

15.26 hrs.

INDUSTRIES (DEVELOPMENT AND
REGULATION) AMENDMENT BILL*

MR. CHAIRMAN: The House will now take up the Industries (Development and Regulation) Amendment Bill. Comrade Minister.

THE MINISTER OF INDUSTRY
(SHRI GEORGE FERNANDES):
Madam Chairperson, I beg to move:*

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

15-27 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

The Bill pertains to two amendments to the Industries (Development and Regulation) Act. One of these is related to new Industrial Policy where we have reserved a large number of items for exclusive manufacture by the small scale sector. The other is an amendment to Section 18F(b) of the Act and is necessitated by the fact that the moratorium that this particular section provides on industries taken over under the IDR Act is so far for a period of five years and from experience we have discovered that this five year period of moratorium on the various liabilities, outstandings, dues, agreements, etc. is not adequate. We had to promulgate an Ordinance in the last week of December because in respect of one company, the period of moratorium of five years was due to expire. (Interruptions) There are four other units in respect of which the five year moratorium period is due to expire in the course of this year. But this particular case where the period of moratorium was due to expire on 2nd January necessitated the issuance of the Ordinance in the last week of December.

There are at the moment 56 industrial undertakings that are being run under the Industries (Development and Regulation) Act.

MR. DEPUTY-SPEAKER: Would you like to continue later?

SHRI GEORGE FERNANDES: I shall continue later.

MR. DEPUTY-SPEAKER: We now take up the Private Members' Business.

15.30 hrs

CONSTITUTION (AMENDMENT)
BILL*

(Amendment of Article 130)

SHRI K. GOPAL (Karur): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

SHRI K. GOPAL: I introduce the Bill.

CONSTITUTION (AMENDMENT)
Bill*

(Insertion of article 16A, etc.)

SHRI K. LAKKAPPA (Tumkur): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

*Moved with the recommendation of the President.

†Published in Gazette of India Extraordinary Part II, section 2 dated 23-3-1979.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

SHRI K LAKKAPPA: I introduce the Bill.

15.31 hrs.

MONOPOLIES AND RESTRICTIVE
TRADE PRACTICES (AMENDMENT)
BILL*

Amendment of Sections 21, 22 etc.

SHRI SOUGATA ROY (Barrack-pore): I beg to move for leave to introduce a Bill further to amend the Monopolies and Restrictive Trade Practices Act, 1969

MR DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Monopolies and Restrictive Trade Practices Act, 1969."

The motion was adopted.

SHRI SOUGATA ROY: I introduce the Bill.

15.32 hrs.

JUTE MILL COMPANIES (ACQUI-
SITION AND TRANSFER OF
UNDERTAKINGS) BILL*

SHRI SOUGATA ROY (Barrack-pore): I beg to move for leave to introduce a Bill to provide for the acquisition and transfer of undertakings of the Jute mill companies.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the acquisition and transfer of undertakings of the jute mill companies."

The motion was adopted.

SHRI SAUGATA ROY: I introduce the Bill.

15.33 hrs.

CONSTITUTION (AMENDMENT)
BILL—contd.

(Omission of article 310. etc.) by Shri Bhagat Ram

MR DEPUTY-SPEAKER. We continue with the further consideration of the Constitution (Amendment) Bill moved by Shri Bhagat Ram. He was on his legs.

श्री भगत राम (फिल्लौर) - मिस्टर डिप्टी स्पीकर मर, पिछले 9 सार्च को मैंने बोलने हुए कहा था कि हमारे कांस्टीट्यूशन की जो धाराएं 310 और 311 हैं, उनके द्वारा हमारे सेक्टर के 30 लाख और स्टेट्स के 40 लाख एम्प्लॉयज के डेमोक्रेटिक राइट्स को छीना गया है। यही नहीं, बल्कि मैं तो यह भी कहूंगा कि ये जो हमारे कांस्टीट्यूशन की धाराएं हैं, वे बिल्कुल एंटी डेमोक्रेटिक हैं और ये प्राकृतिक न्याय की भी विरोधी हैं। डिप्टी स्पीकर साहब, आपकी मायूम ही है कि चाहे चीर डी, चाहे डाकू हो, चाहे स्मगलर हो, चाहे कोई कातिल हो, सब को अपने डिफेंस का राइट है। परन्तु इन धाराओं के द्वारा, जिन एम्प्लॉयज पर ये धाराएं लागू की जाती हैं, उनको प्राकृतिक न्याय भी नहीं मिलता है जब कि कोई चोरी करे, डाका डाले, स्मगलिंग करे, कत्ल करे, उसको प्राकृतिक न्याय मिलता है। उनको अपना पक्ष पेश करने का हक है। लेकिन जिन लोगों पर ये धाराएं लागू होती हैं, उनको अपना डिफेंस करने का कोई हक लागू नहीं होता है। ये धाराएं जहां बेहूदा हैं, एंटी डेमोक्रेटिक हैं वहां ये धाराएं प्राकृतिक न्याय की भी विरोधी हैं। इन धाराओं को हमारे संविधान से खारिज करने के लिए केन्द्रीय और प्रांतीय सरकारों में जो एम्प्लॉयज की सुनियमन हैं, केन्द्रीय हैं, वे दसियों सालों से संघर्ष करती चली आ रही हैं और यह मांग करती चली आ रही हैं कि इनको हमारे संविधान से खाल किया जाए।

*Published in Gazette of India Extraordinary Part II, Section 2, dated 23-3-1979.

†Introduced with the recommendation of the President.