

(डा. ए.यू. भाजमी)

इसी तरह जौनपुर और शाहगंज से (भाजमगढ़, सुल्तानपुर और जौनपुर के लाखों लोगों की तादाद में कलकत्ता और बम्बई में रहने की वजह से) कलकत्ता और बम्बई हजारों को तादाद में जाना आना लगा रहता है। 1978 में एक बोगी जौनपुर से बम्बई के लिए रिजर्व की गई थी जिसको एक पैसेन्जर ट्रेन जौनपुर मुगल सराय ले जाती है। और फिर वहां से एक मेल ट्रेन में लगकर बम्बई जाती है। जिसकी बर्थ की तादाद वहां के सफर करने वालों की तादाद के हिसाब से बहुत ही कम है। जिसकी वजह से वहां के लोगों को सख्त परेशानी है और इलाहबाद तथा मुगलसराय में भी सख्त परेशानी उठानी पड़ती है और वक्त बहुत काफी बर्बाद हो जाता है।

मैं ऐसी सूरत में देहरा-हाबड़ा एक्सप्रेस और स्यालदा एक्सप्रेस में शाहगंज और जौनपुर से कम से कम 10-10 बर्थ के साथ-साथ वहां की जनता की तरफ से मुतालबा करता हूँ कि जौनपुर से एक मेल ट्रेन बम्बई के लिए चलाई जाए जो शाहगंज से रवाना होकर जौनपुर जफराबाद, मन्डयाह जंगही और इलाहाबाद होती हुई बम्बई जाये ताकि जौनपुर के लोग भी अपने को हिन्दुस्तान की और जगहों की तरह रेलवे की सहूलियत में हिस्सेदार समझें और रोजाना की परेशानी से बच सकें।

15.15 hrs.

STATUTORY RESOLUTION *Re-*
DISAPPROVAL OF HOOGLHY
DOCKING AND ENGINEERING
COMPANY LIMITED (ACQUISITION
AND TRANSFER OF UNDER-
TALKINGS) ORDINANCE HOO-
GLHY DOCKING AND
ENGINEERING COMPANY LIMITED
(ACQUISITION AND TRANSFER
OF UNDERTAKING) BILL

MR. CHAIRMAN : Now we take up items 15 and 16 together.

Shri Shejwalkar to move his statutory resolution.

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

“That this House disapproves of the Hooghly Docking and Engineering Company Limited (Acquisition and Transfer of Undertakings) Ordinance, 1984 (Ordinance No. 7 of 1984) promulgated by the President on the 28th June, 1984.”

It has always fallen to my lot to oppose ordinances. I submit that time and again I have been pointing out and submitting to the House that the power of issuing ordinances should be sparingly used. I do not want to take much time of the House. Right from the time of the hon. Speaker, Mr. Mavalankar whose correspondence with Prime Minister Nehru is already on record it has been stressed that power of ordinance has not to be used so lightly. The latest ruling of the Speaker is of November 13, 1973.

Thereafter, the present Speaker, Dr. Bal Ram Jakhar has also ruled agreeing with me that ordinances should not be so often issued.

“Ordinances by themselves are not very welcome especially so when the date of the Session is very near. In such cases unless there are very special reasons, ordinances should be avoided.”

This is the ruling given in November, 1971 and the same was given by his predecessors.

In this particular matter also this Ordinance was issued on 28th June when the Session was to start on 23rd July. The summons for the Sessions were signed on 29th June itself. Unless the House is satisfied as to what was the special reason for issuing Ordinance, I think, their action by way of Ordinance is not justified.

Sir, this happened in the last Session also. There was an Ordinance for amending the Societies' Registration Act. They wanted to constitute a body. (Interruptions) I opposed it also. Ultimately the Bill was passed and my motion was rejected. Here I would like to point out that from the time the Ordinance was issued and Bill passed no such body was constituted. It was told that it would take six months to constitute the body. So, when the body was not constituted what was the necessity of issuing the Ordinance. What was the necessity of giving preference to this particular engineering company to be taken over only on 28th? May I know as to what has happened during the 28th June and this date? What advantage has accrued to the government on account of its taking over?

Sir, here I would like to draw attention of the House to page 1 and page 2 of the Bill and I quote :

“to provide for the acquisition and transfer of the undertakings of the Hooghly Docking and Engineering Company Limited with a view to securing the better utilisation of the available infrastructure thereof, to modernise

and increase the capacity for shipbuilding and ship repairing.”

On page 2 all these things are mentioned in detail :

“And whereas the Company has the capacity and infrastructure to effect an increase in country's capacity to manufacture ships and other vessels and craft ;

And whereas an increase in the production of such vessels and craft would reduce the need of the country to make imports of such vessels and craft and would thereby enable the country to save foreign exchange ;

And whereas the Company is also engaged in the production of grey iron, non-ferrous and alloy castings which are essential to the needs of the economy of the country.”

Again, the company had been suffering for a number of years mainly due to lack of fresh investment and modernisation. This is the ground for taking over. In the Statement itself, it is said that this Company was not in good shape for long and right from 1973 its financial condition had gone worse : actually some loans were advanced to it. Para 2 of the Statement of Objects and Reasons reads :

“The units had become sick ever since mid sixties and assistance from the Industrial Reconstruction Corporation of India was made available to it from 1973 onwards. It was being managed by IRCI since then. However, the units continued to be sick due to lack of adequate finance for working capital, fresh investment and modernisation. Interest burden, which continued to mount owing to accumulated losses created further difficulties.”

(Shri N.K. Shajwalkar)

This Company was not in good shape even much before 1973. After 1973 what was being done? They were provided with some finances. Was there no method of monitoring whatever funds had been provided. After 1973, you had waited for eleven years. What was the immediate necessity for which you could not wait even for about a month's time? Taking over, whether it is good or bad, is a different thing. What was the reason for taking over the Company by an ordinance? Why could they not wait for one month when they had waited for such a long time. At item 17 of the List of Business, there is another Bill for taking over a Company, they could have introduced a Bill for taking over this company also in that manner. What infrastructure are they going to provide; what money are they going to provide and what money have they provided?

Again, there is a contradiction in the purpose they have announced and actually what they are going to do. Section 8 of the Bill says:

"For the transfer to, and vesting in, the Central Government, under Section 3, of the Undertakings of the Company and the right, title and interest of the Company in relation to its undertakings, there shall be paid by the Central Government to the Company, in cash, and in the manner specified in Chapter VI, an amount of rupees six hundred and fifty lakhs."

How was this amount determined? Is this the exact amount, or nearby that amount? What was the method of calculating this? In the Financial Memorandum, it has been stated in para 7:

"The precise quantum of liability on this account will be known only after the Commissioner of

Payments has made available his report."

Is it not circumventing the whole thing? Once you say that six hundred and fifty lakhs are required, again you say that you do not know what will be the precise amount. Anyway, it is not precise, but by what method have you determined this amount of Rs. 650 lakhs? How is it nearby the amount required? What are the assets of the Company? On what basis are you going to make the payment? Of course, you have determined the order in which you would make the payment; that is right, but actually who will get what nobody knows. Nobody denies the importance of this undertaking.

Do you feel that by merely providing some more funds and a little modernisation, the Company is going to work? Sir, if I come to the point, the acquisition of this company is a very risky thing. If the Government goes on taking over such dead companies which are not functioning properly—the same thing which is now happening in some textile mills, will happen here also and all the public money will be wasted. If the Government were to invest all this money in some other more important things, instead of spending bulk of such money without any specific hope of getting any benefit, on these dead companies, some good could be achieved. Why don't you let these companies die? Have a fresh company if you want. After spending all this money and much more amount which you have to advance, i. e. about Rs. 800 lakhs or something like that, what achievement are you going to make? The objectives which have been stated in page 2, according to my humble submission, are just vague. Therefore, without actually determining as to what will be the liability, whether you can make it work, how much more money this company is going to swallow in future, etc., if you acquire the company, it will be a waste. So, if all these things are not brought under record, and if the Government is not

clear, it is no use acquiring this company just like that. It is as if an academic thing or matter of principle or policy involved that any company which does not work has to be financed and acquired by the Government. Why should a dead matter be preserved by the Government? I would like to submit that the hon. Minister should specify to the House as to whether any report was prepared earlier regarding this whole matter. What monitoring was being done from 1973 on words, because it was running like this for a long time? Secondly, how much more amount you have to pay to make this company a viable one and to achieve the desired results? All these things should necessarily be told to the House. You also have to specify to the House as to the necessity of bringing this Bill now. Why could you not bring this Bill after the Session has started as the first or second Bill just like the Bengal Immunity Bill? Why did you not do that? According to me, I see no justification or any merit for this ordinance. There is no necessity at all. And therefore, I move this Resolution and request this House to accept my Resolution.

MR. CHAIRMAN: Resolution moved:

"That this House disapproves of the Hooghly Docking and Engineering Company Limited (Acquisition and Transfer of Undertakings) Ordinance, 1984 (Ordinance No. 7 of 1984) Promulgated by the President on the 28th June, 1984."

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

"That the Bill to provide for the acquisition and transfer of the undertakings of the Hooghly Docking and Engineering Company

Limited with a view to securing the better utilisation of the available infrastructure thereof, to modernise and increase the capacity for shipbuilding and ship repairing so as to reduce the import of ships, vessels and craft and to augment the production of grey iron, non-ferrous and alloy castings by the said undertakings so as to subserve the interests of the general public by ensuring the continued supply of the said articles which are essential to the needs of the economy of the country, and for matters connected therewith and 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 Hooghly Docking and Engineering Company Limited with a view to securing the better utilisation of the available infrastructure thereof, to modernise and increase the capacity for shipbuilding and ship repairing so as to reduce the import of ships, vessels and craft and to augment the production of grey iron, non-ferrous and alloy castings by the said undertakings so as to subserve the interests of the general public by ensuring the continued supply of the said articles which are essential to the needs of the economy of the country, and for matters connected therewith and incidental thereto, be taken into consideration."

SHRI NARAYAN CHOUBEY (Midnapore): Sir, I support this Bill. But certain points raised by my hon. friend have to be borne in mind. Actually, Government should have come much earlier, to take over charge of this prestigious undertaking.

*Moved with the recommendation of the President.

Sir, you are from West Bengal. This is really an undertaking of very

(Shri Narayan Choubey)

great importance. But the Government really have not been able to show any logic as to why they did not do it earlier, or why they had to do it during the inter-Session through an ordinance. I do not agree with the Government on this aspect. But now that the Government has come forward to take over the responsibility of this factory for purposes they have mentioned, I do agree with them.

We agree that it should not be the general practice that whenever an industry becomes sick, you go in and take it over. It is not a general phenomenon, and it should not be so. But there is no need to speak in general terms. This bill is about the Hooghly Docking and Engineering Co. Ltd. It is a very important undertaking. Actually, its management was in a mess. I again say that Government should have come much earlier, so that perhaps they could handle matters better. There are also a large number of workers there who would have gone out of employment other wise. So, Government has done a good thing.

But there is apprehension. I would like to say that whatever is taken over by Government does not always function well. Naturally, there is a section of people in this country who do not want nationalization, who do not want the public sector to prosper and advance. There are many amongst you.

SHRI GIRDHARI LAL VYAS
(Bhilwara) : On your side.

SHRI NARAYAN CHOUBEY :
There are many on your side also. So, you have brought in Mr K. K. Birla. They do not want it. They get this *alibi* because of the working of public sector units.

The public sector, our national leaders like pandit Nehru said, would advance and dominate, and that it will show the path. But actually what is happening ? Not that all public sector under-

takings are faring badly ; but there are many public sector undertakings which are functioning very badly. There are public sector units who do not function satisfactorily. In the private sector units, the executives have got many risks to take in respect of management and of handling material, labour etc. But in public sector units, whether it makes loss or gain, the bureaucrat is assured of his salary on the first day of the month. Naturally, he does not take care. So, whereas I welcome your bid to take over this undertaking I request you to see that the management there functions properly. It should not be mismanaged. Otherwise the enemies of public sector will say that because of this, it is going into a crisis. This danger is inevitable, because in many important factories such things have happened. For that reason, actually, the leaders of the private capital challenge you. They are getting your support in full. You give them money. Even your great leader Swraj Paul said the other day that some 11 big private houses of India control Rs. 28,000 crores of government money by investing only Rs. 145 crores from their own pocket ; and these people who control your Rs 28,000 crores question your public sector, your industry. They say, you hand over railway to us, coal industry to us. They say, you have failed in producing electricity, power ; all your State Electricity Boards have failed ; you hand them over to the Tatas and Birlas and see how they will function. How can they say all these things ? They say about them because of our mal-functioning, because we cannot function properly.

While I support this Bill, I will encroach upon your indulgence to come forward and see that the management there functions properly. Otherwise, the very aim of taking it over will be foiled. With these words, I support it again.

श्री गिरधारी लाल व्यास (भीलवाड़ा) :
समापति महोदय, हुगली डाकिंग ऐंड
इंजीनियरिंग कम्पनी कम्पनी लिमिटेड

उपक्रमों का अर्जन और अंतरण) विधेयक 1984 का मैं स्वागत करता हूँ। सबसे बड़ी बात तो यह है कि हमारी सरकार की नीति लोगों को एम्प्लायमेंट देने की है। उसी के लिए यह इतना बड़ा काम किया जा रहा है। ढाई हजार मजदूर मिसमैनेजमेंट की वजह से बेकार हो रहे थे जिनको वापिस काम पर लगाना आवश्यक है। इसके साथ साथ यह अत्यावश्यक है कि जिन इण्डस्ट्री का देश के लिए बड़ी आवश्यकता है उनका प्रोडक्शन बराबर होता रहे ताकि उन चीजों की कमी न होने पाए। सरकार को कंपनियों को एक साथ मिलाकर नेशनलाइज करने की व्यवस्था करने जा रही है। सबसे पहले तो मैं इस बात की ओर आपका ध्यान आकर्षित करना चाहता हूँ कि 1973 में यह कंपनी सिक हो गई और आप इस बात को अच्छी तरह से जानते हैं कि मिसमैनेजमेंट की वजह से इंडस्ट्री सिक होती है उनके द्वारा फाइनेंशियल इस्टीमेट्स से पैसा भी लिया गया और जो इंडस्ट्रियल री-कांस्ट्रक्शन कार्पोरेशन है, जोकि सिक इंडस्ट्रीज को रिवाइव करने के लिए पैसा देती है, उसने भी मदद की। 1973 से वह इंडस्ट्री सिक होती जा रही है। और आप उसको बराबर पैसा देते जा रहे हैं। बाद में आई आर सी ने अपना हाथ खींच लिया और कहा कि अब हम पैसा नहीं दिला सकते।

मैं आपके द्वारा सरकार से यह निवेदन करता हूँ कि 1973 के बाद तो जो पैसा वहां पर खराब हुआ है उसको बचाया ही जा सकता था और साथ ही साथ मजदूरों को जो परेशानी उठानी पड़ी है वह भी उनको उठानी नहीं पड़ती और

जितने प्रोडक्शन की अपेक्षा थी वह भी हो सकता था यदि आपकी देखरेख में और फाइनेंशियल इस्टीमेट्स की देख रेख में कमी न होती। आपके नुमानन्दे तो कोई परवाह ही नहीं करते हैं, स्पेक्टेट्स की तरह से वहां पर बैठते हैं। कंपनी की तरफ तो वे कोई ध्यान नहीं देते। खा पीकर वहां से चले भाते हैं। इसीलिए आज हालत यह है कि कंपनियों की मदद फाइनेंशियल इस्टीमेट्स करते हैं या आई आर सी जिनकी मदद करता है वह कंपनियाँ डोल-ड्रम्स चल रही हैं और सिक बनती जा रही है। उनके द्वारा सरकारी पैसे का दुरुपयोग किया जा रहा है। पैसा दूसरी तरफ ट्रांसफर किया जा रहा है और नए नए असेट्स तैयार किए जा रहे हैं। मिसमैनेजमेंट की वजह से कंपनियाँ सिक बनती हैं लेकिन इसकी तरफ आपकी कोई तबज्जह नहीं है। बंगाल की जो इंडस्ट्रीज हैं उनके सम्बन्ध में तीन चार दफा विल्स यहां पर आए हैं। बंगाल के जितने भी इंजीनियरिंग वर्क्स हैं या इस प्रकार की दूसरी इंडस्ट्रीज हैं वह 1970 के बाद सिक होती जा रही हैं और उनको आप नेशनलाइज करते जा रहे हैं।

इसी प्रकार दूसरे स्टेट्स में भी दूसरी कंपनियाँ हैं, चाहे टैक्सटाइल इंडस्ट्री हो, इंजीनियरिंग इंडस्ट्री हो, नाना प्रकार की इंडस्ट्रीज हैं, उन सब में सिकनेस आ रही है, क्योंकि वहां का मैनेजमेंट ठीक नहीं है। आपके फाइनेंशियल इस्टीमेट्स और कारपोरेशन कोई सबज्जह नहीं देते हैं। इसी वजह से सारा पैसा बर्बाद हो रहा है। हजारों करोड़ों रुपया सिकनेस की वजह से बर्बाद कर दिया और उसके बाद उसकी तरफ किसी प्रकार की कोई

(श्री गिरधारीलाल व्यास)

व्यवस्था नहीं है। हमारी सरकार का नेशनलाइजेशन करने का ध्येय है। कांग्रेस ने इस बात में सदा विश्वास किया है कि नेशनलाइजेशन करके लोगों को ज्यादा से ज्यादा एम्प्लायमेंट दिया जाए। लेकिन कुछ लोग हमारी इस पालिसी में विश्वास नहीं करते हैं और इसको बुरा बतलाते हैं। जैसा कि अभी माननीय सदस्य, श्री चौबे, से जो पहले बोल रहे थे, मैं चौबे जी के बारे में नहीं कह रहा हूँ। उन्होंने नेशनलाइजेशन पर विश्वास नहीं किया है और वे बराबर जितनी भी आपकी नेशनलाइजेशन पालिसीज हैं, उनको बदनाम करने की कोशिश करते हैं न कहते हैं कि आपने जो 105 सिक् टैक्सटाइल मिल्स को नेशनलाइज किया उसमें 500 करोड़ रु. का नुकसान हो रहा है। एक बात उनके ध्यान में नहीं आती है कि इस 500 करोड़ रुपये से कितने लोगों को एम्प्लायमेंट मिल रहा है। यदि एक हजार आदमियों को नौकरी देने में दस करोड़ रुपया खर्च होता है तो दस हजार आदमियों को नौकरी देने में सौ करोड़ रुपया खर्च होता है। जब 500 करोड़ रुपया खर्च हो रहा है तो टैक्सटाइल इन्डस्ट्री में कम से कम ढाई-तीन लाख लोगों को एम्प्लायमेंट मिल रहा है। इस प्रकार से आपने एम्प्लायमेंट का जो हिसाब रखा है, उस हिसाब की आप देखें। 500 करोड़ रुपया खर्च करके लोगों को एम्प्लायमेंट देने में कोई नुकसान नहीं है, मगर मैनेजमेंट को अच्छा करके लाभ प्राप्त करना चाहिए। यही हमारा ध्येय होना चाहिए, लेकिन यह कहना कि 500 करोड़ रुपया खर्च कर दिया, गलत है। मैं कहूंगा कि जितनी भी इस प्रकार की सिक् इन्डस्ट्री हैं और जिनको सिक् बनाया है, उनके खिलाफ कार्यवाही कीजिए। ऐसे लोगों के खिलाफ जिन्होंने फाइनेंशियल

इन्स्टीचून्स का पैसा लेकर बर्बाद कर दिया, उनके खिलाफ आप कार्यवाही कीजिए। लेकिन उन मजदूरों ने क्या किया है, जिन को न पैसा मिलता है और न मजदूरी मिलती है, न प्रोवीडेंट फण्ड मिलता है, न ई एस आई डिस्पेंसरीज मिलती हैं, न प्रेजुटी मिली है। आपने इस बिल में कोई इस प्रकार का प्रावधान नहीं किया है। पहले जितने भी बिल आये हैं, उनमें आपने इस बात का प्रावधान किया है। सबसे पहला कोई चार्ज होगा, जो पैसा आपने कन्सोलिडेटेड फण्ड में मे इस कम्पनी के चलाने के लिए, इस कम्पनी के एसेट्स को क्रिएट करने के लिए लिया है तो पहला चार्ज लेबर का होगा। लेबर के चार्ज के संबंध में आपने इस बिल में किसी प्रकार का कोई प्रावधान नहीं किया है इसमें एक बात आपने जरूर कही है कि रूल मेकिंग पावर है, लेकिन रूल बनाने के लिए इसका प्रावधान असली बिल में होना चाहिए। प्रकार का प्रावधान इस बिल में नहीं किया है कि अगर किसी मजदूर का पैमेंट बकाया है, जो उन्होंने कमाया है, उस पैस को कैसे दिया जाएगा, और किस तरह से दिया जाएगा। इस संबंध में कोई व्यवस्था आपने इस बिल में नहीं की है। यह व्यवस्था इस बिल में होनी चाहिए।

MR. CHAIRMAN : You are making very valid points, but we have a constraint of time.

श्री गिरधारी लाल व्यास : इसलिए मैं निवेदन कर रहा था कि जो भी इन्डस्ट्री मिसमैनेजमेंट की वजह से लास में आई हैं, उनकी तरफ आपको ध्यान देना चाहिए। मैं आपका ध्यान इस बात की ओर भी आकर्षित करना चाहता हूँ, जैसा कि मैंने निवेदन किया कि जो

इन्डस्ट्री सिक हो रही है, नेशनलाइजेशन के बाद भी सिक हो रही है, उसके मैनेजमेंट को आपका निश्चित तरीके से समालने की आवश्यकता है।

उन में अच्छे मैनेजर्स या लोगों को नियुक्त करने की जरूरत है। आज बहुत भारे ऐसे लोग आकर बैठ जाते हैं जो मजा करने के लिए वहां आते हैं। नेशनलाइज्ड इण्डस्ट्रीज में बहुत से जनरल मैनेजर्स और चेयरमैन इस प्रकार के हैं जैसे बहुत बड़े रईस हों। वे इस तरह से नहीं रहते हैं जैसे गवर्नमेंट आफ इण्डिया के एम्पलाई-बादशाहों की तरह से रहते हैं, इतनी फिजूलखर्ची करते हैं जिस की बजह से इन्डस्ट्री पर बहुत बड़ा भार पड़ता है। इस लिये ऐसा मैनेजमेंट काजिये जिस में नेशनलाइजेशन की जो पालिसी है वह अच्छी तरह से चले, प्रोडक्शन ज्यादा हो, मजदूर और मालिकों के सम्बन्ध अच्छे हों।

मैं इस कम्पनी के नेशनलाइजेशन का स्वागत करता हूँ लेकिन जिन कमियों और विशेषकर मजदूरों के सम्बन्ध में जिन कमियों की आप का ध्यान आकर्षित किया है उनके सम्बन्ध में निश्चित तरीके से कुछ ऐसा व्यवस्था करें जिस से मजदूरों को परेशानी न हो। मैंने बार-बार बंगाल की इण्डस्ट्रीज के प्रलावा दूसरे प्रान्तों में जो सिक इण्डस्ट्रीज पड़ी हुई हैं उन की ओर भी आप का ध्यान दिलाया है। मैं एक इण्डस्ट्री के बारे में बार बार कहता हूँ मेवाड़ टैक्सटाइल मिलज ओर महीने से बन्द पड़ी है, ढाई हजार मजदूर बेकार हैं। सरकार उस का नेशनलाइज करे उसका टैक ओवर करे या फाइनेन्शियल इन्स्टी-चून्ज के जरिये उस का इन्तजाम करे जिस से

मजदूरों का बेकारी का सामना न करना पड़े। नेशनलाइज करना बुरी बात नहीं है, जो इण्डस्ट्रीज सिक होती हैं उन को निश्चित तरीके से नेशनलाइज करना चाहिये, इस से प्रोडक्शन बढ़ता है, एम्प-लायमेंट मिलता है, लेकिन उनका मैनेज-मेंट ठीक होना चाहिये।

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ।

SHRI XAVIER ARAKAL (Ernakulam): The ship building and repair is, of course, a vital industry for the total progress of our nation. But two basic principles have to be discussed in this House and they are—what is the policy regarding sick units and what is our policy regarding nationalisation? Unless we have a clear picture on these two vital issues, I am afraid, our attitude towards the total industrial development will be drifting away. In this context, some of the observations made by my hon. friend, Shri Shejwalkar, are worth considering. Today, we have the latest report of L. K. Jha Commission in which it has been said that over Rs. 30029 crores are invested by the government in 209 enterprises and that there are two main reasons for the sluggish growth of industrial sector that is, excess centralisation and bureaucratic control. If you trace the history of industrial sickness, you can find out the reasons in these two vital issues. So also the Bureau of Public Enterprises has said in its report that in 1982-83 Rs. 13129 crores were invested, 82 enterprises had given as profit Rs. 1517 crores whereas the remaining had a loss of Rs. 821 crores. The Eighth Finance Commission in its report on page 37 has said that the rate of return is 0.84 per cent. Can the country which is committed to socialism, has poverty and unemployment, afford this sort of investment? In my speech on 8th June 1980, I put forward certain suggestions. In that speech I pleaded for a total ban on strikes and lock-outs

(Shri Xavier Arakal)

stating that the basic philosophy of our country is socialism. A well-run company named Benny Company of Cochin which was running at a high Profit, was locked out and I pleaded at least six times in this House that steps should be taken to nationalise that company. I do not know why this has not been done. I went through the facts and figures relating to the sick industries and found that maximum sick units are in West Bengal. The Government has time and again come forward and have nationalised some of these industries but I do not know why steps have not been taken to nationalise the Benny Company.

I am also very much concerned with another aspect of the sick industries. There is over Rs. 25,000 crores worth investment in these sick industries. Whose money is that? Once the money is invested, whether it is in public sector or in private sector, it becomes a public trust and I have been pleading in this House to take over those sick units without paying any cash to them and to allow the labour to have a decisive role to run those units with Government's help. Mr. Sathe is present here. In his recent book he has very well mentioned about the role of labour. When I mention about total ban on strikes, I plead to give more responsibilities to the labour force, to have labour involvement in the day-to-day running of the industrial enterprises, I am happy to say that Shri Sathe has taken some initiative in that direction. He has put some labour leaders in the Boards of management which is a novel step. If you want to have a planned economic growth, my submission is that labour also should have financial involvement in it, should have a commitment in it, which is lacking today. One of the reasons for the industrial sickness is the non-commitment or non-involvement of the labour in this field. Therefore, my suggestion is that there should be more and more labour involvement in management, in production and in distribution, as far as the public sector is concerned. Then

only we will have the people's involvement. Otherwise, in our controlled market system, we cannot have the desired progress in the matter of alleviation of unemployment and poverty.

Another sad thing is that the banking sector alone has invested more than Rs. 3, 179 crores which is locked up in the sick industries. This is the Government's money. How are you going to make it productive? This is the money belonging to the financial institutions. Can you allow these industries to die? Resources have to be used in a productive manner but that is actually lacking. Unless the Government come forward with the idea to utilize the limited resources in a productive manner, many industries will close down.

I do not know why in this particular nationalisation Bill the employees are treated on par with the Central Government employees. The Minister must give an explanation. These employees are given pensionary and other benefits on par with other Central Government employees, while the same demand has not been conceded to in the case of the Cochin Refinery, in spite of repeated pleading for it. Will the Government give the same treatment to similarly situated industries?

Subject to the observations I have made earlier, I do approve of this Bill. Sickness in industry is becoming widespread. I have been pleading in this House the cause of the Cochin Shipyard where the present situation has been brought about by mismanagement and insufficient management, indifferent supervisory staff and non-co-operative labour force. I have been pleading in this House to send a Central Team to investigate the causes and suggest some solution.

On the whole, I do approve the stand taken by Government. As mentioned by earlier speakers, there should be proper and efficient management so that nationalisation will not be a failure. With these words, I support the Bill.

PROF. RUP CHAND PAL (Hooghly) : Sir, sometimes this Government comes out with good proposals, although the number is few. West Bengal has the largest number of small-scale engineering units as its share and many of them are in a poor condition because of the wrong policies of the Central Government. (Interruptions) not only the wrong policies of the Government which came to power in 1980, but earlier Congress Governments also.

SHRI PATTABHI RAMA RAO : In between there was Janata.

PROF. RUP CHAND PAL : No, they did not get any opportunity to make them more sick.

This habit of bringing in an Ordinance when the session is about to start has become a normal feature, which has to be regretted. But I welcome the Bill, although it is a little bit late, still it is a welcome move by the Government.

There are about 2,500 workers in the two units of Hooghly Docking and they have been facing serious difficulties. Although it is being run since 1973 by IRCI, the situation did not improve. Ultimately, the workers had no alternative but to demand immediate nationalisation in the interests of the economy, in the interests of the company itself. When the workers came forward with such a good demand in the interests of the country, I am sorry to say that four workers, who were union leaders, were sacked. Since the Government have agreed to their just demands, I would say that the Government should not penalise these employees.

16 hrs.

Although IRCI had taken over the management, there was no renovation of the machinery and the full potential of the unit was not exploited.

No new workers were given any appointment, but a large number of Officers have been appointed. And as you have correctly stated here, one of the major causes of the sickness is the wrong management. It has come out in the RBI Reports and in many other reports. And since you have also referred to it, I am not going into that. Here also we find mismanagement. But mismanagement from our experience almost always goes with rampant corruption. There have been cases which have been mentioned earlier and the attention of the authorities has been drawn to the fact that a section of the Management was deeply involved in all these corrupt activities. When the Government have taken these measures, I would very much request the Hon. Minister to look into it and to get rid of such management and to find out a better management which can run the company in a better manner. I would also urge him to punish all those offenders who may be found guilty of corruption.

The Management declared the Pay off in January 1983 and the workers have not been paid their wages. The Provident Fund contributions, the ESI contributions and many other things, though have been deducted from their salaries, have not been deposited. This is a very serious matter, although in our country this is a very common thing and the Government does not care to look into that. I would like to point out in this particular sphere also that the management did not care to deposit the money.

Sir, only Financing the company will not solve the problem, because from our experience we have seen that deep-rooted problems and the malaise will have to be rooted out. For that purpose such a programme will have to be taken up as will ultimately make the company viable. That cannot be done without the direct help and participation of the workers in the management. This has also been referred to

(Prof. Rup Chand Pal)

I very much expect that the Government will look into it and the cooperation of the workers, who are very eager to extend their hand of cooperation, should be welcomed and the workers' suggestions should be taken note of and considered.

In this connection, I would refer to a particular provision in the Bill which will go against the interest of the workers. While welcoming this Bill, there will be a resentment among the workers also in regard to this particular provision. On page 8, Chapter, V, line 30, where it has been mentioned regarding the age of retirement, it has been stated where he has attained or attains the age of 58 years before or within the period of three months from the appointed date etc., that means the retirement age is going to be fixed at 58. But, Sir, the agreement of the workers says that workmen shall retire from the company's service on reaching the age of 60 years. But the Company may, at its sole discretion, offer an extension of service beyond this age to any workman. Here the worker has been adversely affected. This is the result of the tripartite agreement. And even in Burnpur Unit of the nationalised company, ISCO, the retirement age is 60 years. Why should here the retirement age be different? So, my plea to the government will be to reconsider it and make it 60 years.

Lastly, Sir, I would request the Hon. Minister, as I have already stated and emphasised, that only by providing some finances, a sick industry cannot be made viable until and unless the management is made efficient and the proper management comes about with the cooperation of the workers.

श्री राम प्यारे पनिका (राबर्टसगंज) :
समापति महोदय, मैं हुगली डाकिंग एण्ड इंजीनियरिंग कम्पनी लिमिटेड (उपक्रमों का अर्जन अन्तकरण) विधेयक 1984 का

समर्थन करने के लिए खड़ा हुआ है। इस बिल का दोनों तरफ के सदस्यों ने समर्थन किया है। जो भावनाएं यहां पर व्यक्त की गई हैं, वे करीब-करीब एक दूसरे से मेल खाती हैं। यह बात सही है कि प्राइवेट, पबलिक, ज्वाइंट और को-आपरेटिव सैक्टरों का महत्व इस मायने में कम हो जाता है क्योंकि चारों सैक्टरों में हमारे इंस्टीच्युइनल फाइनेंस का पैसा लगा हुआ है। इसलिए, प्राइवेट सैक्टर का नाम देकर, मजदूरों का शोषण करना और उनको देश की पूंजी के साथ खिलवाड़ करने का मौका नहीं दिया जा सकता। मैन-डेज लांस का मतलब यह नहीं है कि स्ट्राइक मजदूरों ने की है बल्कि पचास परसेंट से ज्यादा मैन-डेज लांस, मैनेजमेंट की लापरवाही के कारण होते हैं। सिक्नेस, लाक-आऊट या ले-आफ वर्ग रह इसके कई कारण हैं। आज हमारे सैक्टरों में पबलिक मनी लगी हुई है, जिसकी चर्चा श्री शेजवालकर जी और दूसरे सदस्यों ने भी की है, निश्चित रूप से उसका ध्यान रखना चाहिए। शिप-बिल्डिंग के मामले में भी अभी हम आत्म-निर्भर नहीं हैं, विदेशों से मंगाते हैं। फौरन एक्सचेंज भी काफी इसमें लग जाता है। पिछले वर्ष जब हम लॉथ साऊथ कोरिया गए तो वहां की सरकार ने हमको शिप-बिल्डिंग याहें दिखाया। यह देखकर बड़ा आश्चर्य हुआ कि तीन करोड़ अस्सी लाख लोगों का देश कितनी तेजी से आगे बढ़ रहा है। कमी-कमी ऐसा लगता है कि प्राइवेट सैक्टर वाले ज्यादा अच्छे परिणाम दे सकते हैं। मेरे क्षेत्र राबर्टसगंज में दस-बारह गवर्नमेंट सैक्टरों के प्रोजेक्ट्स चल रहे हैं। हिन्डालको और कनोडिया केमिकल्स आदि भी हैं। प्राइवेट सैक्टर में पावर हाऊस है। कोयला भी अलग से लेते हैं जहां से इलेक्ट्रीसिटी बोर्ड के लोग लेते हैं। लेकिन, उनका उत्पादन करीब-करीब सौ परसेंट रहता है जबकि हमारे

पावर हाऊसेज का केवल चालीस परसेंट है। कभी-कभी तो और भी नीचे चला जाता है। हम लोग निश्चित तौर से पब्लिक सेक्टर के हमदर्द हैं। अगर हम उसको महत्व देते हैं तो रिजल्ट भी देना चाहिए। रिजल्ट अच्छा नहीं आ रहा है तो जितना रुपया खर्च करते हैं, उससे देश को नुकसान होता है और भारत की अर्थ-व्यवस्था पर असर पड़ता है। इसका कारण यह है कि हमारे कारपोरेशन्स और ग्रन्डरटेकिंग्स में सरकार की दखलदानी बहुत कम है। हमारे मंत्री जी भी यहां बैठे हुए हैं। उन पर कोई बाहर का दबाव नहीं पड़ने दिया जाता। लेकिन, नतीजा क्या है? व्यापक ढंग से आजकल ग्रन्डर-टेकिंग्स में अष्टाचार चल रहा है। टेन्डर देने में इतनी अष्टाचारी है कि कोई नया आदमी ठेका लेना चाहे तो वह नहीं ले सकता। उसका कम्पीटीशन होना चाहिए जिससे सबको भोका मिले। कुछ लोग मेरे पास आये, मिर्जापुर से, कि हमें टेन्डर नहीं लिए जा रहे हैं। जब मैंने कारण पूछा तो कहा कि फ्लां सर्टिफिकेट मांगते हैं, अनुभव सर्टिफिकेट मांगते हैं। कभी कभी अनुभव भी नहीं, किसी और रास्ते से अपने आदमियों को देते हैं और इस तरह से टेन्डर देने में भी अष्टाचार फैला हुआ है। यही नहीं अप्वाइंट-मेंट्स में भी धांधली की जाती है जितने भी पब्लिक सेक्टर के बड़े बड़े आफिसर होते हैं, इंटरव्यू का बहाना करके अपने ही लोगों को वहां भरने की कोशिश करते हैं। उसके लिए कोई कमेटी बना देंगे। जिस किसी पोस्ट पर अपने रिश्तेदारों को भरना होगा, उस कमेटी में वे स्वयं नहीं होंगे बल्कि एक नई कमेटी बना दी जाती है। हमारे जिले में कई कम्पनियां ऐसी हैं, जहां अप्वाइंट-मेंट्स में, ठेकेदारी में या कार्य कराने में अथवा समान

परचेज करने में मारी गड़ बड़ होती है। इसलिए शुभे उनका अनुभव है।

आज जरूरत इस बात की है कि ऐसी चीजों को कन्ट्रोल किया जाए। हमारे फाइनेन्सियल इंस्टीट्यूशन्स की इज्जत कैसे होती है जो उनको पैसा देते हैं, उसके बारे में कुछ मत पूछिए। इसलिए हमारे मंत्री जी को ऐसी तमाम चीजों पर नजर रखनी होगी। हमारे भूतपूर्व प्रधानमंत्री पण्डित जवाहर लाल नेहरू ने प्राइवेट सेक्टर को केवल इसलिए रखा था कि हमारी इन्फ्रास्ट्रक्चरल इंडस्ट्रीज पब्लिक सेक्टर में होनी चाहिए। चूंकि उस समय हमारे पास संसाधनों की कमी थी। अब प्राइवेट सेक्टर का वह अर्थ नहीं होता है। जैसा हमारे एक साथी ने अभी बताया हमारे बैंकों का इसमें 28 हजार करोड़ रुपया लगा हुआ है जब कि उन कम्पनियों के द्वारा सिर्फ 145 करोड़ रुपये का निवेश है, जो उन्होंने अपने पास से लगाया है या किसी भी तरह मैनेज किया है। इसके माने क्या हैं? अब यह मात्र एक टेक्निकल वर्ड रस गया है। आज पब्लिक सेक्टर से देश के विकास में जो मदद मिलनी चाहिए, वह नहीं मिल रही है। आजकल एक टेन्डेसी यह हो गई है कि कोई उद्योगपति कोई एक इंडस्ट्री लगायेगा तो वह बैंक से रुपया लोन लेता है, या किसी फाइनेन्सियल इंस्टीट्यूट से लोन लेता है। अभी उससे पूरे रिजल्ट मिले नहीं कि एक नई कम्पनी का निर्माण कर लिया जाता है और उसका धन दूसरी कम्पनी में इन्वेस्ट कर दिया जाता है। इस तरह वहां लेबर का भी एक्सप्लायटेशन होता है। यदि किसी कम्पनी में 10 हजार मजदूर काम करते हैं तो रिजिस्टर में उन की संख्या तीन हजार होगी, बाकी सब कान्ट्रैक्ट लेबर इधर उधर

(श्री राम प्यारे पनिका)

की होगी। इसलिए मैं माननीय मंत्री जी के ध्यान में लाना चाहता हूँ कि जब हमारी सरकार की मंशा मजदूरों का शोषण रोकने की है, फिर हमें तमाम लेबर-लाज को पूरी ईमानदारी के साथ लागू करना चाहिए। हमें देखना चाहिए कि प्राइवेट सेक्टर के लोग और पब्लिक सेक्टर के लोग उसका पूरी तरह से पालन करें। लेकिन आज तो गवर्नमेंट के अंडरटेकिंग भी उन नियमों का पालन नहीं करते हैं। इन दोनों में ये कुछ कमियाँ हैं, खामियाँ हैं।

मान्यवर, यहाँ हमारे साथियों की ओर से कुछ सुझाव आये हैं, मैं समझता हूँ हमें उनको देखते हुए आगे चलना चाहिए ताकि हमारी ये इंडस्ट्रीज पनप सकें, उनकी कार्यविधि ठीक हो।

प्रो. मधु बच्चवते (राजापुर) : आपको पब्लिक सेक्टर की पोलिसी मालूम है पब्लिकली सपोर्टेड दी पब्लिक सेक्टर, प्राइवेटली सपोर्टेड दी प्राइवेट सेक्टर

श्री राम प्यारे पनिका : उनमें सारा गवर्नमेंट का रुपया लगा हुआ है, इसीलिए उनमें सुधार की जरूरत है, उनके मिनेजमेंट को ठीक करने की जरूरत है, और जब उनको टेक-ओवर किया जाए तो जिस मंशा से हम उनको टेक-ओवर करना चाहते हैं, वह पूरी होनी चाहिए। उनमें उत्पादन बढ़ायें, मजदूरों का शोषण बन्द हो प्रॉफिट भी उनमें होना चाहिए। मैं एक चीज और निवेदन करना चाहूँगा कि वहाँ से जो टेक्निकल लोग चले गए हैं, हमें उनको फिर से बुलाना चाहिए, उनका बकाया वेतन दिया जाना चाहिए और वेबर

को जो भी देय हो, प्राविडेंट फंड अथवा बोनस का या किसी दूसरी प्रकार का हमें नियम बताते समय सभी व्यवस्थाओं का उसमें समावेश करना चाहिए। जिससे तमाम प्रबन्ध ठीक हो सकेगा और जिस मंशा से हम उसको टेक-ओवर कर रहे हैं, वह भी पूरी हो सकेगी। इन शब्दों के साथ, मैं इसका समर्थन करता हूँ।

THE MINISTER OF STATE IN
THE MINISTRY OF INDUSTRY
(SHRI PATTABHI RAMA RAO) :
I have carefully heard the Hon'ble Members who have spoken in favour of the statutory Resolution disapproving the Hooghly Docking and Engineering Company Limited (Acquisition and Transfer of Undertakings) Ordinance, 1984 and also those who have spoken against the Resolution and in favour of the Bill replacing the Ordinance.

Shri Shejwalkar has opposed the Ordinance Motion. The circumstances leading to the promulgation of the Ordinance have been spelt out in the statement laid on 31.7.1984.

The company was in serious financial difficulty and the financial institution was unable to provide funds, without Government guarantee. Any delay would have affected the operation of the Company, executing prestigious orders and wages of the labour. Hence it was considered necessary to issue the ordinance on 28-6-1984 and acquire the undertakings of the Company.

Government have a definite policy regarding nationalisation. I am saying this because some people have supported and some have opposed this measure. Nationalisation will not be done for the sake of nationalisation. We should keep in view the public interest involved, viability of the unit, protection of employment and relevance to the economy. The employees' dues in the form of wages, salaries arrears have

been protected by according the highest priority in the Schedule attached to the Bill. According to our estimates, these dues will be covered well within the sum being made available to the Commissioner of Payments and the employees will not suffer.

SHRI N.K. SHEJWALKAR :
What is the total amount due ?

SHRI PATTABHI RAMA RAO :
I will meet your point later. Allow me to go in my own way.

The Industrial Reconstruction Corporation of India has been nursing the Company since 1973 with funds support. It was not, however, adequate to modernise the company, whose facilities are out-dated. An Experts' Group studied the entire matter relating to the Company and submitted a report recommending nationalisation and immediate modernisation thereafter. Government took some time to consult all the interests concerned and decided to acquire the undertakings through the ordinance, which has saved the Company from closure.

An amount of Rs. 650 lakhs is the sum to be paid in consideration of the acquisition of the undertakings. This sum has been arrived at, having due regard to the worth of the assets of the Company. The liabilities of the Company are far in excess. Such liabilities will be discharged to the extent possible out of the sum provided.

The new company will go in for modernisation very soon and that will change the character of its progress soon.

After carefully hearing the hon. Members, five in all, who have spoken mostly in favour of the statutory resolution disapproving the Hooghly Docking and Engineering Company Limited (Acquisition and Transfer of Undertakings) Ordinance, 1984 and also those two hon. Members who have

spoken against the Resolution and in favour of the Bill replacing the Ordinance, I may inform the hon. House.

The Hooghly Docking and Engineering Company Limited, Calcutta, engaged in ship-building, ship repair and general engineering, went into serious liquidity problems in the early 1970's and approached the Industrial Reconstruction Corporation of India Limited (IRCI) for assistance. Although the IRCI's assistance became available from 1973, the Company continued to be sick due to lack of adequate finance for working capital, fresh investment for modernisation; and interest burden, which continued to mount, created further difficulties and increased the losses. The employees' dues and other Payments went into arrears. On account of uncertainty about the future of the Company, many technical and managerial personnel left the Company. It became difficult for the IRCI to keep the Company's operations going and, therefore, the IRCI approached the Government in the year 1978 for further assistance.

The Company was manufacturing essential equipment needed by the country's economy. At the request of the IRCI, the Government of India provided guarantees to facilitate further advances to keep the operations of the Company going. Since March, 1982, the Central Government had guaranteed more than Rs. 5 crores by way of loans from the IRCI, although by then the Company had run a debt of more than Rs. 10 crores to the IRCI. Further assistance to the Company from the Central Government would not have been possible unless the Company was nationalised. Any delay in acquisition of the undertakings of the Company, engaged in the manufacture of essential equipment, would have added to the difficulties of the Company and also the burden of the Government. It was in these circumstances and in the public interest that the undertakings of the Company were acquired by the Central Government through promulgation of an Ordinance on 28th June, 1984. If this

(Shri Pattabhi Rama Rao)

Ordinance had not been promulgated, you take it from me that the burden would have been more for the Government to pay and the wages, particularly, of the workers would not have been paid at all.

I am glad that this move of nationalisation has been uniformly welcomed by all the sections, including the workers who number more than 2500. Hon. members, Shri Samar Mukherjee and Shri Sushil Bhattacharjee have given notice of amendment of course, they did not formally move the amendment—suggesting that the age of retirement should continue to be 60. As hon. Members are aware, the retirement age of employees of the Central public sector undertakings is 58 and, therefore it would neither be fair nor would it be correct to retain the age as 60, for this particular undertaking. The matter had been considered very carefully in consultation with all concerned. In fact, in order to mitigate the difficulties, the employees who have attained or will attain the age of 58 years within a period of three months from 28th June, 1984, will be allowed to retire from service by 27th September, 1984. The number of such employees is indicated to be around 210.

In this connection, I would also draw your attention to the Schedule attached to the Bill which assigns the highest priority for discharging the liabilities in respect of wages, salaries and other dues of the employees of the Company out of the sums to be placed at the disposal of the Commissioner of Payments to be appointed.

Before I close, I would like to mention one thing. The hon. Member Mr. Shejwalkar, asked about the dues of the employees. The employees' dues are estimated to be around Rs. 165 lakhs as on 30.6.84. This will be covered by the sum to be paid to the Commissioner of Payments.

Hon. Members Shri Samar Mukherjee and Shri Sushil Bhattacharjee have not formally moved the amendment. I said the four employees of the Company were dismissed on grounds of misconduct, for which they had been charge-sheeted earlier. The case was that in January, 1983, some of the employees of Port Engineering Works, a unit of Hooghly Docking & Engineering Company Ltd resorted to violence and assaulted officers also under instigation from the union leaders. In such a situation, a lockout had to be declared on 15th January, 1983, and this was lifted in phases between 19th June, 1983 and 3rd July, 1983. Charge-sheets were served, in all, on 28 employees. On completion of domestic enquiry, 23 employees were taken back with minor punishment. Four employees were dismissed on proven charges of major misconduct. The principles of natural justice were observed by the Enquiry Officer and each employee was given every opportunity to defend himself. The action of the management was unavoidable for maintenance of discipline. There is no justification for any action to reinstate the dismissed employees.

SHRI NARAYAN CHOUBEY :
Is it a gesture for nationalisation ?

SHRI PATTABHI RAMA RAO :
No question of gesture of nationalisation. In Bengal, we find most of the units are like this. I am sorry, it is my observation.

SHRI NARAYAN CHOUBEY : It is motivated.

SHRI PATTABHI RAMA RAO :
It is not a question of motivation. The moment we make a mention of the name of West Bengal, you all rise.

(Interruptions)

SHRI PATTABHI RAMA RAO :
I am telling you the facts.

(Interruptions)

SHRI PATTABHI RAMA RAO :
The number of Undertakings which were nationalised in Bengal is large. But the biggest trouble in all of them is labour.

PROF. RUP CHAND PAL : I will show you figures that in other States the picture is worse.

SHRI PATTABHI RAMA RAO :
There may be some units here and there. But in West Bengal the number of such units is large. The nationalised units are more in West Bengal. With these words, I request the House to reject the resolution moved by Shri N. K. Shejwalkar and take the Bill into consideration.

SHRI N. K. SAEJWALKAR :
Before I speak, let the hon. Minister throw some light on the questions I put.

MR. CHAIRMAN : He has replied earlier.

SHRI N. K. SHEJWALKAR : I raise certain specific points. You have provided Rs 650 lakhs. But how? You said that priority is there. I know that priority is there. It is given in the schedule. I wanted to ask you in between. But you said "Don't disturb me".

You have been kind enough to tell regarding use of Rs. 165 lakhs up to 30th June. But what about the categories of arrears and compensation etc? My point is that you have arrived at Rs. 165 lakhs without any basis.

SHRI PATTABHI RAMA RAO :
No.

SHRI N. K. SHEJWALKAR :
According to me, I say. I do not say according to you.

Until and unless you make out your case and show to the House how you arrived at Rs. 650 lakhs, I can say

according to me. This is the question I ask you.

We have said that you ultimately brought this Ordinance for this purpose. What has happened after you took over this company on 28th June, 1984 to this date? How much money have you provided? What have you done?

Until and unless you point out that something could be done within that time, the justification for the ordinance will not be there. I want you to tell the House as to what was the justification and actually what was done. I will show another case—Mr. Sathe is sitting here—about taking over of another company. Why could you not do that? What would have happened in one month's time? Even according to you from 1973 onwards, or even earlier than that, the company was not in a good shape. The IRCI had to finance. You said that in 1978 itself there was a deficit of Rs. 10 crores. In 1982 again you provided some loan. You also said that there was a report regarding this company. When was that report submitted to you? That is very material because if the report was there that you should take over the company and it was submitted two years before, what was the Government doing in the last two years? Why did you not bring the Bill earlier instead of coming with an Ordinance like this? These are my questions. Without giving replies to these specific questions, just making a general statement, I do not know, how it will help the House. It is for you to explain the position. If you do not want to explain it, with facts and figures, then I will presume that you have had no justification. Unless you reply to the specific questions I have put how can I go ahead? If you have anything to say, you are welcome to say.

SHRI PATTABHI RAMA RAO : I have already explained why an Ordinance had to be issued.

MR. CHAIRMAN : He has already explained.

SHRI N. K. SHEJWALKAR : You are not appreciating what I have said...

MR. CHAIRMAN : You have already covered all the points.

SHRI N. K. SHEJWALKAR : I will wind up. I am not accustomed to making long speeches.

THE MINISTER OF CHEMICALS AND FERTILISERS (SHRI VASANT SATHE) : You can withdraw your Resolution.

SHRI N. K. SHEJWALKAR : You say that you made a mistake in bringing an ordinance ; then I will withdraw.

SHRI PATTABHI RAMA RAO : I have given the justification why we had to bring an ordinance.

SHRI N. K. SHEJWALKAR : Anyway, what I want to say in brief is this. It is not my contention that ultimately every nationalisation is bad ; I never said that. Earlier, the Minister in charge of the textile industry also had said at that time that all sick industries were not going to be nationalised.

The point made by Mr. Vyas was that it was done to provide employment. There are so many other ways of providing employment. Spending about Rs. 30,000 crores where the outcome is only 0.84 per cent is ridiculous. That cannot be the point. Therefore, what I am submitting is this. Ultimately, nationalisation cannot be the goal ; it is only a means to achieve certain objectives. When the means is advanceous we should have it. If the means not serve the purpose, then we should drop it. We should be frank about these things. Taking shelter behind a slogan is not going to help us. That is what I have to say regarding nationalisation.

You are not giving any figures to the House. You are taking things

very lightly. A measure like this should not be adopted by way of an ordinance. It has been continuously held by several rulings by the Chair. You do not think it necessary to explain as to what was the necessity for issuing an Ordinance. You go on saying that there was a necessity by merely pronouncing the term 'in public interest'. This is not going to help. Therefore, I have to stand by my Resolution, and I do stand by my Resolution.

MR. CHAIRMAN : The question is :

"This House disapproves of the Hooghly Docking and Engineering Company Limited (Acquisition and Transfer of Undertakings) Ordinance, 1984 (Ordinance No. 7 of 1984) promulgated by the President on the 28th June, 1984."

The motion was negatived

MR. CHAIRMAN : The question is :

"That the Bill to provide for the acquisition and transfer of the undertakings of the Hooghly Docking and Engineering Company Limited with a view to securing the better utilisation of the available infrastructure thereof, to modernise and increase the capacity for shipbuilding and ship repairing so as to reduce the import of ships, vessels and craft and to augment the production of grey iron, non-ferrous and alloy castings by the said undertakings so as to subserve the interests of the general public by ensuring the continued supply of the said articles which are essential to the needs of the economy of the country, and for matters connected therewith incidental thereto, be taken into consideration."

The motion was adopted

MR. CHAIRMAN : The question is :

"That clauses 2 to 12 stand part of the Bill."

The motion was adopted

Clauses 9 to 12 were added to the Bill

MR. CHAIRMAN : There is an amendment by Mr. Samar Mukherjee and Mr. Sushil Bhattacharya. But they are not here. So the question is :

"That clause 13 stand part of the Bill."

The motion was adopted

Clause 13 was added to the Bill.

Clauses 14 to 33 and the Schedule were added to the Bill

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

SHRI PATTABHI RAMA RAO : I beg to move :

"That the Bill be passed."

MR. CHAIRMAN : The question is :

"That the Bill be passed."

The motion was adopted

16.36 hrs.

BENGAL IMMUNITY COMPANY
LIMITED (ACQUISITION AND
TRANSFER OF UNDERTAKINGS)
BILL

THE MINISTER OF CHEMICALS
AND FERTILIZERS (SHRI VASANT
SATHE) : I beg to move* ;

"That the Bill to provide for the acquisition and transfer, in the public interest, of the undertakings of Messrs Bengal Immunity Company Limited, 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, in the public interest, of the undertakings of Messrs Bengal Immunity Company Limited, and for matters connected therewith or incidental thereto, be taken into consideration."

15.37 hrs.

[SHRI N. K. SHEJWALKAR
in the Chair]

SHRI VASANT SATHE : I do not have to say much while moving for consideration of this Bill. The Statement of Objects of this nationalisation of Bengal Immunity Company Bill makes already clear the purpose. I think this should be the shortest discussion on any Bill. So I feel there would be hardly any likelihood of any opposition from any quarter. There has been a long pending demand in this House and ultimately I have brought forward this Bill to nationalise this company which produces drugs which are essential for the people.

This Company has a history. It was established by B C Roy and his colleagues and since it was established in 1919 it was mainly producing life-saving drugs. Unfortunately—I do not want to go into those things—the company was beset with labour and management troubles. Therefore, it

* Moved with the recommendation of the President.