

SHRI RAVINDRA VARMA: He can say, "I want notice". You cannot rule it out.

MR. CHAIRMAN: I am not ruling it out. It is not my decision. It is upto him.

SHRI H. N. NANJE GOWDA: I want a categorical assurance from the hon. Minister that the Government will not invoke the provision of 6A for the appointment of such valley authorities for other rivers.

MR. CHAIRMAN: That is disallowed.

The question is:

"That the Bill further to amend the Inter-State Water Disputes Act, 1956, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We now take up the clause-by-clause consideration of the Bill.

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

SHRI KEDAR PANDAY: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

16.45 hrs.

**HINDUSTAN TRACTORS LIMITED
(ACQUISITION AND TRANSFER OF
UNDERTAKINGS) AMENDMENT
BILL**

**THE MINISTER OF STATE IN
THE MINISTRY OF INDUSTRY
(SHRI CHARANJIT CHANANA):**
Sir, I beg to move:

"That the Bill to amend the Hindustan Tractors Limited (Acquisition and Transfer of Undertakings) Act, 1978, be taken into consideration."

The Government of India assumed the management of M/s. Hindustan Tractors Ltd., Baroda, in March, 1973, under the Industries (Development and Regulation) Act for a period of five years. The undertakings of the Company were acquired by the Central Government with effect from April 1, 1978, on the enactment of Hindustan Tractors Limited (Acquisition and Transfer of Undertakings) Act, 1978 (13 of 78). The undertakings were vested on the same date in the State Government of Gujarat and a new company in the name of Gujarat Tractor Corporation Ltd., (GTCL), has been formed to carry on the activities.

The Act provided, *inter alia*, for liquidating the liabilities incurred by the Company. In pursuance thereof, a compensation amount of Rs. 150 lakhs has been provided to the Commissioner of Payment for discharging the liabilities of the Company (erstwhile Hindustan Tractors Ltd.) for the pre-takeover period. The categories to be satisfied are included in the Schedule appended to the Act. It was intended that the loans advanced by the State Bank of India would also be satisfied out of the said amount. As has been stated in the Statement of Objects and Reasons, it transpired that, because of the accounting treatment given in the books of the State Bank of India, these loans could not be treated as pre-takeover loans. The Amending Bill seeks to

[Shri Charanjit Chanana]

make a specific provision in this behalf.

Sir, may I request that the Bill be taken into consideration.

16.47 hrs.

[MR. SPEAKER in the Chair]

MR. SPEAKER: Motion moved:

"That the Bill to amend the Hindustan Tractors Limited (Acquisition and Transfer of Undertaking) Act, 1978, be taken into consideration."

Mr. Dinen Bhattacharya.

SHRI DINEN BHATTACHARYA (Serampore): Sir, I have nothing to say against the Amendment which is a very simple one. I have only to make some comments. The provision was there when the original Act was passed in this House that the loans and the dues for the pre-takeover period would be given to the creditors. Now it is proposed to make a provision in respect of clearing up of the loans advanced by the State Bank of India because of some accounting treatment given in the books of SBI. My question is very simple. Act 13 of 78 was passed in 1978. But since then this company has not been running properly. This has been manufacturing items which are very essential for our agricultural production. At the time when it was taken over, the cost of the tractor that was manufactured there was increased from Rs. 15,000 to Rs. 40,000-50,000 per tractor.

After taking over, what is the net achievement of this company? Is the Minister in a position to tell us? After the take-over were they able to bring about any reduction in the prices as well as improvement in the quality of the products? So far nothing about this is known. I do not know whether the Minister has got any facts to establish and to prove here that after the take-over, the steps that were taken were really helpful to not only remove the sickness of that undertaking but also to see that it helped a lot the users of the tractors.

Another point I want to put here is this, although I support this Bill. My point is Rs. 115 lakhs were set apart as the compensation money to be given to the creditors for the pre-takeover period. In this, one item is there, the dues to the workers, those who are working there, their provident fund and other dues. So far as my information goes a huge amount still due to the workers who left the service. To clear up those dues in respect of provident fund money, what provision you have made is not clear to me. On the other hand, my information is that nothing has been done in that respect. So the efficient management and improved performance that were envisaged has not been achieved uptill now.

So, what I want to impress upon the Minister is that a tractor which cost Rs 15,000 in 1973 when this undertaking was taken over is now costing Rs. 40,000-50,000. So what is the net gain after the take-over? That must be clarified in this House. Our experience is that in some industries which were taken over or industries which were sick and the Government came forward to rehabilitate those units, there even after taking them over, either from the management point of view or from the industry's point of view, no effective improvement could be achieved and this has happened in respect of this company also. Although I am supporting this amendment, I have got a doubt. You are taking over the responsibility for the repayment of the secured loans and other cash money that you got from the financial institutions. But what about the proper running and proper management of the Hindustan Tractors Ltd?

That is not yet clear. In most of the cases it has been found that the management is not being able to discharge its duties. On the other hand, there are corrupt practices by the management. As a result, mostly, these types of industries become sick and Government comes forward with the Bill for the nationalisation of those

units. The purpose for which this take-over of the management necessitated must be spelt out. What is your policy regarding the take-over of this type of industry which you are now taking over or nationalising? That must be made clear.

The other thing is about the dues that are still to be paid to the workers who served the company for long number of years. It is not mentioned here whether their dues are cleared or not. Further to whom are you entrusting the existing management or to whom are you handing over this unit? Whether this unit is capable of being run efficiently or not can be found out from the balance sheets only, I am not able to know as to whether this company was progressing or not. Only the balance sheets will show that. On the other hand, sickness was there. The mismanagement that was there is still prevailing. I have got every doubt as to whether the present set-up of management will be successful or not. I doubt whether this unit will be put in proper shape even after our passing this amending Bill.

So, I would request you to tell us in detail as to what actually is the condition of this tractor unit and what about the reduction in prices of the tractors to be supplied to the agriculturists? That point must at least be made clear. If that is made clear then the doubt may not arise. Whenever a sick unit is taken over, sickness continues to be there. As a result it is the workers who are working there who suffer very much.

With these comments, I support the Amending Bill that is now before the House.

MR. SPEAKER: Shall we now take up the Call Attention?

SHRI CHARANJIT CHANANA: I shall take five minutes only.

SHRI DINEN BHATTACHARYA: Mr. Speaker, Sir, Kindly give me one minute. I got the impression that there would be a full-fledged discussion on this Bill. This was the impression that we got from our side.

MR. SPEAKER: Mr. Bhattacharya, you did not listen to what happened yesterday here in this House. You just go through the proceedings of yesterday. You will see what has happened. So, there should not have been any impression even otherwise.

SHRI DINEN BHATTACHARYA: Eveybody makes a mistake.

MR. SPEAKER: You go through the proceedings and you know what has happened. We may have few minutes more for this Bill. Shri Arakal.

17 hrs.

SHRI XAVIER ARAKAL (Ernakulam): Sir, I fully support this amending Bill just introduced by the hon'ble Minister. In 1973 when the management was taken over the liability of this firm was 150 lakhs. While introducing the Bill in 1978 Shri George Fernandes stated two reasons for the enactment—one being for the public interest and the other being it suffered heavy losses. These two reasons prompted the government to take over the entire assets and liabilities of this firm. In 1978 after clause 5 of that Bill I could find that the liability has risen to 392 lakhs and while going through clause 9 I find Rs. 250 lakhs were to be paid to the management for taking it over. In total it comes to a huge amount which this nation has spent in this firm while taking over the assets and liabilities, but going through the Statement of Objects and Reasons it is very ambiguous. It does not disclose how much secured loan amount is to be paid to the State Bank of India. If you go

[Shri Xavier Arakal]

through the last sentence of the Statement of Objects and Reasons which reads as follows:

"The post-take over loans which were advanced by the State Bank of India to the extent they were utilised for meeting the pre-take over secured loans advanced by the Bank to the Company should be entitled to the same treatment to which the pre-take over secured loans which were so defrayed should have been entitled."

There is ambiguity. I do not find the financial memorandum disclosing how much is the liability. As my hon'ble friend mentioned the nation is spending huge money on the public sector and we are also bound to see that this public sector functions efficiently with a profit and not a loss. This is the remark that I have to make with regard to this amending Bill. This secured liability is to be paid. There is no doubt about it. But the question is how it is going to be paid. This ought to have been disclosed while piloting this Bill. With this remark I support this Bill.

श्री बिजय कुमार यादव (नालन्दा) : अध्यक्ष महोदय, यह जो बिल आया है यह बिल पूरी तरह से एक फोरमल बिल है। मैं इस बिल के जरिये से सरकार का ध्यान जरूर आकृष्ट करना चाहता हूँ।

हिन्दुस्तान में राष्ट्रीय क्षेत्र में जितने भी ट्रेक्टर बनाने की कम्पनियाँ हैं, उनकी जो फंक्शनिंग है, वह निश्चित तौर पर देश की जो आवश्यकता है, उसके अनुकूल नहीं है। हमारा कृषि प्रधान देश है। देश के तथा कृषि के विकास के लिये ट्रेक्टरों की आवश्यकता निर्विवाद है। फिर भी हम लोगों का अनुभव ऐसा है कि आज इन ट्रेक्टरों के उत्पादन तथा वितरण के सिलसिले में व्यवस्था है जो काफी खिन्तनीय है। इस कारण से देश की कृषि को काफी नुकसान हो रहा है। स्थिति नाजुक है। किसानों में ट्रेक्टरों की भख है, वह इनकी जोरों से मांग करता है लेकिन उनको मिलते नहीं हैं। इनके वितरण में काफी घोटाला होता है। स्थिति इतनी नाजुक है कि जो ट्रेक्टर

दिए भी जाते हैं उनको देने में भी खर्च कर फायदा खर होता है। किसानों की आसन्न शर्तों पर और सुविधापूर्वक ट्रेक्टर दिलाने की व्यवस्था होनी चाहिये। किसानों में ज्यादातर छोटी-छोटी तथा मझोले किसानों की है। लेकिन हमारे यहाँ जो ट्रेक्टर बनते हैं वे इस तरह के होते हैं कि छोटे और मझोले किसानों की पहुँच के बंधे बाहर होते हैं। कम्पनियों को हाथ में तो ले लिया जाता है, उनकी लाभावलिटीय को तो सरकार अपने ऊपर ले लेती है लेकिन ट्रेक्टरों की किस प्रकार की मांग है और आवश्यकता है उसको ध्यान में नहीं रखा जाता है। ऐसा लगता है कि जो बड़े किसान हैं, जो धनी किसान हैं सरकार की नीतियों भी उनके ही पक्ष में जाती हैं। मैं चाहता हूँ कि सरकार अपनी इन नीतियों में परिवर्तन करे और ट्रेक्टरों की उत्पादन क्षमता को बढ़ाया जाए और ऐसी व्यवस्था की जाए ताकि छोटे और मझोले किसानों को आसन्न शर्तों पर और सुविधापूर्वक ट्रेक्टर मिल सकें।

ट्रेक्टरों के मामले में हमारी जिम्मेदारी रोजाना बढ़ती जा रही है। आज देश में अकाल की स्थिति है, सुखाड़ है और देश का बहुत बड़ा हिस्सा उससे पीड़ित है। किसान जब इस स्थिति से लड़ने के लिए ट्रेक्टरों की मांग करता है तो उसको निराश ही होना पड़ता है। सरकार तथा बैंको की जो कर्ज देने की नीति है वह भी इस मामले में बाधक है और किसानों को उससे कोई लाभ नहीं होता है। इसका नतीजा यह होता है कि उत्पादन बढ़ाने की दिशा में जो किसान आगे बढ़ कर सहायता पहुँचाना चाहते हैं वह पहुँचा नहीं पाते। इस और आपका ध्यान जाना चाहिये।

यह बिल एक फार्मल सा बिल है और इसका तो मैं समर्थन करता हूँ लेकिन मैं चाहता हूँ कि जो बातें मने बताई हैं उनकी ओर आपका ध्यान जाना चाहिये।

SHRI CHARANJIT CHANANA:
Mr. Speaker, Sir. I am grateful to the hon. members who have raised some issues which, issue-wise, are very general issues, but I think, you would appreciate the position when I fill in the communication gap that appears to be there, in spite of the fact that the issues raised are very general ones. I wish to draw the attention of hon. Members to this aspect. I might start the other way about according to the priority schedule that we should build and the first one is this. The hon. Member has talked about priority to the payment of the arrears of the workers.

The hon. Member might see this in the original Bill. But that part of it has not come to his notice only because we have not sought any amendment at all of that priority schedule. I may tell you that we have a Schedule appended to the Act under consideration and Category Two in the Schedule relates to the arrears in relation to P. F., salaries, wages etc. due to the employees of the Company. Whenever a company due to sickness or due to the need for acquisition is taken over these arrears are always cleared by an institution constituted by the government which is known as the Commissioner of Payments and the job has been entrusted to the Commissioner of Payments for doing that.

The second point made by the hon. Member was that once a sick unit is taken over, it must show symptoms of being cured. If it does not show, that means that the sickness is a chronic one. But even then, it should show some symptoms that way.

In order to assess the performance of a unit, we have to look to its production, turnover and profit. The only thing is that I have to fill in the statistical gap to meet the points raised by the hon. Member. When the Company was declared sick and was taken over for being cured, the production was 509 tractors in 1973. Thereafter, the production went up to 819 in 1974-75, 940 in 1975-76, 1615 in 1976-77, 2101 in 1977-78 and 2654 in 1978-79. I personally feel, that symptom number one is not a bad one. It shows an increase in the production of tractors in the unit. Then, I take up the second thing, i.e. sale. It is also going the same way. In 1973-74, it was 534; it went up to 723, 954, 1651, 2150 and 2500 in the subsequent years. The turnover of the same unit, which should, in fact, satisfy you, was Rs. 174.64 lakhs in 1973-74 when the company was taken over and it went up to Rs. 354.87 lakhs, Rs. 507.05 lakhs, Rs. 879.26

lakhs, Rs. 1123.84 lakhs and Rs. 1510.70 lakhs in the years 1974-75, 1975-76, 1976-77, 1977-78 and 1978-79 respectively.

The other point which the hon. Member has raised is equally important, whether the company is showing any profit or it is still a losing proposition. In this connection I would like to draw the attention of the hon. Member to the behaviour of the profit and loss of the company. When the company was taken over in 1973-74, the annual loss was Rs. 26.59 lakhs. Next year, it came down to Rs. 25.46 lakhs. In 1975-76, it went up to Rs. 34.26 lakhs. It came down to Rs. 8.69 lakhs in 1976-77. In 1977-78, for the first time after the company was taken over, it started showing profit and the profit for the year was Rs. 1.25 lakhs. In 1978-79, the profit went upto Rs. 20 lakhs.

The next point which the hon. Member, Shri Dinen Bhattacharya raised, in fact, coincides with the points raised by the other hon. Members and that relates to the distribution of tractors. The hon. Member gave a wonderful speech on the importance of the tractor to the agricultural sector, proper distribution system, benefits that would accrue to the small farmers and to the medium farmers etc. The hon. Member would appreciate that this is a matter where we all agree, but that is a separate question altogether. This Bill is intended only to make it a healthier unit and nothing more, as also supplying the tractors to the farmers...

SHRI DINEN BHATTACHARYA:
At what cost?

SHRI CHARANJIT CHANANA: I am coming to that. The hon. Member would appreciate that as far as pricing is concerned, it depends on the increase in overall price level, the cost of production, the cost of raw materials etc. And if you compare that with the market value, I

[Shri Charanjit Chanana]

would not appreciate the rising value of the capital. In fact, we have always been talking against inflation, which we do to-day also. Because of the fact that this very unit has started showing signs of being cured, we may be reaching the second stage. When the unit is already losing, you do not want it to sell things at lower than the cost of production. The cost of production is high and that is a relative thing, as far as the market costs are concerned. (Interruptions) This Act, unfortunately, cannot give you subsidy. Subsidies are to be fed into the sick units, and they are never to be subsidies alone. They should be incentives which strive to cure the unit of sickness. This particular amendment relates to a very specific thing, where we are trying to ease the situation, to cure the liabilities to the extent, again, of public funds—the State Bank of India is, in fact, as much yours as anybody else's in the country.

I will appreciate it if, in view of this, the Bill is considered.

MR. SPEAKER: The question is:

“That the Bill to amend the Hindustan Tractors Limited (Acquisition and Transfer of Undertakings) Act, 1978, be taken into consideration.”

The motion was adopted.

MR. SPEAKER: Now we take up clause-by-clause consideration of the Bill. 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.

MR. SPEAKER: The question is:

“That clause 1, the Enacting Formula and the Title stand part of the Bill.”

The motion was adopted.

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

MR. SPEAKER: Now the Minister.

SHRI CHARANJIT CHANANA: I beg to move:

“That the Bill be passed.”

MR. SPEAKER: The question is:

“That the Bill be passed.”

The motion was adopted.

17.19 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE.

DECLARATION OF TWO DISTRICTS OF TRIPURA AS DISTURBED AREAS

श्री अटल बिहारी वाजपेयी (नई दिल्ली) : अध्यक्ष महोदय, मैं अविलम्बनीय महत्व के निम्नलिखित विषय की श्री गृह मंत्री का ध्यान दिलाता हूँ और अनुरोध करता हूँ कि वह इस बारे में वक्तव्य दें :—

“बड़े पैमाने पर हुई हिंसक घटनाओं में भारी संख्या में लोगों के हताहत होने के कारण त्रिपुरा के दो जिलों को विक्षुब्ध क्षेत्र घोषित करने का समाचार ।”

गृह मंत्री (श्री जॉल सिंह) : माननीय अध्यक्ष महोदय, जैसा कि सभी माननीय सदस्यों को मालूम है, 7 जून से त्रिपुरा के अन्दर गम्भीर हिंसा की घटनायें होने के कारण मैं अपने साक्षियों, वाणिज्य मंत्री और उपमंत्री, सिविल सप्लाइज और पुनर्वासि, के साथ 11 जून को त्रिपुरा गया था । राज्य सरकार के पास प्राप्त सूचना के अनुसार 315 गावमियों की जानें गईं, सैकड़ों लोग घायल हुए 100 से ऊपर गांवों में घरों को जलाया गया और एक लाख से अधिक व्यक्ति बेघर हो गये और उन्हें सहायता कैंपों में ठहराया गया है । कुछ लोगों ने चिन्ता व्यक्त की है कि जान और माल का नुकसान इससे भी ज्यादा हुआ है ।

मैं ने तथा मेरे साथी मंत्रियों ने उन स्थानों का सर्वेक्षण भी किया, जहाँ हिंसक घटायें हुई थी और यह देखा कि बहुत से गांवों में खाली