

**SHRI R. L. BHATIA** (Amritsar): Shri Banatwalla raised an objection or made some suggestion. Are they not satisfied? It does not make a difference whether a Cabinet Minister is there or a Minister of State is there. He is in charge. He has very well satisfied the House. He has replied to each and every point of the House which was raised here. We are satisfied. That is the reason why we are passing it unanimously.

**MR. CHAIRMAN:** I noticed that the Cabinet Minister has been sitting all the time when the debate was going on. Just one or two minutes before he left the House. He might have gone to ease himself. Why do you not allow him to go? He was sitting here two minutes before.

The question is:

"That the Bill to provide for the acquisition of certain shares of the British India Corporation Limited with a view to securing the proper management of the affairs of the Company and the continuity and development of the production of goods which are vital to the needs of the country and for matters connected therewith or incidental thereto, be taken into consideration."

*The motion was adopted.*

**MR. CHAIRMAN:** Now, we shall take up clause-by-clause consideration of the Bill.

The question is:

"That Clauses 2 to 21 stand part of the Bill."

*The motion was adopted.*

*Clauses 2 to 21 were added to the Bill. Clause 1, the Enacting Formula, the Preamble and the Title were added to the Bill.*

**SHRI KHURSHEED ALAM KHAN:** I beg to move:

"That the Bill be passed."

\*Moved with the recommendation of the President.

**MR. CHAIRMAN:** The question is:

"That the Bill be passed."

*The motion was adopted.*

16.16 hrs.

**DALMIA DADRI CEMENT LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) BILL**

**MR. CHAIRMAN:** Statutory Resolution—Shri T. R. Shamanna. He is not here. So, the Statutory Resolution has not been moved because he is absent from the House. The hon. Minister.

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

"That the Bill to provide for the acquisition and transfer of the undertakings of the Dalmia Dadri Cement Limited with a view to securing the proper management of such undertakings so as to subserve the interest of the general public by ensuring the continued manufacture, production and distribution of cement which is essential to the needs of the economy of the country and for matters connected therewith or incidental thereto, be taken into consideration."

As the House is already aware, the Dalmia Dadri Cement Limited (Acquisition & Transfer of Undertakings) Bill, 1961 was introduced in this House on 5th May this year, but could not be taken up for consideration during the Budget Session due to paucity of time. The Bill had sought approval to the nationalisation of the cement undertakings of Dalmia Dadri Cement Limited and to its vesting on its nationalisation with the Cement Corporation of India.

Before I request this House for consideration of the Bill and its passing,

I would like briefly to place before this House a few basic facts in regard to this undertaking. This is one of the old cement factories in the country which was established in 1939. The plant as at present has an annual capacity of 2.39 lakh tonnes of portland cement. The functioning of this cement factory in the recent past has not been quite satisfactory and the factory had stopped production earlier in 1976. At that point of time with the assistance made available to it under the auspices of the Central Government, State Government and financial institutions, the factory had restarted production of cement. The performance of the management of the company was still not satisfactory and an inquiry under the provisions of the Industries (Development & Regulation) Act, 1951 was ordered. The investigation committee had also made adverse observations about the working of this cement company. The working of the company further deteriorated and the management had closed down the cement factory on 18-3-80. The factory has been lying closed since then affecting the indigenous production of cement in this deficit area and also workers who were employed in this cement factory. Further, Government had received several representations from the Members of Parliament and also from the State Government of Haryana urging restart of the factory. The State Government of Haryana who were persuaded to take over this factory could not, however, do so and they had in turn requested the Central Government to acquire the assets of the company and restart the factory at the earliest. In the present context of shortage of cement in the country and the need for production of cement in the deficit area, it was considered by the Government that early action may be taken to re-start the factory and ensure better availability of cement. As it would have taken some more time for this House to consider the Bill and pass it and this would have further aggravated the availability position of cement in this region, Government decided to nationalise this factory and Dalmia Dadri Cement

Limited (Acquisition and Transfer of Undertakings) Ordinance, 1981, was issued accordingly on 23-6-1981. With the promulgation of the Ordinance, the cement factory of this Company has been vested in the Cement Corporation of India.

The Cement Corporation of India moved in immediately after the promulgation of the Ordinance and has taken a series of steps to see that the factory re-starts at the earliest. The Corporation is, at present, fully engaged in repairing the damaged parts of the plant and equipment and the plant would be in a position to re-start the grinding operations in the course of this year itself. Simultaneously, other major repairs in the plant and equipment are also being carried out so that the factory could commence regular operation without any delay.

I now beg to move the Bill providing for the acquisition and transfer of undertakings of the Dalmia Dadri Cement Limited with a view to securing the proper management of such undertakings so as to subserve the interests of the general public, to ensure continued production and distribution of cement which is an essential commodity to the needs of the economy of the country and for matters connected therewith or incidental thereto, be taken into consideration.

MR. CHAIRMAN: Motion moved.

"That the Bill to provide for the acquisition and transfer of the undertakings of the Dalmia Dadri Cement Limited with a view to securing the proper management of such undertakings so as to subserve the interest of the general public by ensuring the continued manufacture, production and distribution of cement which is essential to the needs of the economy of the country and for matters connected therewith or incidental thereto, be taken into consideration".

Shri Mohammed Ismail.

**श्री गोहम्मद इस्माइल :** (बैरकपुर) : सभापति महोदय डालमिया दावरी सीमेंट फैक्टरी को टेक ओवर करने के बारे में जो बिल लाया गया है, इस बात का कोई सवाल नहीं उठता कि गवर्नमेंट को यह जिम्मेदारी नहीं लेनी चाहिए थी। सवाल यही उठता है कि गवर्नमेंट इतने दिन तक क्या करती रही। गवर्नमेंट की पालिसी की वजह से वहाँ के 1600 वर्कर्स विल्कुल अनसरटेन लाइफ बिताते रहे, वहाँ की जनता को सीमेंट नहीं मिल सका, उसको लूटा जाता रहा और ब्लैक मार्केटिंग चलती रही। दूसरी तरफ यह कम्पनी मनमाने ढंग से जो कुछ चाहती थी, वह कर रही थी। यह मामला आज से नहीं, 1975 से चल रहा है। 1975 में इस फ़ैक्टरी को चालू किया गया, लेकिन कम्पनी वालों की आदत खराब हो चुकी थी और उनका मक़दम ही कुछ दूसरा था, इस लिए वे फ़ैक्टरी नहीं चला पाए। तब यह स्लोगन लगाया गया कि मिसमैनेजमेंट की वजह से पब्लिक इन्ट्रेस्ट में इस कंपनी को टेक ओवर करना है। यह तो वैसी बात है कि जब जनता चिल्लाती है कि वह भूखी है, तो सरकार कहती है कि हम गरीबी हटायेगे।

इन्ट्रेस्टिड पर्सन्स ने कंपनी को लूटा है और उस इलाके की जनता को सीमेंट के लिए बहुत तकलीफ हुई है। इसके अलावा वर्कर्स के साथ कंपनी वालों ने बहुत बुरा बर्ताव किया है। किसी को रखा, लेकिन जायन करने के बाद भी उसको पैसा नहीं दिया। वर्कर्स की यह हालत है कि वे कहते हैं कि चलेगी या नहीं। कोई कहता है कि चलेगी और कोई कहता है कि नहीं चलेगी। उनको काम से निकाल दिया गया है, लेकिन उनकी कोई सुनवाई नहीं है। 95 आदमियों को निकाला है, यहाँ तक कि ट्रिब्यूनल भी चल रहा है, मगर उनका कोई

फैसला नहीं किया है। ये तमाम बातें हैं, जिन पर कि आपको गौर करना चाहिए। खैर, जो भी हो, अब आप नीचे से उठे हैं और अब सरकार उसको लेना चाहती है। ठीक है, आप उनको लें लेकिन गारंटी कितनी चीजों की करनी पड़ेगी। मैंने एक सर्कूलर जो सीमेंट कारपोरेशन ने दिया है, आज देखा है। वर्कर्स को डिक्लरेशन देना पड़ेगा, क्या बेज होगा, उन सब चीजों को ठीक करेंगे। एम० एल० ए० या एम० पी० का सर्टिफिकेट लाकर देना होगा, इस प्रकार की बातें कंडिशन में हैं। यदि आप सर्कूलर को देख तो आपको सत्र पता चल जाएगा। सीमेंट फ़ैक्टरी चलाने जा रहे हैं और 1600 वर्कर्स की नियुक्ति की कंडीशन फार्म भी चला गया है और सब तरह की इन्सट्रक्शन्स दी जा रही हैं। सर्कूलर में यह भी लिखा है कि कौन सी पोस्ट टेम्पोरेरी या कन्टीन्यू करेगा। इन सब चीजों पर अभी तक कोई फैसला नहीं है। मैं यह कहना चाहता हूँ कि वर्कर्स के साथ डीलिंग करने का जो सर्कूलर दिया है, इस और आपको खास तौर से ध्यान देना पड़ेगा, नहीं तो बहुत ही मुश्किल हो जाएगी।

दूसरी बात यह है कि जब आपने इतने दिनों तक ब्लैक मार्केट में सीमेंट बिकवा कर जनता को लुटवाया है, इसके बारे में आपको बक्तव्य देना चाहिए। आप यह भी कहते हैं कि हमने एन्क्वारी सैट-अप किया था, टीम भेजी थी, मैं यह कहना चाहता हूँ कि सन् 75 से लेकर 80 तक आपकी टीम ही रही है, लेकिन डिसेंजन कुछ नहीं हुआ है। आखिर जब मार्च, 80 में ताला बन्द हो गया, उसके बाद एम० एल० ए०, एम० पी०, स्टेट गवर्नमेंट हरियाणा गवर्नमेंट को बर्द हुआ और सब ने रिक्वेस्ट की तो आप इस काम को करने जा रहे हैं।

मैं आपको एक उदाहरण देना चाहता हूँ। आप जानते हैं बलौजर कन्टेनर गौरीपुर में है, जहाँ पर सात सौ वर्कर काम कर रहे हैं। उसमें लाखों रुपया सरकार का लगा हुआ है। वहाँ वर्कर्स लडाई कर रहे हैं, जब उन्होंने मजबूर किया तब आप ने उसको टेक-ओवर किया। टेक-ओवर करने के दूरे ही दिन से जो फैमिलिटीज उनको मिलती थी, वह बन्द हो गई। इस प्रकार की सारी बातें हैं, लेकिन अभी तक उसके फाइनल-नेशनलाइजेशन करने का मवाल हल नहीं हुआ है। वर्कर्स बोन रहे हैं, एम०पी० बोल रहे हैं, मगर सरकार के कान पर जू नहीं रेंगती हैं।

दूसरी बात आप जानते हैं कि हावडा में रैमिगटन टाइपराइटर का कारखाना है, लेकिन इनके बारे में भी डीसीजन नहीं है। मेरे इलाके में इनचक्र टायर और नेशनल रबर का कारखाना है। उसके टेक-ओवर करने का मामला भी रगडते-रगडते चल रहा है कि नेशनलाइजेशन करो। लेकिन इन संबंध में जवाब मिला है कि एक्टिव कंसीडरेशन हो रहा है। ये सब बातें हैं, जिन पर आपको विचार करना चाहिए। मैं इस विरोध नहीं कर सकता हूँ, इसका समर्थन करते हुए, मुझे ये सब बातें कहनी थी। हम आशा करते हैं कि 1600 वर्कर्स के परमानेंट करने का जो सवाल है, उनको परमानेंट करना चाहिए। 240 दिन से ज्यादा काम कर रहे हैं, रिटायर हो रहे हैं, उनको इयूज नहीं मिल रहे हैं, उनको कम से कम इयूज दिए जाएं। जो 95 ट्रिब्यूनल चल रहे हैं, उनको वापिस लिया जाए, सभी यह कारखाना ठीक से चल सकेगा। जब आप यह सब कर लेंगे, तब मैं कह सकता हूँ कि इस कारखाने को आप ठीक से चला सकते हैं और यह इसका सबूत होगा।

इन शब्दों के साथ मैं आपको धन्यवाद देता हूँ कि आपने मुझे बोलने के लिए समय दिया।

MR. CHAIRMAN: Shri Ram Gopal Reddy. Not here. Shri Bhatia.

SHRI R. L. BHATIA (Amritsar): Mr. Chairman, Sir, Shri Md. Ismail is a very senior hon. Member and he has supported this Bill. But, at the same time, he was criticising certain areas. For instance on the question of temporary labour and on the cases that are going on in the Tribunal, he wondered as to what will happen to them.

Let us firstly nationalise it. Then other things are bound to follow. One of the objectives of taking over this is because of the fact that 1600 workers are working there. It was the constant endeavour on the part of the Government as well as the workers that this factory requires to be taken over. That is how the Government has come before here with the Bill. He need not be worried on this. This is a very important organisation producing 2.39 crores bags of cement. Cement is not only required very badly in this country for various purposes but there is also black-marketing going on in this country. Government could not sit idle and could not leave this factory as closed. It was closed in 1980. As the Minister has rightly said, there was a representation from the workers, from the M.L.As. and M.Ps to see that this factory is taken over. There was a long correspondence between the Centre and the State Government. If the State Government took it over, the Government of India would permit it. But, somehow or other, the Government of Haryana could not take it over. It was beyond their capacity to take it over.

Hence, it became imperative for us to take over this organisation. Cement which is required very badly for the development purposes is also required for Government buildings and various other important buildings. And cement is also required very badly for the industries if you really want to develop this country, we need this important component for our development. And so we could not ignore it. There is a great deal of blackmarketing already going on in this country

[Shri R. L. Bhatia]

so far as cement is concerned. The production is less but consumption of cement is more. I congratulate the Minister for his bold action. I hope the Opposition people, our friends, will welcome this measure as this is in the public interest. Therefore, let us pass this Bill unanimously.

श्री मनी राम बागड़ी (हिंसा): सभा-पति महोदय, मैं दो मिनट से ज्यादा समय नहीं लूंगा क्योंकि यह मेरे हलके का सवाल है और मैं सरकारीकरण के खिलाफ हूँ लेकिन जनताकरण के हक में हूँ। यह जो फैक्टरी सड़ रही थी, मैं खुद चाहता था कि शासन इस को अपने हाथ में ले। यह अच्छी बात है कि शासन ने इस को अपने हाथ में लिया है क्योंकि बहुत से मजदूर बेकार फिर रहे थे।

मैं दो-तीन बातें कहना चाहता हूँ। मंत्री जी, जरा फटफट इन को नोट कर लीजिए।

पहली बात तो यह है कि बड़े आदमी जो हैं, उन को वहाँ से बेशक निकाला जाए, सिफारिशों आदमी चले जाएं, तो कोई बात नहीं है, लेकिन जो छोटे मजदूर निकाले गये

हैं, पूँजीवादी व्यवस्था के रहते और विदेश की कंपनियों से निकाले गये हैं, उन सब को वहाँ रखा जाए और उन की सम्पत्तियाँ, पुरानी मजदूरों की फौरन उन मजदूरों को दी जाए।

दूसरा यह है कि जिन किसानों के बेटों में से, जो खान से कंकर सीमेंट बनाने के लिए निकाला जाता है और जिन के बेटे लिये हुए हैं, उन किसानों को मुनाफिब मुआवजा दिया जाए क्योंकि पूँजीपति उन का पैसा खाए हुए बैठे हैं।

चौथी बात मैं आपसे कहने वाला हूँ कि हरियाणा में सीमेंट के धंधे में यही अच्छा काम था जहाँ से सीमेंट बन कर निकलती थी। लेकिन वह भी बिल्कुल ठप्प हो गया था। आपको सीमेंट के धंधे को इस तरीके से कंट्रोल करना चाहिए कि आप बड़े बड़े घर बनाने के लिए सीमेंट मत दो, छोटे, गरी और खेती का धंधा करने वाले लोगों को आप सीमेंट पहुंचाओ। इन लोगों को सीमेंट आसानी से मिलनी चाहिए जिससे कि द्यूब-बेल और नालियों में बें लोग इसका इस्तेमाल कर सकें।

जहाँ राष्ट्र के हित में जैसे कि रेल, डाक-तार के लिए अगर कंस्ट्रक्शन होता है तो उन बड़े कामों के लिए आप सीमेंट दो लेकिन ऊंची-ऊंची, बहु-मंजिली इमारतों के लिए आप दस माल के लिए सीमेंट देना बन्द कर दो और वह सीमेंट छोटे आम लोगों को पहुंचाओ।

मैं इतना ही आप से कहना चाहता हूँ।

श्री चन्द्र देव प्रसाद वर्मा (भारा): मंत्री महोदय जो हालमिया दाघरी सीमेंट लिमिटेड विधेयक लाये हैं और इसके द्वारा उन्होंने जो हरियाणा के इस क्षेत्र को लेने का निर्णय किया है मैं इसका सम्बन्ध करता हूँ।

लेकिन कुछ बातें मैं आपसे कहना चाहता हूँ। इस कारखाने की हलकत 1974-75 से बहुत खराब हो रही थी और उस समय से लेकर 1976 तक आपने इसे तब तक हालत में रखा कि इस कारखाने को बंद करना पड़ा। दिसम्बर, 1976 में इसे पुनः चालू किया गया। उसके बाद आपने उसके मिल-मालिकों को तरजीह दी और उनको ब्लेक में सीमेंट बेचने की इजाजत दे दी। यह बड़ा ही अन्याय हुआ जो कि नहीं होना चाहिए था। आपको इस कारखाने का राष्ट्रीयकरण पहले ही करना चाहिए था।

जब डम कम्पनी की इतनी हालत खराब हो गयी तो अब आप इसे भारतीय सीमेंट निगम को जो कि सरकारी उपक्रम है, सौंपने जा रहे हैं। इस उपक्रम को इस कारखाने को सौंपने का निर्णय ठीक है लेकिन यह निर्णय पहले हो जाना चाहिए था।

मैं आपसे आप्रह्न करूँगा, जैसा कि मैंने वी० आई० सी० विधेयक पर बोलते हुए बताया था कि यदि आप सरकारी उपक्रमों को अच्छी तरह से चलाना चाहते हो तो इनमें जो लूट है, घाघली चल रही है, उसको आप रोकें। आपके 75-80 प्रतिशत सरकारी उपक्रम घाटे में चल रहे हैं क्या आप इसको भी ऐसे ही उपक्रम में षंजने जा रहे हैं? मैं यह कहूँगा कि आपके इन उपक्रमों में जो पिछली व्यवस्था है उसको एकबम बदल दीजिए और हमारे देश में जितने एक्सपर्ट्स हैं उनको लाकार के नयी व्यवस्था कायम कीजिए। यह न हो कि एक्सपर्ट्स लाने के नाम पर पिछले लोगों को ही आप पुनः भारती कर दें। यह अनुचित होगा, यह ठीक नहीं होगा।

सभापति महोदय, एक दूसरी बात मैं यह कहूँगा कि जिस कारखाने को आप लेने जा रहे हैं उसमें आप मुआवजा न

दे। इस कारखाने की हलकत 28-76 से बहुत खराब हो गयी थी। इसके मिल-मालिकों ने इसे बहुत लुटा और बर्बाद किया। अब लाचारी में 1981 में आप इसको लेने चले हैं। इसे लीजिए जरूर लेकिन ऐसी हालत में इस के मालिकों को मुआवजा देने की आवश्यकता नहीं है।

मैं यहाँ यह भी कहना चाहूँगा कि जो इस कारखाने में मजदूर काम कर रहे हैं और मेनेजमेंट के आदमी हैं उनसे इसकी व्यवस्था के बारे में राय लीजिए जिससे कि आप इसको मुचारू रूप से और अच्छी तरह से चला सकें।

श्री सुरज भान (अंबाला) : माननीय, सभापति महोदय, मैं इस बिज का स्वागत ज़रूर करता हूँ लेकिन कुछ रिजर्वेशन के साथ।

सभापति महोदय, आज मुल्क में साठे तीन सौ सिक-यूनिट्स हैं, जिनमें बैंको का लगभग साढ़े बारह सौ करोड़ रुपया लगा हुआ है और वह पैसा डब रहा है लोगों के टैक्स का पैसा है जो ये मर-मच्छ खा जाते हैं और जब मिल की हालत खराब हो जाती है, तब आप उसको ले लेते हैं।

इस बारे में मैं एक अच्छा सुझाव देना चाहते हैं, अगर आपको अच्छा लगे और वह यह है कि जो सिक यूनिट है और आपको वह लेना पड़ता है, ऐसे समय पर आप देखिए कि उसी मालिक का कोई दूसरा यूनिट है जो अच्छा काम कर रहा है, अगर है तो उसका एक अच्छा यूनिट यी ले लीजिए, तब आइंदा इनका विभाग सुधरेगा। इस प्रकार निकम्बे यूनिट का घटा सरकार को बर्दाश्त नहीं करना पड़ेगा, क्योंकि उसके साथ-साथ एक अच्छा यूनिट भी सरकार लेगी।

[श्री सूरज भान]

एक बात और मजदूरों को हक दिलाने के बारे में कही गई। आपके द्वारा कहा गया है कि जो वर्कर्स हैं, उनको नौकरी पर लिया जाएगा। आज नौकरी में कौन हैं—डालमिया के चमचे। जिस वक्त 18-3-80 को मिल बंद हुई, उस वक्त 15-1600 वर्कर्स थे और आज सिर्फ 95 वर्कर्स हैं—क्या सिर्फ इन्हीं को लेना न्याय-संगत होगा? उस वक्त ट्रेड यूनियंस थीं, जिन्होंने मिल की खराब हालत देखकर मालिकों की ताक में दम किया, उनकी आप नहीं ले रहे हैं, जो चमचे, कलर्क, कुछ सुपरवाइजर और स्वीपर वगैरह हैं, जिनको आप लेने की बात कह रहे हैं। मेरा निवेदन है कि उन सब को लीजिए जो 18-3-80 की, जिस दिन बंद हुई, उस दिन तक मूलजिम थे, उन सबको वापस लिया जाए।

एक बात और मैं कहना चाहता हूँ कि यह मिल मारुती लिमिटेड की ही बहन है। इसमें डालमिया के ही परिवार के लोगों और उसके दोस्तों के शेयर हैं, अब मनेजमेंट में मजदूरों को हिस्सा दीजिए। आपने 84 लाख रुपया देने की बात कही है, मैं समझता हूँ कि यह रुपया देने की जरूरत नहीं है, हालांकि मैंने मनेजमेंट में साठे पांच करोड़ रुपया देने की बात कही है, लेकिन वह रुपया इनको देने के लिए नहीं कहा है, बल्कि मजदूरों के जो पेमेंट ड्यू हैं, उनके लिए कहा है। पेमेंट आफ वेजिज एक्ट—1946 के तहत ड्यूज बाकी हैं, पेमेंट आफ बोनस एक्ट 1965 के तहत ड्यूज बाकी हैं, पेमेंट आफ ग्रेज्युटी एक्ट—1972 के तहत ड्यूज बाकी हैं, पेमेंट आफ इंडस्ट्रियल डिस्प्यूट एक्ट के तहत ड्यूज बाकी हैं। इसलिए मैंने जो मनेजमेंट दिया है, वह मजदूरों को पेमेंट देने के

लिए दिया है, न कि सच्चाएदारों को देने के लिए।

सभापति महोदय, इनको कितनी छूट दी गई—इमरजेंसी में जबकि सब जगह तहलका मचा हुआ था, उस पीरियड में मार्च से नवंबर 76 तक इन्होंने प्रोडक्शन बंद कर दिया, लेकिन इनका कुछ नहीं बिगाड़ा गया।

अंत में मेरा निवेदन है कि मजदूरों के जितने भी ड्यूज हैं, वे उनको दिए जाएं और इनकी एक अच्छी यूनिट को जरूर ले लीजिए और डालमिया ने जिन मजदूरों को निकाला है, उनको भी काम पर लीजिए।

SHRI K. A. RAJAN (Trichur): Mr. Chairman, Sir. I rise to support this Bill brought forward by the Government, but I am only sorry to say that it has been brought very late. This unit has got a production capacity of more than two lakh tonnes and it has remained closed for such a long time when the country has been facing an acute shortage of cement. Now, it is a proper step in the right direction.

I would, however, like to emphasise that this takeover should have been done in 1975 when it was closed down. That would have been the right opportunity to take over the factory, but unfortunately it was not done, and the State Government, the Central Government and the financial institutions continued to pump in money which was eventually squandered away, and it was closed down in 1980.

Section 12(1) of the Bill states:

“Every person who has been, immediately before the appointed day, employed in any of the undertakings of the Company shall become,—

(a) on and from the appointed day, an employee of the Central Government..”

The 'appointed day' is the day when the ordinance was issued. But there was an unfortunate development in the year 1980. Services of a majority of the workers were illegally terminated by the management. Actually, there are only 93 workers on the role of the factory according to the owners. The question is: What will happen to those workers whose services have been illegally terminated? The Minister himself has stated that there were 1600 workers in the employment of this factory at the time of its closure in March, 1980, but the action of the then management has deprived many of them of the employment. I would, therefore, suggest that the 'appointed day' should be taken as March 1980, when the factory was closed down, so that the interest of all the workers who were in employment at that time are safeguarded. It should not be the day when the ordinance was issued. Instead of that, as I said, it should be March, 1980 when there were 1600 workers working in the factory. It is only after that that the services of so many workers were terminated.

Now, I come to another point about the liabilities of the management and the dues payable to the workers. According to the statistics produced by some responsible trade unions, about Rs. 397 lakhs are due to the workers under various heads, for example, salaries, arrears of wages, etc. These dues must be paid to them. But according to section 7 of Chapter 3 of the Bill, only a provision of Rs. 84 lakhs has been made. I do not know, how the amount of Rs. 397 lakhs can be adjusted against this amount. The workers will, obviously, be in a disadvantageous position with regard to the payments due to them. Therefore, unless you make some change or enhance this amount, even the legitimate dues of the workers will remain unpaid. This part of the question needs, therefore, to be considered very seriously.

Now, the recruitment which is being carried out by the Cement Corpora-

tion of India, I am sorry to say, is quite contrary to the accepted principles and practices of industrial relations or industrial laws. The workers are being screened, and medically examined, and even the age of superannuation is being reduced from 60 years to 58 years. By this process, a large number of workers will be thrown out of employment. While the Government seem to have the good intention and the larger interest of the nation, I impress upon the Government, that the workers who has been there for so many years should not be penalised and deprived of employment. They have been running the factory for a number of years.

With these words, I conclude.

**SHRI HARIKESH BAHADUR** (Gorakhpur): Mr. Chairman, Sir, I am not opposed to the take-over of this unit, but my only point is that the Government takes over an industry from the private sector when it has become sick. It has become the habit of these big business houses that they exploit the workers, derive all the benefits for themselves and create conditions that the unit becomes sick. At that time the question of providing employment to those who are already working there becomes very important. There is an apprehension that the workers will be thrown out of employment and on that basis, the Government comes forward and takes it over.

I support this take-over, and in fact, I want that all such industries in the private sector must be taken over. But when the Government is going to take over a sick industry, immediately the Government should also find out whether that particular capitalist has got any other industry, which is in production and that industry should also be taken over. Otherwise, this business of declaring industries as sick will be continuing and ultimately it will be a great burden on the national exchequer. I support the suggestion made by Shri Suraj Bhan and the Government must try to do it.



[Shri Harikesh Bahadur]

Sir, so far as this particular factory is concerned, there had been a lot of exploitation of the workers. Dues of the workers must be paid.

After the take over, the Government must try to consider workers' participation in the management activities. A few minutes back the Hon. State Minister of Commerce said that it was his Party's programme that the workers must be given participation in the management. But I would say, Sir, it is only the programme of that Party. In fact, it is not going to be implemented. In the Manifesto it has been said several times, but we find that this particular thing is not being implemented, I would, therefore, urge the Minister to find out some way to associate the workers in the Management activities.

In his Statement, the Hon. Minister referred to the acute shortage of cement in this country. The fact is that the consumer is not getting cement in desired quantity and there is a lot of black-marketing in cement. The Government is neither able to provide cement in desired quantity, nor able to check black-marketing. Therefore, I would urge the government to find out some way to end the blackmarketing.

Uttar Pradesh does not have much cement factories. Therefore, I would request the Hon. Minister to provide one or two more factories to UP to remove scarcity of cement in the State.

SHRI CHITTA BASU (Barasat): Sir, I want the Hon. Minister to pay his attention to the fact that though this factory was closed in 1980, the production of this factory had actually stopped in 1975. Therefore, my point is that the workers who were on the rolls of the factory since 1975, before the production stopped, should be entitled to claim their dues. As per the Bill, only those workers would be entitled to claim who were on the roll on 1980. Therefore, if the objec-

tive of the government is to see that the interest of the workers engaged in this factory is protected, then the right for claiming dues from the company should be extended to the workers who were on the pay rolls since 1975.

My second point has been mentioned by my Hon. friend, Shri Rajan, but it has not been properly dealt with. As per the Bill there is a Schedule for the payment to different categories of workers by the Commissioner. There is the first category, there is the third category and there is the fourth category. A total amount has been placed at Rs. 84 lakhs. But the dues of those who fall in the first category comes to about Rs. 397 lakhs. Therefore, it means that all the dues of the workers will not be paid in the first instalment. This shows it is not calculated to give them proper benefit. Even the minimum benefit of getting their arrears dues, which is about Rs. 397 lakhs is not being provided, since you are placing only Rs. 84 lakhs. I would, therefore, like the Hon. Minister to explain the position. In reply to a question, the Minister had said yesterday that as on 31st March 1980, the total number of closed industries in the country was 24,656, of which 23,255 were small scale industries so, at least 1401 industrial units are closed, as per the information given by the hon. Minister of Industry. This blocks bank finances of the order of Rs. 1713 crores.

MR. CHAIRMAN: This is enlarging the scope of the Bill.

SHRI CHITTA BASU: This is a policy matter. So, I welcome this measure, and the Bill on BIC, as far as nationalization is concerned. But I want more such industries to be taken over. I reminded the Minister about the 1,000 units involving a bank capital of Rs. 2,000 crores. Has Government a policy in this regard? May I suggest that the Minister of Industry agrees to set up a task force, particularly to go into the problem of the sick industrial units, and to come out

with a comprehensive policy of re-opening them? A total of 24,000 units are closed to-day as per the statement made by the Minister of Industry just yesterday. Will he volunteer to come out with some kind of a suggestion or policy announcement at this stage?

**अध्यक्ष महोदय (अजमेर) :**  
समाप्ति महोदय, हमारे उद्योग मंत्री पिछड़े हुए क्षेत्रों में उद्योगों को स्थापना करने में लगे हुए हैं, इस अर्थ-पर पर मैं माननीय मंत्री जी का ध्यान विहार के पलामू जिले में एक सीमेंट फैक्टरी को और दिलाना चाहता हूँ, जो कि कई वर्षों से बोमारी की अवस्था में है। उस का इस अवस्था में इलाज करने के लिये काबिल डाक्टर हमारे माननीय मंत्री महोदय हैं।

मैं मंत्री महोदय से कहना चाहता हूँ कि वह उस सीमेंट फैक्टरी जिस का नाम जपला सीमेंट फैक्टरी है, उसे टेक-ओवर करने की कृपा करें। क्योंकि वह आदिवासी क्षेत्र में स्थापित है और वहाँ के लोग बहुत पिछड़े हुए हैं इसलिए उस दृष्टि को देखते हुए मेरी आप से प्रार्थना है कि आप उस फैक्टरी को टेक-ओवर कर के उस का उद्धार करें, इलाज करें, उस में जीवन डालें जिस से आदिवासी क्षेत्र में गरीबों को रोजगार मिल सके और उस क्षेत्र का विकास हो सके।

**SHRI CHARANJIT CHANANA:**  
First of all, I must express my gratitude to the hon. Members who have supported the Bill, with 'ifs' and 'buts' I will, of course, reply to all the points that they have talked about. Valuable suggestions have also been made. We have recorded them. We will take all of them into consideration while these things are put into operation.

Shri Mohammed Ismail has given an example of communication gap between the local MPs and the units

that he has talked about, as also with the West Bengal Government. The House will be glad to know that in this particular case, there has been direct contact between the workers of Dalmia Dadri and myself.

As far as the question of workers' participation raised by the hon. Member is concerned, even in the taking-over process, in the committee appointed by us had a fuller participation from the trade unions of these areas. In our efforts to find a way-out, they have played a very important part. Till to-day, we have had direct communication between the workers, the Government and the Cement Corporation of India. So, the parallel drawn by the hon. member in fact, has to be corrected.

17.00 hrs.

All hon. members have talked about the dues of the workers. I am glad they appreciate that in the schedule of priorities, the first priority has been given to the dues of the workers. As far as the amount is concerned, in fact, hon. members have mentioned varied amounts. We are shortly appointing a Commissioner of Payments. That is a semi-judicial body. He will pay the dues. Of course, the dues have to be cleared within the resources available. That is what the Bill talks about.

I am grateful to Shri Bhatia who has supported the Bill in view of the national importance of the whole thing. Bagriji stratified the workers into sipharishi workers and non-sipharishi workers. I do not know how he could do that stratification. I would like to be educated on that particular thing. He is talking of local resources. In fact, one of the important impediments in taking over was that limestone availability there was not enough to generate a viable unit. So, this plant will be run on a split-plant basis to begin with. We would get clinker from outside, be-

[Shri Charanjit Chanana]

sides whatever raw material is available here. It is being done only in view of the fact that this zone does not have a cement plant to supply cement. He has suggested priority for the farmers. He wants the building of houses to be ignored, so far as distribution of cement is concerned. The cement distribution pattern is such that we give priority to the Government works, specially defence, PWD, roads, irrigation, etc. Last comes the commercial housing project, which he has talked of.

Mr. Varma talked about a very important thing. The unit started ailing in 1975 and it stopped for the first time in 1976. During the period 1975 and 1976, our Government made an effort towards recovery of the unit. But between 1977 and 1980 what happened, the House knows better. I would not like to reflect on that particular period—the vacuum that was there. But immediately after our Government came to power, we started processing the take over of the plant.

Another common point referred to by members is the taking over of sick units. In the Industrial Policy Resolution of the Government of India, we have made a special mention of the fact that the Government of India would not take over sick units for the sake of taking over. The first thing we would like to do is, if there is a sick unit and a healthy unit, we will promote a merger between the two, so, that the healthier one absorbs the losses occurring in the sick unit. Secondly, we want the State Government to take over. Lastly, if nobody is taking over, the Central Government takes over the factory in the interest of the public and also in the interest of the workers.

The House would allow me not to refer about the general points made about the functioning of public sec-

tor corporations. But the Cement Corporation of India is one of those public sector corporations which is running efficiently and is earning profits also.

Some hon. Members have talked about the absorption of 93 or 95 workers, the age certificate and medical examination. This is not being done to ignore anybody at all. The workers will be absorbed in the phases of operation of the unit. I am sure the hon. Members would not like a non-working mill to absorb all the workers immediately. A programme is being chalked out in consultation with the workers' union. That would in fact, be the best possible thing for optimum absorption of workers. But that would also include the superannuated staff, compensation to them and the people who have gone to other jobs and are no more there.

There was a suggestion by an hon. Member about the creation of a task-force for the sick mills. I would like to inform the House that we already have a wing under the charge of a Joint Secretary, who looks after the sick mills and the work is done within the guidelines of the policy statement regarding treatment of sick mills.

Acharya Bhagwan Dev has mentioned about a particular sick unit. I am sure the hon. Member would not like the treatment of a particular patient without a proper diagnosis. I assure him that I will get all the details get the matter examined and see what best can be done to that.

An hon. Member has suggested about setting up a cement factory in UP. I would inform him that the State Government of UP is already working on that project. As soon as it comes to the Centre for licensing, etc we will give sympathetic consideration to it.

36: **Dalmia Dadri Cement BHADRA 5, 1908 (SAKA) Ltd. (Acquisition 362 and Transfer of Undertakings) Bill**

I once again thank the hon. Members for having supported this piece of legislation.

MR. CHAIRMAN: The question is:

"That the Bill to provide for the acquisition and transfer of the undertakings of the Dalmia Dadri Cement Limited with a view to securing the proper management of such undertakings so as to subserve the interest of the general public by ensuring the continued manufacture, production and distribution of cement which is essential to the needs of the economy of the country and for matters connected therewith or incidental thereto, be taken into consideration."

*The motion was adopted.*

MR. CHAIRMAN: *we were added, we take up clause 2 by will. consideration.*  
 Clause 2. There is a government amendment.

**Clause 2—(Definitions)**

*Amendment made*

"Page 2,—

for lines 12 and 13, substitute—

"(a) "appointed day" means the 23rd of June, 1981;" (13).

(Shri Charanjit Chanana)

MR. CHAIRMAN: 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.*

MR. CHAIRMAN: The question is:

"That clauses 3 to 6 stand part of the Bill".

*The motion was adopted.*

*Clauses 3 to 6 were added to the Bill*

**Clause 7—(Payment of amount)**

SHRI MOHAMMED ISMAIL (Barrackpore): I beg to move:

Page 4, line 49,—

for "eighty four lakhs"

substitute "One hundred and sixty lakhs" (9).

SHRI CHARANJIT CHANANA: I beg to move:

Page 4, line 49,—

for "eighty-four lakhs" substitute—

"eighty-four lakhs and eighty-seven thousand" (11).

SHRI SURAJ BHAN: I beg to move:

Page 4, line 49,—

for "eighty four lakhs" substitute—

"five crore fifty lakhs" (20)

श्री मोहम्मद इस्माइल (बैरकपुर) :

अध्यक्ष महोदय, मेरा अमेंडमेंट यह है कि मार्च, 80 से जो वर्कर्स हैं, उन को काम पर लेना चाहिए। जैसा कि माननीय मंत्री महोदय ने बताया है कि वे कैंजुल लिए जायेंगे, उनसे सर्टिफिकेट वगैरह ले कर। इस पीरियड में जो बाकी रह जायेंगे, उन के लिए क्या होगा? जहाँ तक टैम्पोरेरी का सवाल है, उस को हल किया जाये। जिन को 240 दिन हो गए हैं, उन को तो लेना ही चाहिए, क्योंकि यह उन का लीगल राइट है। मेरा जो अमेंडमेंट है, उस के मूल में यही बात है।

17.12 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

श्री सुरज भान (अम्बाला) : उपाध्यक्ष महोदय, यह अमेंडमेंट मैंने इसलिए दी है कि साढ़े पांच करोड़ रुपया इस में रखा जाए क्योंकि वर्कर्स के तीन करोड़ 97 लाख ड्यूज हैं और इन्होंने 84 लाख 87 हजार रुपये

[श्री सुरज भान]

मांगा है, तो ये तीन करोड़ 97 लाख रुपया वर्कर्स का कहां ले देंगे। मैं इस शर्त पर यह अमेंडमेंट वापिस ले सकता हूँ, मुझे कोई एतराज नहीं है, जैसा मैं ने कहा था कि इस में अपने घर पालो के हिस्से तो थे ही, इन की सीमेंट बनाने की फैक्टरी थी और डिस्ट्रीब्यूशन भी इन्होंने अपने आदमी को दिया था, आर०के० डालमिया के नाम से। वे ऐसा करते थे कि सीमेंट का कर लीन, पैसा नहीं दिया और सीमेंट बेच दिया। इस प्रकार उन पर 2 करोड़ 20 लाख रुपया ड्यू है, जो कि डाउटफुल लोन पर रखा हुआ है, कहीं ऐसा न हो कि यह राइट-आफ हो जाए। अगर आप मुझे यह एग्रीस दे कि उन से 2 करोड़ 20 लाख रु० वापिस पानी वसूल कर लिया जाएगा और उस को इस हिस्से में डाल दिया जाएगा ताकि वर्कर्स के ड्यू दे दिए जाये, तब मैं अपना अमेंडमेंट लेने को तैयार हूँ।

**SHRI CHARANJIT CHANANA:** We shall examine it and decide about the payment.

**MR. DEPUTY-SPEAKER:** The question is:

"Page 4, line 49,—

for "eighty-four lakhs" substitute—

"eighty-four lakhs and eighty-seven thousand" (11)

*The motion was adopted.*

**MR. DEPUTY-SPEAKER:** I will now put to vote amendment No. 9, moved by Shri M. Ismail.

*Amendment No. 9 was put and negatived.*

**MR. DEPUTY-SPEAKER:** I will now put amendment No. 20, moved by Shri Suraj Bhan to the vote of the House.

*Amendment No. 20 was put and negatived.*

**SHRI SURAJ BHAN:** The Minister has to give an assurance on this point. Otherwise, I will press for a division, on my amendment.

**SHRI CHARANJIT CHANANA:** I have already said that we shall examine it.

**MR. DEPUTY-SPEAKER:** The question is:

"That clause 7, as amended, stand part of the Bill".

*The motion was adopted.*

*Clause 7, as amended, was added to the Bill.*

*Clause 8 was added to the Bill*

**MR. DEPUTY-SPEAKER:** There are to amend to clauses 9 to 11.

The question is:

"That clauses 9 to 11 stand part of the Bill."

*The motion was adopted.*

*Clauses 9 to 11 were added to the Bill.*

**MR. DEPUTY-SPEAKER:** The question is:

"That clause 12 stand part of the Bill"

*The motion was adopted.*

*Clause 12 was added to the Bill.*

**MR. DEPUTY-SPEAKER:** The question is:

"That clauses 13 and 14 stand part of the Bill."

*The motion was adopted.*

*Clauses 13 and 14 were added to the Bill.*

**Clause 15.—(Payment by the Central Government to the Commissioner)**

*Amendment made*

*Page 7, line 22,—*

for "the payment" substitute "payment". (14)

(Shri Charanjit Chanana)

MR. DEPUTY-SPEAKER: The question is:

"That clause 15, as amended, stand part of the Bill."

*The motion was adopted.*

Clause 15, as amended, was added to the Bill.

MR. DEPUTY-SPEAKER: There are no amendments.

The question is:

"That clauses 16 to 31 stand part of the Bill."

*The motion was adopted.*

Cluses 16 to 31 were added to the Bill.

#### New Clause 32

SHRI CHARANJIT CHANANA: I beg to move amendment No. 15 which is to add a new clause No. 32 to the Bill:

Page 13,—

*after line 20, add—*

6 of 1981 Repeal and saving.

"32. (1) The Dalmia Dadri Cement Limited (Acquisition and Transfer of Undertakings) Ordinance, 1981, is hereby repealed.

(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." (15)

MR. DEPUTY-SPEAKER: I shall now put amendment No. 15 which is to add a New clause No. 32 to the Bill to the vote of the House.

The question is:

Page 13,—

*after line 20, add—*

6 of 1981 Repeal and saving.

"32. (1) The Dalmia Dadri Cement Limited (Acquisition and Transfer of Undertakings) Ordinance, 1981, is hereby repealed.

(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." (15).

*The motion was adopted.*

MR. DEPUTY-SPEAKER: The question is:

"That clause 32 be added to the Bill."

*The motion was adopted.*

Clause 32 was added to the Bill.

#### The Schedule

Amendments made

Page 14,—

*after line 1, insert—*

"(See sections 18, 19(1), 20(1) and 22(1) )" (16).

Page 14, line 7,—

*for 'ESI' substitute—*

"Employees' State Insurance" (17)

Page 14, line 8,—

*for "LIC" substitute—*

"Life Insurance Corporation of India" (18).

Page 14, line 10,—

*for 'ESI' substitute—*

"Employees' State Insurance" (19).

(Shri Charanjit Chanana)

MR. DEPUTY-SPEAKER: The question is: 17.22 hrs

"That the Schedule, as amended, stand part of the Bill."

*The motion was adopted.*

*The Schedule, as amended, was added to the Bill.*

Clause 1.—Short Title and Commencement

*Amendment made*

Page 2,—

for lines 9 and 10, substitute—

"(2) It shall be deemed to have come into force on the 23rd day of June, 1981." (12).

(Shri Charanjit Chanana)

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 the Preamble and the Title stand part of the Bill."

*The motion was adopted.*

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

SHRI CHARANJIT CHANANA: 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.*

SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT (AMENDMENT) BILL—  
*Contd.*

MR. DEPUTY-SPEAKER: We will now take up further consideration of Salary, Allowances and Pension of Members of Parliament (Amendment) Bill.

Shri Ramavatar Shastri was on his legs. The total time allotted is one hour. We have exhausted 42 minutes. We have to see that we complete it within one hour. Shri Ramavatar Shastri.

श्री रामावतार शास्त्री: (८८-१) :  
उपाध्यक्ष जी, संसद सदस्य वेतन, भत्ते तथा पेंशन विधेयक जो सरकार ने 1954 में बनाया था, उस में संशोधन करने के लिये एक छोटा सा संशोधन विधेयक लाया गया है। इस विधेयक से किसी का मतभेद नहीं हो सकता। लेकिन इस विधेयक का समर्थन करते हुए मैं तीन बातें प्रस्तुत करना चाहता हूँ।

पहली बात तो यह है कि इस विधेयक के जरिये सरकार उन भूतपूर्व संसद सदस्यों को भी पेंशन देना चाहती है और कम से कम तीन सौ रुपये पेंशन देना चाहती है जिन की पांच साल की अवधि में से साठ दिनों की कमी रह गयी है यानी चार साल दस महीने तक भी अगर कोई सदस्य इस माननीय सदन का सदस्य रहा हो तो उस को भी तीन सौ रुपये पेंशन पाने का हक है। लेकिन मैं इसी के क्रम में यह निवेदन करना चाहूंगा कि इस सदन के ऐसे भी सदस्य हैं जो पहले इस सदन में आ चुके हैं और जिन की अवधि पांच साल पूरी नहीं हुई है, काफी समय उस में रह गया क्योंकि 1970 में जो उस समय की प्रधान मंत्री थीं, श्रीमती इन्दिरा गांधी, उन्होंने चौथी लोक सभा को विघटित कर दिया और 15 महीने पहले विघटित कर दिया। तो जो बिचारे उस समय पांच साल के