workers and the aforesaid factors before taking any measures. The Tripartite Committee had observed.

[English]

The old machinery is not well maintained. The NTC mills all over India suffer from this basic amenity.

[Translation]

Without good spare parts the old machineries cannot be maintained properly. If second hand spare parts are used, the life of machines is reduced from 3-4 years to 3-4 months.

Bombay is predominately inhabited by Marathas who have nurtured these mills with their sweat and blood and any scheme which may force them to migrate to other places should be avoided so that they do not bear ill will.

Government had constituted a Workers Rehabilitation Fund under which workers of the closed mills were paid in the fitness of things that the workers should be paid all the back dues prior to 1983. I had raised this issue in this House as well as in the Standing Committee but despite assurances and verdict of the Supreme Court, the workers of Kohinoor Mills have not been paid their dues.

This modernisation proposed to be undertaken is a step in the right direction. I had refused to sign the report of the Tripartite Committee because they wanted to close the Weaving Department. In this House the hon. Minister had stated that they were reluctant to extend the benefit of V.R.S. to workers because we may face difficulty in recruiting spinning and weaving workers when required. Today the people think that their lands are being sold. Late Smt. Indiraji had nationalised those mills for running them and not for their closure. The hon. Minister had also assured that as a consequence to sale of the land of the mills. The hon. Minister had said in this house.

[English]

There will be no privatisation, no retrenchment and no closure.

[Translation]

But the unfortunate aspect is that in the name of surplus land entire mills are being sold... (Interruptions) Our desire is that the money earned through the sale of land in Bombay should not go out of Bombay. Several mills are running in loss. One of the Congress M.P. had suggested that these mills should not be sold. The premises



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of these mills can be put to some other effective use. Educational institutions can be opened there and the income generated thereby can be utilised for modernisation. But the dues of the workers should be accorded priority over modernisation. 75 percent wages in the first year and 50% and 25% wages in the second and third year respectively. But this Fund could benefit the employees of the mills which were closed after 1986. But the mills in Bombay had closed in 1982 and the workers there have been deprived of the benefit of this Fund. It is my earnest request that the workers are no way responsible for the closure of the mills and should therefore, be covered under the Workers Rehabilitation Fund.

I once again congratulate the Minister for converting these mills into public undertakings and I would request him to ensure that the interest of the workers is taken care of and there is no retrenchment.

SHRI BHOGENDRA JHA (Madhubani) : Mr. Chairman, Sir, I had opposed the promulgation of the Bill because it has become a practice with the Government to promulgate ordinances on the eve of the session.

In India nationalisation was never done without rhyme or reason. The industrialist of the country was not prepared to invest in industries which had a long gestation period; he wanted quick returns in the form of cinema halls, hotels etc. The Public Sector had, therefore, to step in to set up heavy industries like Bhilai, Durgapur and Rourkela Steel Plants. It is in this context that there was a proliferation of industries in the public sector. We cannot emulate the examples of America or U.K. where unethical means were adopted to set up industries. India was looted to set up industries in U.K. and Lord Clive was impeached for this malpractice.

In 1974, I visited Indore, Bombay, Kanpur etc. to see for myself the health of the textile mills. Out of 102 mills not a single was earning profit. All the mills were sick and running in loss. It was then that National Textile Corporation was established. It is creditable for the N.T.C. to have kept the mills in operation, although in loss. The cloth produced in the mills met the requirement of the country and was exported also. These mills were not nationalised only their management was taken over in the hope that the mill owners would ultimately run them. But that situation never arose and, therefore, nationalisation is not only our compulsion but our need also. I support this Bill.

Mr. Chairman, Sir, the textile industry may not be a basic industry but it is very important for the industry of our country. The workers of the textile mills of Bombay had shown exemplary courage when they went on strike to

protest against arrest and deportation of Lokmanya Tilak to Mandlay for 7 years. Lenin had then commended this step of the workers.

Gandhiji popularised the spinning wheel (charkha) to agitate against the import of foreign cloth. It also helped our indigenous textile industry. It was one of the reasons why the textile mill owners lent support to Gandhiji and his charkha movement. The nationalisation of textile mills is in national interest and I support it. Have the Government or the N.T.C. carried out any exercise to assess the balance sheet of these mills? These mills were under Government management for a long period. A committee should be constituted to fix responsibility, if any, for loss suffered by these 15 mills after 1983. I am not in favour of sale of land and machinery of these mills. I would urge the hon. Minister to consider reviving these very mills with the cooperation of workers and through better management and updated technology. We do not lack either manpower or talent. None of the mills has surplus lands; it was actually acquired for future expansion and if we sell it, there will be no scope for expansion. The land of the mills is a national asset and its sale may result in malpractice. On top of it, if we need the same land in future we may have to pay a very heavy price. I, therefore, do not support the idea of sale of the land belonging to the mills.

The quality of the cloth produced by our mills compares favourably with any mill of the world. They can even compete with the sharks being invited in the country under the economic liberalisation programme. I would reiterate that the new policy of the Government not only poses a challenge to the workers of the mills but also presents them a new opportunity. I would exhort all the workers, to whichever union they belong, to come forward with one voice to demand that let the management of the mills be handed over to them. The workers should prove that they have the capacity to change the tide i.e. the mills which were running in loss would start earning profit. They should also oppose the sell out by the Government.

17.19 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

SHRI SYED SHAHABUDDIN : If the workers of any sick mill are prepared to run it on cooperative basis, the Government should accord them the top priority. They should be made the owners.

SHRI G. VENKAT SWAMY : As soon as I took the oath as Textile Minister, I made an offer to all the Trade Unions and Trade Union leaders to come forward and take over the management of the mills. I waited for six months



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and nobody has come forward till date. The offer is still open.

SHRI MOHAN RAWALE : You will have to take all the mills and not one.

SHRI BHOGENDRA JHA : It is our national malady that we like to be subordinates and not the leader ...*(Interruptions)*

SHRI G. VENKAT SWAMY : Let the slogan of mazdoor say be raised once again.

SHRI BHOGENDRA JHA : My submission is that the workers should make all efforts to make the mills self reliant. What we want is that the mills should be granted loans for their smooth functioning. The loss incurred by the mills prior to their take over should be borne by the officers. In case some malpractice is detected, there should be a provision for punitive punishment.

Now it is the right time for the labour movement to come forward and save the country from foreign sharks and give proof of their patriotism. There is need to make a policy announcement in this direction. The workers must be made aware of the advantages of running the mill on cooperative basis.

Just now the hon. Minister has revealed that 17 N.T.C. shops in Bihar are running in loss. You must call a meeting of the M.Ps of Bihar to ascertain the reasons for their loss. These shops should not be closed; on the contrary they should be rejuvenated.

SHRI G. VENKAT SWAMY : Are you prepared to accept the responsibility?

SHRI BHOGENDRA JHA : You must call a meeting to find ways and means to revive those shops, even if it takes six months or one year to find a solution.

SHRI RAM KRIPAL YADAV : We are prepared to offer our cooperation so that the shops may run in profit. Besides M.Ps, you may associate the trade union leaders and the employees also in the meeting.

SHRI BHOGENDRA JHA : The closure of these mills is no solution. We must put our heads together to analyse the reasons for the losses and find out a solution. If a little effort can make those mills profit earning, there is no harm in making the efforts.

As regards the sale of the land, it should be undertaken only when it is a must. Mr. Deputy Speaker, Sir, land is an immovable property and once it is sold to capitalist then it will not be possible to retrieve it. In all party committee should be constituted to oversee the issues.

I come from an area i.e. Madhubani and Darbhanga where the handloom industry is the main industry. Some new technology should be adopted in the handloom industry so as to increase of efficiency of the handloom industry as also the income of the weavers.

*[Translation]*

DR. KESRI LAL : Mr. Deputy Speaker, Sir, I want to raise a point of order. Just now an hon. Member suggested that the hon. Minister should hold a meeting with M.Ps from Bihar. I want to suggest that not only the M.Ps from Bihar but M.Ps from all those areas where textile mills are located should be associated in these meetings- of course on different dates. They must have a say in the running of the mills and the efforts should be made to make more and more mills operative so that the workers are not rendered unemployed.

*[English]*

MR. DEPUTY SPEAKER : Mr. Kesri Lal, you made a very good point.

*[Translation]*

SHRI DATTA MEGHE (Nagpur) : Mr. Deputy Speaker, Sir, we welcome the Bill introduced by Shri Venkat Swamy. At present a work force of 10 lakh workers is employed in 1227 mills comprising 562 spinning mills and 265 composite mills. These mills have incurred a cumulative loss of Rs. 3652 crore and a large part of the work force is getting their wages without doing any work. That is why it has been decided to modernise the mills so that mills which are running in loss may start making profit.

In Maharashtra, 52 mills are being covered under modernisation programme. In Nagpur, cotton is cultivated on a large scale and this is the reason licences are being granted to set up mills in the cooperative sector in Vidarbha area because of the availability of raw material in abundance. The hon. Minister has made an open offer to workers to come forward to run the sick mills on cooperative basis. My submission is that workers affiliated to Unions like INTUC have the competence to run the mills and earn profit.

In my constituency, there are several mills e.g. Model Mill, Kamleshwar, Pulgaon, Amravati etc. which are incurring losses. In these mills, there is not enough work for the force on the rolls of the mills. That is why we welcome the decision to dispose of surplus land of the mills to initiate modernisation. But the proceeds obtained from the sale of the land must be used in the State where the mills were located. The modernisation would create more em-

ployment opportunities for the workers. In Nagpur there is a Modern Mill and quarters of the workers are in a dilapidated condition and some of them may collapse also. During a recent visit of the hon. Minister we had offered to vacate these houses, provided the occupants are provided alternative accommodation. The Government can then sell this land. We will extend all possible help in the modernisation programme. We have chalked out a scheme under Rs. 176 crores would be required for plant and machinery, Rs. 521 crores for working capital and Rs. 432 crore for expenditure. We have seen in U.P. and particularly in Bengal, employees are sitting at home and still chewing their wages. Those workers should be put to some work before being paid. In Maharashtra we are opening more and more mills on cooperative basis. I would suggest you to start work on reviving the mills where the investment may not be significant e.g. Modern Mill and Kamleshwar Mill in Nagpur. In my area there is no other industry except the textile industry. Other industries can be set up easily. I, therefore, request you to start the modernisation scheme at the earliest in Maharashtra.

[English]

SHRI M.R. KADAMBUR JANARTHANAN (Tirunneveli) : Mr. Deputy Speaker, Sir I rise to support this Bill in the interest of the protection of the industry and the mill workers who have lost their work because of mismanagement by the private parties. The textile industry, which is a money minting industry has become a money swallowing industry. And I read from the Bill,

"Whereas further investment of very large sums of money is necessary for the purpose of securing the optimum utilisation..."

Therefore in the 70s, 80s and even today, the black money creation was mainly done in the industry which was once a money minting industry,—particularly during the World War period—the textile industry. The present Mumbai, that is the then Bombay, was the greatest industrial area.

As Shri Shahabuddin told, we must confess that these mills which are to be taken now are not our properties. They are our country's properties, they are no-man's properties. Hon. Members talked about the laws; everyone spoken on the legal point, to protect it. But I am going to speak on the industry.

You are going to modernise it; it is very good. But the Bill says that you are going to modernise it and restructure it. The word 'restructure' alone will cost expensively. Modernisation means, it is going to be only the machinery, but on which side? Is it ring frame or open end

or air jet? Which are you going to modernise? Just now, you told the House that the labourers are coming and that you will let them in. But I want tell the hon. Minister that on 10.5.95, there was an article which captioned, "Trade Unions for a New Textile Policy." So, the 1988 policy which was once handled by the Government was not protecting the industry and the labourers. Therefore, they want a new policy. We should be told about what happened in the tripartite meeting.

I am a Member of the Consultative Committee of this Ministry and I have told the Minister so many times that merely modernising and pouring money on this will not serve; production guaranteed managers or the man in charge of any mills should be appointed and he must guarantee that cash loss will not be made at least at the modernisation sites. After the phased modernisation, cash loss should not be committed to the industry. So many private mills, the textile industry and the textile trade are making money and huge profits. You are going to sell the lands which is not our land, it is not your land. Somebody has built that sometimes in 1930 or 1940 now you are going to sell the land and going to get money. In a way, it is a stolen property or a public property and now you are going to enjoy the money from that.

Hon. Minister is very keen about this Bill. 'Restructuring' is a dangerous word. On restructuring and on modernisation, you should not waste money, the money which you fetched by way of selling excess land and it should be used only to modernise the machines and on nothing else. Air-conditioning MD's room, buying cars etc., goes under the head 'restructuring'. Therefore, I want to avoid that word 'restructuring'.

I request the hon. Minister, Shri Venkat Swamy to see that another scam is not taken place in the selling of the land. It should be open and transparent and as Shri Shahabuddin said, the highest bidder should take the land. What was Bombay in 1940s and now? Now its value is thousand times more than what it was. That land is not ours, it is somebody else's land; and by the Government is going to sell it. So, every pie of that sale should be accountable and another scam should not take place in this sale of land.

There was one more article with caption 'NABARD, SIDBI offering VRS refinance for NTC staffers'. In that they have given some schemes for the workers as to how to get the looms from the NCTs, etc. When you are selling these lands, you must also plan a scheme which should be announced in the Parliament as to in what way the money is going to be spent, this is how the industry is going to survive and the labourers are going to be protected.

We must be ashamed to see the word 'sick' before 'textile industries' internationally; everyone will laugh at us because if it is handled in a proper manner, it can never be sick. It is because of the mismanagement, they have come to your hands. Some private parties handled it in 1950s and it is because of the mismanagement, it has come to your hands; and it should not be further mismanaged and this industry should not go further sick.

With these words, in the interest of industry and for the protection of the labourers, I support this Bill.

I come from Tamil Nadu. Our NTC subsidiaries are a white elephant which is wanting to be the holding company. That white elephant should be removed from the textile sector.

[Translation]

MR. DEPUTY SPEAKER : Some constructive suggestions should be given. ...*(Interruptions)*

[Translation]

SHRIMATI SAROJ DUBEY (Allahabad) : Two Bills have been introduced in the House. One of the Bills was introduced on June 2, 1995 in Lok Sabha but could not be passed due to paucity of time and on July 31 another session started. What was the urgency to promulgate and ordinance with in this short span except that it lowered the dignity of the House. It has become a practice with the Government to promulgate ordinances.

The Government deserves kudos for proposing modernisation of the mills but we cannot support it for acquiring the lights to sell the surplus land of the mills. This so called surplus land was granted to the mills for future expansion of the mills and it is the property of the mill. In case permission is granted to sell the land and assets of the mills, private and foreign companies would grab them and in course of time, the entire mill may be on sale and the workers of the mill would be rendered unemployed in large number.

If the mills were sick, Government should have revived them by providing financial assistance and effected improvement management. We do not doubt the bonafides of the Government. But the fact is that NTC is beset with corruption and mismanagement and has become sick to an extent that there are no chances of revival.

In U.P. 11 mills are under N.T.C. with considerable surplus land. All those mills are facing virtual closure. We want to know how the income from the fund realised by selling the surplus land and assets of the companies is proposed to be distributed? A clear cut policy should be cftalked out to manage the funds because some of the

mills are running relatively at lesser loss than the other mills. Will you be able to make equatable and just utilisation of funds? Swadeshi Cotton Mill of Naini in Allahabad is one of 11 mills in U.P. It is lying closed for the past 2 years. The workers of Kanpur are getting ideal wages whereas the workers of Swadeshi Cotton Mill are not being paid any wages. Grant injustice is being done to the workers of Swadeshi Cotton Mill who have been denied the N.T.C. pay-scales which was their right after nationalisation. Only the officers and the supervisory staff are getting the NTC pay-scales. I would request the hon. Minister to do away with these dual pay-scales and the supervisors, clerks, drivers etc. should get NTC pay-scales. Besides, I would like to point out that most of the NTC show rooms in U.P. are closed and the rent being paid for these buildings is infructuour. The good quality NTC cloth is sold in black market and only the useless cloth is put up for sale in the show rooms. The result is that the show rooms have no customers and they are incurring huge losses. You plan to effect modernisation but you must also ensure that there is no disparity between the pay-scales and wages of workers of Swadeshi Cotton Mill vis-a-vis the workers of other mills in Kanpur and Bombay who are being paid ideal wages.

The workers are a dejected lot who, on the one hand, have no work and on the other hand are not being paid their wages. On top of it, they are facing harassment at the hands of officers who suspend them on trumped-up charges. Besides, the V.R.S. should be implemented with caution because no worker, who is gainfully employed, wants to seek retirement unless and until he is facing harassment. The hon. Minister is aware of the exploitation of labour by the officers in the mills.

The step about nationalisation of mills is laudable but you must reconsider the proposed measure to dispose of the surplus land at assets of the mills. The sale of land and assets may prove a prelude to the sale of mills themselves which would render lakhs of workers unemployed. Therefore, you must generate resources for modernisation from other sources. Besides, streamlining of management is of paramount importance because otherwise you may dump any amount of investment, it would only fill the pockets of corrupt bureaucracy. The mills would again become sick and the problem would again assume alarming proportion. The proper course of action, therefore, is to improve the quality of thread and the cloth by using upgraded technology. The labour should be motivated to work with zeal and honestly. The workers should also be allowed to participate in the management at all levels from top to bottom. But before implementing it, the trade unions and the M.Ps representing the areas, where these mills are located, should be invited for

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discussion on the steps to be taken to ensure efficient working of mills. These discussions would help us to understand their problems which differ from place to place. We can be successful in our efforts only if we come to grip with these problems. All of us want the NTC operated mills to work efficiently and to regain their lost reputation so as to see a smile on the dejected faces of workers.

With these words, I support the nationalisation but I would urge the Government to reconsider the decision to sell the land and assets of the mills.

[English]

MR. DEPUTY SPEAKER : For this subject, you have got only seven minutes and the Whips have sent their names. As per that, chances are given. As per the allotment for each political party, time is also given. I am very happy, you all stick to the time.

My difficulty is, there so many subjects. We shall have to push through this subject.

Mr Jatiyajji, you will have only three minutes. Kindly finish your speech within the time limit...*(Interruptions)*... My difficulty is, each political party has been allotted time. Therefore, the Chair insisted that the names shall have to come from the Whips. Whips are the batter people in deciding who should participate in what subject and for how much time so that it is well organised. Let us stick to it.

Yes, Dr. Satya Narayan Jatiyajji.

[Translation]

DR. SATYA NARAYAN JATIYA (Ujjain) : Mr. Deputy Speaker, Sir, the textile industry is the biggest industry of the country employing lakhs of workers. Ever since the new textile policy was announced, these mills are closing down. The Government propose to nationalise some of the mills which is a step in the right direction. But we must also be conscious of the outcome of nationalisation. We have to ensure that nationalisation results in betterment of the workers. Today the situation is that thousands of workers of textile mills are facing unemployment. You have promised to improve the lot of NTC workers but what about the workers of the mills in the private sector which are closing down in succession. About 5,000 workers of Vinod Mill in Ujjain are on the road. The workers have been paid their dues because the closure of the mills has not been announced. It is with great difficulty that the workers have been paid the contribution made by them towards provident fund but the mill owners have not paid their share of the provident fund. They have diverted that money for some other purpose. The workers have not been paid

the arrears of their wages. What do we propose to do about it? There is nothing wrong in utilising funds for effecting modernisation by selling the lands and assets of the mills. But what steps are being taken to revive the mills to provide employment to the workers? Here selling of the assets will not serve any purpose. We must upgrade the technology of the mills and make them viable units. The workers should also be allowed to have their representatives in the management who may oversee and monitor the working of the mill. My submission is that industrialisation is the need of the hour for the nation, industries need modernisation and the workers should be motivated to be patriotic. The Minister can only chalk out a policy; its implementation lies with the bureaucratic machinery. For years, we have been observing that howsoever lofty the motives of the Government might have been, the results have not been very encouraging. It is, therefore essential to ensure that machinery entrusted with the task of implementation is properly motivated and is competent to implement the policies of the Government. The workers is only interested in his job. The Bill must have inbuilt measures to protect the interests of the workers and to provide them employment. In my constituency, there is one mill by the name Hira Mill; its assets have been sold out one by one. Most of the textile mills are sick and selling their assets may be a one time solution. Government have, therefore, to provide for some positive measures in the Bill to ensure smooth and efficient functioning of textile mills. Even in the private sector, mills such as Indore Textile Mill, Saijjan Mill, Vinod Mills etc. are not in a healthy state.

SHRI RAMCHANDRA MAROTRAO GHANGARE (Wardha) : Sir, Pulgaon Cotton Mill is a 105 year old mill under Maharashtra State Textile Corporation. The Mill is facing closure and the workers are agitating against it. An agreement was signed with M.S.T.C. to introduce modernisation in the mili. But it did not materialise. Now it is proposed to absorb 500 workers in the spinning mill and about 1300 workers would be laid off with the closure of the mill. It is my submission that the said mill can be made viable through modernisation and should be brought under the control of NTC. My second submission is that the dwelling units of the Model Mills in Nagpur have developed cracks and pose a danger to the life of the inhabitants of the quarters.

18.00 hrs.

I would also urge the hon. Minister to retrieve the Pulgaon Mill by modernising it. It was producing quality cloth.

[English]

MR. DEPUTY SPEAKER : It is 6 o'clock now. We shall extend the time, if the Hosue agrees to it.

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SEVERAL HON. MEMBERS : Yes.

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCES DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK) : Sir, after the Textile Undertakings Bill, we have to take up the Supplementary Demands for Grants also. Since the time is too short, I request the Hon. Members to kindly cooperate.

SHRI SRIKANTA JENA (Cuttack) : How much time would you require?

SHRI MUKUL WASNIK : As much time as you would be talking on it.

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada) : Mr. Deputy Speaker, Sir, I rise to support the proposals enumerated by the Government in the Sick Textile Undertakings (Nationalisation) Bill, 1995.

According to the Bill, the money that is obtained from the sale of unused land of sick undertakings will be utilised for their modernisation. Sir, this helps, in particular, cities like Bombay and Calcutta and other metropolises where a lot of land of the mills is lying unused and where there is acute housing problem. That way, apart from helping the modernisation of the sick undertaking, it will also help in construction of a large number of dwelling units in urban areas and metropolises.

But, Sir the funds as provided in the Bill, should exclusively be used for modernisation. In the previous times, though the National Textile Corporation was provided with a lot of funds by the Government, unfortunately they are still running in losses. I feel that there is a definite need to look into the function of the management of various units to see that necessary steps are taken to improve the functional efficiency of the management of a mill without which, in spite of your providing additional sums of money through sale of land, it would not be possible to help that organisation.

Sir, though the NTC has accepted the principle of participation of workers in the management of mills, I do not know how far it is being implemented actually in its various units. I request the Government to see that it takes place actually. ...*(Interruptions)*... Already there are some mills under the NTC. My submission is, when workers are also made part and parcel of the management, and the decisions taken at the management level, they will have a definite responsibility on them to give necessary production with superior quality and for the best functioning of the mill.

Finally, Sir, I urge upon the Government to take

necessary steps to make a deep study as to which are the products, which are the prints and which are a garments that are having great demand both within the country and outside and such products only should be manufactured by NTC.

Hoping that these proceeds will further improve modernisation of sick undertakings, I take this opportunity to support this amending Bill. Thank you, Sir.

*[Translation]*

THE MINISTER OF STATE OF THE MINISTRY OF TEXTILES (SHRI G. VENKAT SWAMY) : Shri Ram Naik has raised a number of points in support of his Resolution. Mr. Deputy Speaker, Sir, NTC mills have a chequered history from 1971 till date. The Government of India has invested a sum of Rs. 4000 crores by way of loans on these mills. Besides, these mills owe to the Banks billions of rupees. The machinery of some of the mills is as old as 100, 125 to 130 years old. After taking over the portfolio, I made a study how far the cloth produced by these mills will be viable within the country and in foreign countries. A hue and cry was being raised in the House by Shri Rawale and others about the disparity in wages being paid to the textile workers. In view of the aforesaid problems, we decided to introduce modernisation in the mills and it is wrong to say that it has been done in view of the forthcoming election...*(Interruptions)*.

You have already made your point and you have been unsparing in your comments.

In 1993, we submitted a proposal regarding modernisation of 122 mills to T.S.R. and task of studying the modernisation was sub divided and entrusted to CITRA, ATERA, NITRA etc. with directives to submit their plans. I can vouchsafe for these organisation that they are doing excellent research work not only in India but in foreign countries also and helped the industry. As pointed out by Shri Mohan Rawale, Government of India deposited Rs. 700 crore in IDBI, out of which Rs. 40 crore were entrusted to NTC and the rest was earmarked for private mills.

SHRI MOHAN RAWALE : Not a single paise has been earmarked for Bombay.

SHRI G. VENKAT SWAMY : We entrusted the job of scientific study of modernisation to TSR, in 1993 which submitted its report in December, 1994. Therefore, we approached the tripartite committee in 1994. Your representatives are also members of that committee. The committee considered the issue of closure/merger for nine months. Beside, Shri Rawale and Shri Topdar, all the trade union leaders were members of the committee. After receiving the report of the Tripartite Committee, we



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approached the legal cell and then it was submitted to the cabinet. When the matter was pending before the cabinet, B.I.F.R. issued us a notice that this is the last date otherwise they will declare the closure. In the circumstance we had no other option but to proclaim an ordinance. I would appeal to you to approach B.I.F.R. and request them to close the case.

I have apprised you about the circumstances and the compulsions under which up had to take the shelter of ordinance. Shri Shahabuddin had asked about the number of mills in the private sector. There are 1300 textile mills in our country out of which 700-800 mills are either sick or semi-sick and about 1 lakh workers employed in these mills are hoping for things to improve.

In Gujarat, which is known as the Manchester of India, textile mills are closing very rapidly. Shri Shahabuddin has made very good suggestion that a good textile policy should be declared by the Government. We plan to discard the 125 old machines of 122 NTC mills and equip them with modern machines. Not only India but the entire world is awaiting the production of these mills.

Mr. Deputy Speaker, Sir, we have undertaken modernisation of 122 NTC mills without accepting any monetary assistance from the Government. I had appealed to Shri Topdar and other in the Consultative Committee to sell the land of the mills and undertake modernisation.

[English]

SHRI TARIT BARAN TOPDAR (Barrackpore) : I will take only one minute. Before you have introduced this Bill for modernisation the Government had their own turn around strategy, for which a sum of Rs. 536 crores was allotted. I want to know why that amount or some amount more than that has not been made available by the Government of India to this scheme. You must explain before the Parliament as to what is the constraint. And also for your offer more than one year to bring this Bill before the Parliament. That is why, you had to promulgate an ordinance. ...*(Interruptions)*.

SHRI G. VENKAT SWAMY : You know everything I do not want to explain further, I am trying for the last three years.

[Translation]

As per the strategy of modernisation sanctioned by the cabinet, we will not let workers starve till modernisation is achieved. The Ministry has taken this step on its own

initiative and will mobilise resources for effecting modernisation by selling the surplus land. I have placed the facts before this august House and let the Members accord approval or reject the scheme.

SHRI TARIT BARAN TOPDAR : We want the Government to share the burden.

SHRI G. VENKAT SWAMY : It is not true that the modernisation has been undertaken with the forthcoming elections in view, as was suggested by Shri Ram Naik. This process was initiated in 1993 and now only 15 mills have been left. In case we want to modernise these mills, we will have to nationalise them. Now this Bill seeks to nationalise these 15 mills with a view to modernise them and put them on the path to progress. It has been undertaken without budgetary support. The scheme prepared by T.S.R. for modernisation by discarding outdated machines involved a whopping sum of Rs. 2005 crore. We had requested the CBDT to evaluate the value of the surplus land and the report submitted by the CBDT was presented before the cabinet. We want to implement this scheme...*(Interruptions)*

SHRI TARIT BARAN TOPDAR : Did the cabinet express lack of confidence in your scheme that you approached Parliament after one year?

SHRI G. VENKAT SWAMY : It is wrong. It had to be routed through all the channels i.e. the Tripartite Committee of which you are also a Member, Ministry of law and then finally it was placed before the Cabinet.

We have a lot of expectations from the 122 NTC mills. When I took over the portfolio of Textile Minister, we were exporting cloth worth Rs. 12,000 crore only. In 1994-95 our textile industry increased this export to Rs. 38,000 crore and in the world market we have emerged as number two next only to China. At present our imports account for only 2 percent of the international trade and if all the 122 mills are modernised, it may rise to 6-7 percent as against 13 percent by China.

It was suggested by Shri Shahabuddin and other Members that we must pay attention to the private sector. We are seized of that aspect also and shortly we will come forward with another scheme to introduce modernisation in the private sector.

Mr. Deputy Speaker, Sir, our intentions were honest and we wanted to effect modernisation, come what way. We will invite global tenders and two committees will be constituted-sale of land and purchase of machinery. Now we are looking for honest and competent persons to man



these Committees. I will welcome suggestions from MPs in this regard. I would like to constitute a Committee comprising Members of Parliament. I want the entire operation to be above board. During my three years tenure there has not been a single instance of corrupt practice in my Ministry...*(Interruptions)*

DR. S.P. YADAV (Sambhal) : Barring your Ministry, others are corrupt.

SHRI G. VENKAT SWAMY : I am making the claim only about the Textile Ministry. I am prepared to answer any change of corruption against my Ministry. Our Ministry accounts for 37 percent of the total exports being made by our country, which can be further increased with the modernisation of 122 NTC mills and with the help and cooperation of Members of Parliament. We had discussed the scheme thread bare with all trade union leaders before proceeding in the matter.

SHRI RAM KRIPAL YADAV (Patna) : On the contrary they have complained that they were not taken into confidence.

SHRI G. VENKAT SWAMY : We held discussion with all the unions for six months. You are not aware because you have just come.

SHRI MOHAN RAWALE : Did you hold discussion with the recognized unions of Bombay?

SHRI G. VENKAT SWAMY : A special tripartite meeting was organised by the Labour Ministry, Government of India. I was a Deputy Labour Minister in 1972 and I know which are the recognised unions. Several decisions were taken in that meeting. You pry all our activities and still you say that the union leaders were not called.

*[English]*

MR. DEPUTY SPEAKER : The hon. Minister has not yielded. If he yields you can put a questions.

*[Translation]*

SHRI MOHAN RAWALE : I am not talking about myself; I am talking about the entire country.

SHRI RAM KRIPAL YADAV (Patna) : You did not hold discussion with a trade union of Maharashtra by the name 'Girni'.

SHRI G. VENKAT SWAMY : I can read out the names of the persons who attended the meeting under the Central Union. They are Sarvashri Bhogeswar-INTUC, S.N. Rao-INTUC, G. Prabhakar-IMS, R.K. Bhakta-BMS, U. Purohit-HMS, M.S. Krishnan-AITUC, B.D. Joshi-AITUC,

Ainam-BAROT, P.K. Ganguly, Kanai Banerjee, Pritish Chandra-UTUC, V.Tyagi-HMS. Shri S.N. Rao was named from Maharashtra but Shri Hari Babu Naik had participated. All these are recognized unions. We had a dialogue with these unions. Had we entered into discussion with individual unions, it would have been disastrous.

SHRI RAM KRIPAL YADAV : What is the problem in discussing the matter with other trade unions?

SHRI G. VENKAT SWAMY : The special tripartite meeting was called by the Labour Ministry and this question should be addressed to them.

I am a regular visitor to Bombay since 1946-47, which used to buzz with activity round the clock. But now it sleeps at night. The textile mills used to work day and night.

You have very rightly pointed out that I used to visit Bombay in my capacity as a trade union leader in view of the damage caused to industry in Bombay after the 1982 strike. I was trained in trade union movement along with Vasova Khandobhai by Shri Ambedkar in 1946-47. Now with the experience gained by me as a trade union leader, I propose to modernize the textile mills and make them self-reliant.

As the things stand at present, we have nationalised all but these 15 mills. We could not initiate the modernisation process without nationalising these 15 mills and also could not approach the BIFR.

After the promulgation of the ordinance we approached the BIFR and submitted the cabinet decision. If the Bill is passed today, we can tell the BIFR and request them to grant the permission immediately so that the modernisation work is undertaken in right earnest.

I assure Shri Jha that we will constitute an independent Purchase Committee which will invite global tenders. I assure Shri Rawale that we have no other alternative except to sell the land. We are prepared to dispense with this plan if we get funds from any other source.

After the Bill is passed by this august House, we will look for the best scheme for workers. Nearly 1,76,000 workers were on the rolls of N.T.C. Mills and most of the surplus workers have either opted for V.R.S. or are likely to opt for it. The Tripartite Committee had issued a commandment. 'No retrenchment, no privatisation, no closure and we are determined to abide by this commandment.

*[English]*

SHRI NIRMAL KANTI CHATTERJEE (Dumdum) : What about Mohini Mills?

SHRI CHITTA BASU (Barasat) : What about participation of the labour?

[Translation]

SHRI G. VENKAT SWAMY : The idea of labour's participation in management is still feasible at floor level. I want that the idea of workers' participation can be fruitful if it is right upto Director's level. It has been my endeavour to implement this idea and I will come to this House after I am successful in making it a reality. My entire life has been dedicated to this struggle for ensuring the participation of workers in the management right upto the Directors level. The mill owners always foiled their endeavours by restricting the participation upto floor level. We will make a new start NTC mills. ...*(Interruptions)*

Shri Ram Naik had raised a point about the shape of the scheme. We will first mobilise funds after selling land. We will then decide about the machines which would be best and most suitable. I am familiar with Bobbin to Blow Room of the textile industry.

What is the cause of Sickness in the Textile industry? The reason is corruption in the purchase of cotton, sale of yarn. The textile mill owners have siphoned off funds from the mills and left them in the red. Now they have thrown these mills in NTC's lap. Now the mill owners have again approached me to take over the mills. The reason for their willingness is that the land prices have skyrocketed and they want to encash this new banana.

Shri Manmohan Singh was also in favour of returning the mills to mill owners to save the exchequer from the burden imposed by these mills to the tune of thousands of crores of rupees. But I was able to convince him that we will undertake modernisation without accepting any assistance or aid from the Government. It was after this assurance given by me that he gave his consent. The Cabinet as well as the Prime Minister also gave their consent to the running of the mills after modernisation. We had to cover a long distance before we introduced this Bill in the Parliament. Now the session is coming to close day after tomorrow and if you pass the Bill now, we can approach BIFR with our proposal. An hon. Member had asked about the contribution of the Government in this projects of modernisation. We propose to start this projects at the earliest and we expect to complete it in 1½ years. This process of modernisation will involve considerable expenditure in which Government will have to contribute hundreds of crores of rupees. We will, of course, bear the entire cost of machines. This is the shape of the proposed modernisation. The Finance Minister feels that in the face of policy of liberalisation, nationalisation has no meaning.

But we did not want the old mill owners to weed the mills further in which we recieved the support of both the Finance Minister and the Prime Minister also. I want your cooperation also in our endeavour to modernise the textile mills.

The hon. Members who want to share the responsibility of sale-supply should come forward and give their names, otherwise we will constitute a committee comprising members of impeccable character and entrust the job to them. We will not interfere with the working of the committee.

SHRI RAM KRIPAL YADAV : What will be the constitution of the committee on sale of land?

SHRI G. VENKAT SWAMY : We have as yet not decided on the constitution of the committee.

SHRI RAM KRIPAL YADAV : But you said that you will form a committee.

SHRI G. VENKAT SWAMY : I had said a committee would be entrusted the task of effecting the sale of land. As regards membership of the committee, you suggest the names of some honest person and I will make them the members of the committee.

[English]

SHRI ANIL BASU (Amargarh) : Then, why are you not accepting the amendment?

SHRI G. VENKAT SWAMY : What is the amendment?

SHRI ANIL BASU : It is that whatever fund would be available from the sale of land, that would be utilised...

SHRI G. VENKAT SWAMY : You have not understood that.

[Translation]

I have accepted the proposal of Shri Naik. The money accruing from the sale of land at one place may be invested elsewhere also. But Shri Rawale is against it. Then how can we implement this project? This is your country. I agree with Shri Naik that the money accruing from the sale of surplus land of a particular mill should first be invested on that mill and then elsewhere. I think now Shri Naik will not press his amendment.

SHRIMATI SAROJ DUBEY : The money which accrues from the sale of this mill...*(Interruptions)*

SHRI G. VENKAT SWAMY : You have not heard my complete speech....*(Interruptions)*

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SHRI RAM KRIPAL YADAV : You have not touched upon the stay granted by the Supreme Court in the case.

SHRI G. VENKAT SWAMY : If you are pleading the cause of mill owners, I can reply to your question.

SHRI RAM KRIPAL YADAV : Will we not discuss the legal aspect?

SHRI G. VENKAT SWAMY : I would like to be forthright in the matter. There is no legal aspect. The mill owners are trying to exert pressure and in case they have approached you, I can reply to your query. In the discussion held today, I will bear in mind the suggestions made by the Ministers.

[English]

SHRI NIRMAL KANT CHATTERJEE : Why do you not have a second look at Mohini Mills?

SHRI TARIT BARAN TOPDAR : There are 16 taken over mills. Why have you shown discrimination ...*(Interruptions)*

[Translator]

SHRI G. VENKAT SWAMY : Shri Som Nath Chatterjee is the President of Mohini Mills. He had approached the High Court. I do not know the present status of the case.

SHRI TARIT BARAN TOPDAR : After denotification the Government did nothing despite repeated appeals and the workers were facing starvation. We then approached the High Court against denotification.

SHRI G. VENKAT SWAMY : There they lost the case and what can be done now.

SHRI TARIT BARAN TOPDAR : The mill owners have filed an appeal in the Supreme Court which will lapse with the passing of the Bill. You had promised to look into the matter.

SHRI G. VENKAT SWAMY : I had suggested that there is a way out if you cooperate in the matter of modernisation. Besides, the Member have suggested that a Textile policy should be framed for the textile mills in the private sector also. I would make an indepth study and come before the House with a policy. If we undertake that work, it would involve an expenditure of the order of Rs. 15,000 to Rs. 20,000 crore. At present the expenditure is only Rs. 2,000 crore. It would usher a revolution in the textile industry. We have to keep in mind all the aspects before taking any step.

SHRI RATILAL VERMA (Dhanduka) : Please give some assurance about the Calico Mills in Ahmedabad. The workers are in great distress.

[English]

MR. DEPUTY SPEAKER : I think the points raised by hon. Members have been replied to by the hon. Minister satisfactorily. Now, let us proceed.

...*(Interruptions)*...

SHRI NIRMAL KANTI CHATTERJEE : If you say that you will have a second look at Mohini Mills then we are satisfied.

SHRI CHITTA BASU : That has been de-notified. But that does not prevent you from re-notifying it.

[Translation]

SHRI G. VENKAT SWAMY : I would request Shri Nirmal Kanti to bear with us for some more time in view of my new large scale scheme. The scheme is intended for the entire private sector and not for a single mill. I am trying to find ways and means for all the workers who are likely to face unemployment.

SHRI TARIT BARAN TOPDAR : It is not a questions of one mill; it concerns sixteen mills.

[English]

Fifteen is nothing but sixteen minus one ...*(Interruptions)*

SHRI NIRMAL KANTI CHATTERJEE : You are taking a stand which we all appreciate and support.

[Translation]

SHRI G. VENKAT SWAMY : I do not want to make any false commitments or false assurances. I can only say that the case of Mohini Mills will be taken up or will the other mills of India.

SHRI RAM NAIK : The hon. Minister has enlightened us with his reply. But I had hoped that he would request me to withdraw the Resolution of disapproval.

SHRI G. VENKAT SWAMY : I will still request you to withdraw the Resolution. I have also agreed to your amendment.

SHRI RAM NAIK : I know my amendment has been accepted. The hon. Minister in his reply informed us that they will approach BIFR only after the ordinance is approved by the House. It means after the promulgation of the ordinance no tangible work has been done which should have been attended to. Secondly, we condemned the practice of promulgating Ordinance resorted to by the Government. I wish Shri Sharad Dighe was present here

because he had alleged that. I was instrumental in blocking the passing of the Bill in the last session. One of the Bills was introduced on the 2nd the other was to be introduced on the 3rd and the Rajya Sabha had adjourned on the 2nd itself. Then how could you have passed the other Bill? My objection was that sufficient time should be given for the study of the Bill and the time we thus got did help. The committee held nine sittings and the report was presented after indepth study. The arguments advanced in favour of ordinance are full of contradictions.

The Hon'ble Minister should clarify one of his points. I did not say the forthcoming election have prompted the Government to bring this Bill. I had said that the people want to know why it has taken 12 years to bring the Bill. Even now your planning is faulty. Why was the case not submitted to BIFR after the promulgation of the ordinance? You have not clarified this point in your reply. To my mind, the promulgation of this Ordinance had not served the objective for which ordinances are promulgated.

SHRI G. VENKAT SWAMY : I would like to know the course of action you would have taken after the cabinet decision, had you been there in my place? After promulgating the ordinance we approached the BIFR to put their seal of approval as the cabinet has already sanctioned it.

SHRI RAM NAIK : Had I been there in your place, I would not have introduced the Bill on the 2nd June, as Rajya Sabha had adjourned on 2nd itself. My objection is that you promulgated the ordinance after introducing the Bill. You must concede the point, made by me in case it appeals to you. You should not oppose it.

It is true that considerable progress has been made by the textile industry, but the reason for this progress is that the number of powerlooms is increasing.

[English]

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA) : After the Minister's reply, then also you are going on speaking.

SHRI RAM NAIK : You are a very good Parliamentary Affairs Minister. There is a Motion of disapproval of the Ordinance by me.

[Translation]

SHRI RAM NAIK : It is strange that the Parliamentary Affairs Minister has made this comment that how I am speaking even after the reply of the Minister. He should be better informed and such a comment does not behave him.

As I had said earlier, the export of textile sector has increased because of powerloom. I do concede that you have made notable contribution to the development of textile industry. I also commend the introduction of the Bill by you and reiterate that it is a step in the right direction. You have sought our cooperation in the matter of sale of land. I assure you on behalf of the M.P.'s from Bombay that we are prepared to work under the leadership of Shri Sharad Dighe. Besides me, Shri Rawale will also lend a helping hand. We would ensure that no wrong step is taken in the sale of land in Bombay. You may decide the matter in the manner you deem fit but I know Shri Sharad Dighe will accept my request and we are prepared to work under him.

In the end, I would allude to the offer made by the Hon'ble Minister that he was prepared to hand over the management of any mill to the workers to be run on the Cooperative basis. He has also said nobody has come forward to accept the offer. I would like to read a letter in this context :

[English]

That letter has been addressed by Shri G. Venkat Swamy to Dr. Datta Samant on August 28, 1993 which says :

"We shall be happy to consider any viable proposal for handing over M/s. New Hind Textile Mills and Bharat Textile Mills to workers cooperative provided it bears the consent of all parties concerned."

[Translation]

Datta Saheb is our political adversary but he did submit a proposal to you regarding formation of New Hind Textile Mills workers cooperative. But it has become a controversial issue in Bombay.

SHRI G. VENKAT SWAMY : It is true that Shri Datta Samant did make an offer. I assured him my full support in his endeavour and asked him to get the cooperative society registered. I waited for six months and Shri Rawale can bear me out.

SHRI RAM NAIK : I will again approach him and if he has made misleading statement he should be exposed. I will ask him to submit the proposal about the society registered by him. We have to look to the interest of workers and political consideration should not come in the way.

I know Shri Datta Samant is the right person to oversee the sale of land and that is why I mentioned his name. But you will have to give us more details about the mode of sale of land proposed to be adopted. I am

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happy that you have accepted my amendment. Please support my amendment when I move it.

SHRI G. VENKAT SWAMY : We have asked you to withdraw.

SHRI RAM NAIK : I would urge the House to adopt my Resolution seeking disapproval of the promulgation of ordinance by Government.

[English]

MR. DEPUTY SPEAKER : The question is :

"That this House disapproves of the Sick Textile Undertakings (Nationalisation) Amendment Ordinance, 1995, (No. 7 of 1995) promulgated by the President on June 27, 1995."

*The motion was negatived.*

MR. DEPUTY SPEAKER : Now we shall take up for consideration of the Bill.

The question is :

"That the Bill amend the Sick Textile Undertakings (Nationalisation) Act, 1974 and the Swadeshi Cotton Mills Company Limited (Acquisition and transfer of Undertakings) Act, 1986 be taken into consideration."

*The motion was adopted.*

MR. DEPUTY SPEAKER : The House shall now take up clause by clause consideration of the Bill.

*Clause 2—Amended of Act 57 of 1974*

*Amendment made :*

Page 1, line 13,—

after "transfer" insert, "mortgage sale," (3)

(Shri G. Venkat Swamy)

SHRI RAM NAIK : I beg to move :

Page 1,—

for lines 13 to 15, *substitute-*

"Provided that the proceeds of such transfer or disposal shall be utilised first for the use of the textile mill whose land, plant, machinery etc. is being sold, transferred mortgaged or is being otherwise disposed and then only for the purpose of textile industry and shall not be used for any other purpose without the approval of the Parliament." (6)

Since the Minister has accepted it, this amendment may be adopted.

MR. DEPUTY SPEAKER : Now I shall put amendment No. 6 moved by Shri Ram Naik to the vote of the House.

*Amendment No. 6 was put and negatived.*

SHRI RAM NAIK : Again I have to move this type of amendment to another clause. I will have to move some amendment. Earlier the Minister has said that he is accepting my amendment. It appears that the scene has changed now.

SHRI NIRMAL KANTI CHATTERJEE : He is accepting the spirit of the amendment and not the body of it.

SHRI RAM NAIK : Let me at least understand what the Minister has said.

[Translation]

SHRI G. VENKAT SWAMY : I had assured you that we accept your amendment but you must withdraw it. There has been no response from you.

SHRI RAM NAIK : At that time we were discussing the disapproval of the Ordinance.

[English]

MR. DEPUTY SPEAKER : The question is :

"That Clause 2, as amended, stand part of the Bill."

*The Motion was adopted.*

*Clause 2, as amended, was added to the Bill.*

*Clause 3 Amended of Act 30 of 1986*

*Amendment made :*

Page 2, line 9,—

after "transfer" insert "Mortgage sale", (4)

(Shri G. Venkat Swamy)

SHRI RAM NAIK : I beg to move :

Page 2,—

for lines 9 to 11, *substitute-*

"Provided that the proceeds of such transfer or disposal shall be utilised first for the use of the textile mill whose land, plant, machinery etc. is being sold, transferred mortgaged or is

being otherwise disposed and than only for the purpose of textile industry and shall not be used for any other purpose without the approval of the Parliament." (7)

I moved the amendment now. Let me understand whether he is accepting the amendment or not accepting the amendment.

MR. DEPUTY SPEAKER : I shall now put Amendment No. 7 moved by Shri Ram Naik to the vote of the House.

*Amendment No. 7 was put and negatived.*

MR. DEPUTY SPEAKER : The question is :

"That Clause 3, as amended, stand part of the Bill".

*The motion was adopted.*

*Clause 3, as amended, was added to the Bill.*

*New Clause 4—Repeal and saving*

*Amendment made :*

Page 2,—

*after line 11, add,—*

4. (1) The Sick Textile Undertakings (Nationalisation) Ordinance, 1995, is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the Sick Textile Undertakings (Nationalisation) Act, 1974 and the Swadeshi Cotton Mills Company Limited (Acquisition and Transfer of Undertakings) Act, 1986, as amended by the Ordinance so repealed, shall deemed to have been done or taken under the corresponding provisions of those Acts, as amended by this Act." (5)

*(Shri G. Venkat Swamy)*

MR. DEPUTY SPEAKER : The question is :

"That New Clause 4 be added to the Bill."

*The Motion was adopted.*

*New Clause 4 was added to the Bill.*

*Clause-1—Short title*

*Amendments made :*

Page 1, line 3,—

*after "1", insert "(1)" (1)*

Page 1,—

*after line 4, insert—*

"(2) It shall be deemed to have come into force on the 27th day of June, 1995." (2)

*(Shri G. Venkat Swamy)*

MR. DEPUTY SPEAKER : The question is :

"That clause 1, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 1, as amended, was added to the Bill.*

MR. DEPUTY SPEAKER : The question is :

"That the Enacting Formula and the Long Title stand part of the Bill."

*The motion was adopted.*

*The Enacting Formula and the long Title were added to the Bill.*

MR. DEPUTY SPEAKER : The Minister may now move that the Bill, as amended, be passed.

SHRI G. VENKAT SWAMY : I beg to move :

"That the Bill, as amended, be passed."

MR. DEPUTY SPEAKER : The question is :

"That the Bill, as amended, be passed."

*The motion was adopted.*

MR. DEPUTY SPEAKER : Now we take up Textile Undertakings (Nationalisation) Bill, 1995 and the Statutory Resolution.

The question is :

"That this House disapproves of the Textile Undertakings (Nationalisation) Ordinance, 1995 (No. 6 of 1995) promulgated by the President on June 27, 1995."

*The Motion was negatived.*

MR. DEPUTY SPEAKER : The question is :

"That the Bill to provide for the acquisition and transfer of the textile undertakings, and the right, title and interest of the owners in respect of the textile undertakings, specified in the First schedule with a view to augmenting the production and distribution of different varieties of cloth and yarn so as to subserve the interests of the general public and for matters



connected therewith or incidental thereto, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY SPEAKER : The House will now take up clause by clause consideration of the Bill.

*Clause 2 and 3*

The Question is :

"That Clauses 2 and 3 stand part of the Bill".

*The motion was adopted.*

*Clauses 2 and 3 were added to the Bill.*

*Clause 4—General effect of vesting*

*Amendment made :*

Page 4,—

*after line 43, insert—*

"(7) Any person who on the date on which the Textile Undertakings (Nationalisation) Ordinance, 1995 was promulgated was in possession of, or had under his custody or control, the whole or any part of any textile undertaking referred to in section 3, the management of which could not be taken over by the Central Government by reason of any decree, order or injunction of any court or otherwise, shall deliver forthwith the possession of such undertaking or part and all books of account, registers and all other documents of whatever nature relating to such undertaking or part to the Central Government or the National Textile Corporation or such other person as the Central Government or the National Textile Corporation, as the case may be, may specify in this behalf." (11)

*(Shri G. Venkat Swamy)*

MR. DEPUTY SPEAKER : The question is :

"That Clause 4, as amended, stand part of the Bill".

*The motion was adopted.*

*Clause 4, as amended, was added to the Bill.*

MR. DEPUTY SPEAKER : The question is :

"That Clause 5 to 8 stand part of the Bill".

*The Motion was adopted.*

*Clauses 5 to 8 were added to the Bill.*

*Clause 9 — Payment of further amount.*

*Amendment made :*

Page 6, lines 42 and 43,—

*for "this Act receives the assent of the President" Ord. 6 of 1995.*

*substitute "the Textile Undertakings (Nationalisation) Ordinance, 1995 was promulgated." (1)*

*(Shri G. Venkat Swamy)*

MR. DEPUTY SPEAKER : The question is :

"That Clause 9, as amended, stand part of the Bill".

*The motion was adopted.*

*Clause 9, as amended, was added to the Bill.*

MR. DEPUTY SPEAKER : The question is :

"That Clause 10, stand part of the Bill".

*The motion was adopted.*

*Clause 10 was added to the Bill.*

19.00 hrs.

*Clause 11 — Special Provision for disposal of assets of the textile undertakings in certain circumstances.*

*Amendment made :*

Page 7, line 23,—

*after "transfer" insert, "mortgage, sale", (2)*

*(Shri G. Venkat Swamy)*

SHRI RAM NAIK : I beg to move :

Page 7, —

*for lines 23 to 25, substitute—*

*"Provided that the proceeds of such transfer or disposal shall be utilised first for the use of the textile mill whose land, plant, machinery etc. is being sold, transferred, mortgaged or is being otherwise disposed and then only for the purpose of textile industry and shall not be used for any other purpose without the approval of the Parliament." (10)*

MR. DEPUTY SPEAKER : I shall now put Amend-  
ment No. 10 moved by Shri Ram Naik to the vote of the  
House.

*Amendment No. 10 was put and negatived.*

MR. DEPUTY SPEAKER : The question is :

"That Clause 11, as amended, stand part of  
the Bill."

*The motion was adopted.*

*Clause 11, as amended, was added to the Bill.*

MR. DEPUTY SPEAKER : The question is :

"That Clauses 12 to 18, stand part of the Bill".

*The motion was adopted.*

*Clause 12 to 18 were added to the Bill.*

*Clause 19—Certain Powers of the  
National Textile Corporation.*

*Amendment made :*

Page 10, line 19, —

for "this Act receives the assent of the President",  
Ord. 6 of 1995.

*Substitute "the Textile Undertakings (Nationalisation)  
Ordinance, 1995 was promulgated" (3)*

*(Shri G. Venkat Swamy)*

MR. DEPUTY SPEAKER : The question is :

"That Clause 19, as amended, stand part of  
the Bill."

*The motion was adopted.*

*Clause 19, as amended, was added to the Bill.*

MR. DEPUTY SPEAKER : The question is :

"That Clause 20, stand part of the Bill."

*The motion was adopted.*

*Clause 20 was added to the Bill.*

*Clause 21—Priority of Claims.*

*Amendment made :*

Page 10, line 35, —

for "will" occurring at both the places,

*substitute "shall" (4)*

*(Shri G. Venkat Swamy)*

MR. DEPUTY SPEAKER : The question is :

"That Clause 21, as amended, stand part of  
the Bill."

*The motion was adopted.*

*Clause 21, as amended, was added to the Bill.*

MR. DEPUTY SPEAKER : The question is :

"That Clause 22, stand part of the Bill."

*The motion was adopted.*

*Clause 22 was added to the Bill.*

*Clause 23—Admission or rejection of Claims*

*Amendment made :*

Page 11, line 28,—

for "will" substitute "may" (5)

*(Shri G. Venkat Swamy)*

MR. DEPUTY SPEAKER : The question is :

"That Clause 23, as amended, stand part of  
the Bill."

*The motion was adopted.*

*Clause 23, as amended, was added to the Bill.*

MR. DEPUTY SPEAKER : The question is :

"That Clauses 24 to 27, stand part of the Bill."

*The motion was adopted.*

*Clauses 24 to 27 were added to the Bill.*

*Clause 28 — Management to continue to vest in the  
custodian. until alternative arrangements  
are made.*

*Amendment made :*

Page 13, line 16, —

for "this Act receives the assent of the President"  
Ord. 6 of 1995.

*substitute "the Textile Undertakings (Nationalisation)  
Ordinance, 1995 was promulgated" (6)*

*(Shri G. Venkat Swamy)*

MR. DEPUTY SPEAKER : The question is :

"That Clause 28, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 28, as amended, was added to the Bill.*

MR. DEPUTY SPEAKER : The question is :

"That Clause 29 stand part of the Bill."

*The motion was adopted.*

*Clause 29 was added to the Bill.*

*Clause 30 — Contracts to cease to have effect unless ratified by the National Textile Corporation.*

*Amendment made :*

Page 13, line 33,—

for "this Act receives the assent of the President"

Ord. 6 of 1995.

*substitute "the Textile Undertakings (Nationalisation) Ordinance, 1995 was promulgated" (7)*

*(Shri G. Venkat Swamy)*

MR. DEPUTY SPEAKER : The question is :

"Clause 30, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 30, as amended, was added to the Bill.*

MR. DEPUTY SPEAKER : The question is :

"That Clause 31 to 36, stand part of the Bill."

*The motion was adopted.*

*Clause 31 to 36 were added to the Bill.*

*Clause 37 — Powers to remove difficulties*

*Amendment made :*

Page 15, line 34,—

for "this Act receives the assent of the President"

Ord. 6 of 1995.

*substitute "the Textile Undertakings (Nationalisation) Ordinance, 1995 was promulgated" (8)*

*(Shri G. Venkat Swamy)*

MR. DEPUTY SPEAKER : The question is :

"Clause 37, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 37, as amended, was added to the Bill.*

*New Clause 38 — Repeal and Saving*

*Amendment made :*

Page 15, after line 36,

*add,—*

Repeal and saving.

"38, (1) The Textile Undertakings (Nationalisation) Ordinance, 1995, is hereby repealed.

Ord. 6 of 1995.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act." (9)

*(Shri G. Venkat Swamy)*

MR. DEPUTY SPEAKER : The question is :

"That new clause 38, be added to the Bill."

*The motion was adopted.*

*New Clause 38 was added to the Bill.*

MR. DEPUTY SPEAKER : The question is :

"That the first and second schedules, stand part of the Bill."

*The motion was adopted.*

*The First and second schedules were added to the Bill.*

MR. DEPUTY SPEAKER : The question is :

"That Clause 1, the Enacting Formula, the Preamble and the Long Title stand part of the Bill."

*The motion was adopted.*

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

SHRI G. VENKAT SWAMY : I beg to move :

"That the Bill, as amended, be passed."

MR. DEPUTY SPEAKER : The question is :

"That the Bill, as amended, be passed."

*The motion was adopted.*

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(Nationalisation) Amendment  
Ordinance and Bill  
Re : Textile Undertaking (Nationali-  
sation) Ordinance and Bill

Bhadra 2, 1917 (Saka)

Re : Sick Textile Undertaking 410  
(Nationalisation) Amendment  
Ordinance and Bill  
Re : Textile Undertaking (Nationali-  
sation) Ordinance and Bill

[English]

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA) : As hon. Members are aware, there is heavy schedule of urgent Government business and this has to be transmitted to Rajya Sabha also. What I propose is that the Private Members' Business which is scheduled for tomorrow may be shifted to Saturday and the Government business may be finished here in this House so that it can be transmitted to Rajya Sabha which will take up the Private Members' Bill tomorrow. So, this kind of arrangement will facilitate the passing of various things. I hope the House will have no objection to this.

The second solution is that after this, we have some financial business to take. I would request the hon. Members to pass it.

SEVERAL HON. MEMBERS : No, no.

SHRI VIDYACHARAN SHUKLA : We can take up the listed business for tomorrow. Today's business should not be carried over to tomorrow...*(Interruptions)*

[Translation]

SHRI RAM KRIPAL YADAV (Patna) : We are prepared to sit late in the night tomorrow.

[English]

SHRI NIRMAL KANTI CHATTERJEE (Dumdum) : Let us adjourn now.

We will sit late tomorrow; let him keep our dinner ready and we will pass all the Bills so that on Saturday, they may go there. ...*(Interruptions)*

MR. DEPUTY SPEAKER : Now, the point is, we cannot have a crowded programme and if we have a crowded programme, it becomes very difficult and some of the hon. Members will lose their opportunity to participate in the debate.

SHRI NIRMAL KANTI CHATTERJEE : We accept that time is limited. The point is simple. We agree that some of the Bills have to go to the Rajya Sabha. Rajya Sabha is also sitting on Saturday. We will pass the bills tomorrow, namely, the bills which have to be sent to Rajya Sabha and take up all the bills which have been passed by Rajya Sabha on Saturday. In the meantime, Private Members' Business can also be shifted to Saturday. There will be no problem at all. If necessary, we will sit late tomorrow but this hurrying through is not good. It is particularly so because the Indian Parliamentary Group meeting is going on there; we are all members there and you are also an hon. Member there. We do not want to irritate the Speaker both here and there.

SHRI VIDYACHARAN SHUKLA : That is why I am suggesting that we can pass it without discussion. You want to participate in that meeting at 7 PM.

SHRI NIRMAL KANTI CHATTERJEE : I do not agree for this. There are a few observations which need to be made both for the Supplementary Demands and for Demands for Excess Grants. You cannot escape it ...*(Interruptions)*

SHRI RAM NAIK (Bombay North) : We agree that Private Members' Business meant for Friday is shifted to Saturday. There is no problem about it. Leaders have also agreed to it. While going, Mr. Vajpayee also told me about it. So, we agree to it. But regarding the Supplementary Demands, who is there to speak is not the question. We will do it tomorrow. We will sit late and whatever is to be done, can be done. Regarding Supplementary Demands for Grants, it is not that important from the point of view of Rajya Sabha. These are financial matters. So, we must deliberate it properly. We will deliberate it tomorrow. If necessary, we can sit late in the evening or night. And that will accommodate the IPG meeting also. ...*(Interruptions)*

SHRI VIDYACHARAN SHUKLA : Mr. Ram Naik may very well know the problem. These Appropriation Bills, after being passed by this House, will have to go to the President and after receiving the assent of the President will have to be sent to the Rajya Sabha. Therefore, it will take time. If we shift it tomorrow, there would be difficulty because we cannot hazzle the President through and we cannot ask the President to sign the Bills and then transmit them to Rajya Sabha. ...*(Interruptions)*

SHRI NIRMAL KANTI CHATTERJEE : We can pass it tomorrow morning and then it may go to the President.

SHRI VIDYACHARAN SHUKLA : Supposing we pass them tomorrow, we have to send them to Rashtrapati Bhawan and if the President is made to sign on that very day, then there is no problem. We cannot make the President to hazzle through. Supposing he does not sign, then what will happen?

SHRI NIRMAL KANTI CHATTERJEE : Supposing there is an earthquake tomorrow, then what will happen? We do not know. We are discussing what is feasible and possible.

MR. DEPUTY SPEAKER : Why could we not sit for some more time? Yesterday, you were so gracious to sit upto 11 PM.

...*(Interruptions)*...

SHRI NIRMAL KANTI CHATTERJEE : We will sit late tomorrow. ...*(Interruptions)*

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI M.V. CHANDRASHEKHARA MURTHY) : If we clear this today, we can take it up in the other House on Saturday. Otherwise, it will be very difficult. I request and appeal to the hon. Members that we can do it today itself.

MR. DEPUTY SPEAKER : The Government has got its difficulties. Let us realise their difficulties and pass these Bills. Let us cooperate with them.

SHRI RAM NAIK : They should have brought first the discussion on Supplementary Demands and then would brought these two Bills. They have changed their programme....(Interruptions)

SHRI VIDYACHARAN SHUKLA : We cannot assume that President will be in a position to do it. Therefore, we can pass it today, send it to the President and then send it to the Rajya Sabha on Saturday....(Interruptions)

MR. DEPUTY SPEAKER : Let us sit for 30 or 45 minutes more.

...(Interruptions)...

[Translation]

SHRI RAM KRIPAL YADAV : We are tired physically as well as mentally to proceed any further. It may be taken up tomorrow....(Interruptions)

[English]

MR. DEPUTY SPEAKER : The Government has got its difficulty. If it is passed today, it can go to the President tomorrow.

SHRI NIRMAL KANTI CHATTERJEE : Yesterday, did we not sit till half past eleven? It was understood that was going to happen but not today. Today, let us plan that it may be necessary to sit late tomorrow.

SHRI SRIKANTA JENA : We can quickly pass it tomorrow and then it may go to Rashtrapati Bhawan and then to Rajya Sabha.

MR. DEPUTY SPEAKER : We cannot pressurise the President to sign it. That is the difficulty of the Government.

SHRI ANIL BASU : Sir, hon. Speaker is waiting for us in the IPG meeting.

SHRI VIDYACHARAN SHUKLA : No, he is not waiting for you. Sir, I think we should take it up quickly; there is no problem in passing it. You may call the Minister and those who are not interested in participating can go to the other meeting.

SHRI NIRMAL KANTI CHATTERJEE : We will not agree to that. That is not possible. Sir, we beg of you, if that is necessary. We are prepared to sit late tomorrow. Why cannot they believe our assurance? We will cooperate with them in such a manner that they will not have any problem....(Interruptions)

[Translation]

SHRI RAM KRIPAL YADAV : Sir, we want a discussion. It should be postponed till tomorrow. We are ready to sit whole night tomorrow...(Interruptions)

[English]

SHRI BHOGENDRA JHA : Sir, the Minister should not insist; we will pass it tomorrow and not in this mood of the House. I think Shuklaji will agree to this.

MR. DEPUTY SPEAKER : Bhogendra Jhaji, you were kind enough to sit up to 11 P.M. yesterday. We can complete the business by sitting for 30 or 45 minutes more.

...(Interruptions)...

SHRI VIDYACHARAN SHUKLA : Sir, please ask the Minister to move the Bill.

MR. DEPUTY SPEAKER : The Bill is moved already. Only the discussion will have to take place. Can we ask one or two Members to initiate the debate?

SHRI VIDYACHARAN SHUKLA : Sir, please put it to the vote of the House.

SHRI NIRMAL KANTI CHATTERJEE : Sir, extension of the House is not done that way. It is not fair; we are trying to be accommodative now. Unless there is a consensus, it should not be extended. Let him be fair. Otherwise, we can also create problems for them.

SHRI VIDYACHARAN SHUKLA : I am appealing you to be fair. We are fair....(Interruptions)

SHRI NIRMAL KANTI CHATTERJEE : We say that all the eight Bills will be cleared....(Interruptions)

SHRI VIDYACHARAN SHUKLA : We are ready to succumb to your pressure.

SHRI SRIKANTA JENA : Sir, it is all right; he has accepted.

SHRI VIDYACHARAN SHUKLA : Please make the last attempt to persuade them, Sir.

MR. DEPUTY SPEAKER : So, tomorrow you are ready to sit for more time and complete the business. This is the understanding.

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sation) Ordinance and Bill

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SHRI VIDYACHARAN SHUKLA : Then, does Nirmalji accept not to have Lunch Hour and Zero Hour?

SHRI NIRMAL KANTI CHATTERJEE : We shall do whatever is required. You can depend on us.

SHRI RAM NAIK : We are ready to forego Lunch Hour but not Zero Hour.

SHRI VIDYACHARAN SHUKLA : I agree to your proposition. We will have no Lunch hour tomorrow and we will sit as late as necessary to pass all the Bills.

SHRI NIRMAL KANTI CHATTERJEE : This will be possible only if he keeps the dinner ready unlike yesterday.

MR. DEPUTY SPEAKER : So, subject to that condition, you are agreeing to sit for long time, namely, Mukulji should arrange for dinner.

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK) : Sir, if this condition is fulfilled today, then can we sit for more time?...*(Interruptions)*

SHRI VIDYACHARAN SHUKLA : Sir, there is Constitution (Amendment) Bill also to be passed tomorrow. It has already been passed by the Rajya Sabha and it will have to be passed by this House also.

SHRI RAM NAIK : We can sit late in the night and pass it.

SHRI NIRMAL KANTI CHATTERJEE : Tomorrow, we are prepared to sit late because it is a notice that we can sit late.

MR. DEPUTY SPEAKER : Okay, it is a nice progress. All of you have promised to sit late and foregoing the lunch break. We can sit late tomorrow.

Now, the House stands adjourned to meet again tomorrow, the 25 August, 1995 at 11.00 a.m.

19.20 hrs.

*The Lok Sabha then adjourned till  
Eleven of the Clock on  
Friday, August 25, 1995/Bhadra 3, 1917 (Saka).*

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