

14.48 hrs.

ELECTION TO COMMITTEE
CARDAMOM BOARD

THE DEPUTY MINISTER IN THE
MINISTRY OF COMMERCE (SHRI
VISHWANATH PRATAP SINGH): I
beg to move:—

“That in pursuance of sub-section
(3) (c) of Section 4 of the Carda-
mom Act, 1965, the members of this
House do proceed to elect, in such
manner as the Speaker may direct,
two members from among them-
selves to serve as members of the
Cardamom Board, subject to the
other provisions of the said Act.”

MR. DEPUTY-SPEAKER: The
question is:

“That in pursuance of sub-sec-
tion (3)(c) of Section 4 of the
Cardamom Act, 1965, the members
of this House do proceed to elect
in such manner as the Speaker
may direct, two members from
among themselves to serve as
members of the Cardamom Board,
subject to the other provisions of
the said Act.”

The motion was adopted.

14.49 hrs.

STATUTORY RESOLUTION RE.
DISAPPROVAL OF THE SICK TEX-
TILE UNDERTAKINGS (NATIONALI-
SATION) ORDINANCE, 1974 AND
SICK TEXTILE UNDERTAKINGS
(NATIONALISATION) BILL—contd.

MR. DEPUTY-SPEAKER: Now, we
resume further discussion of the Sta-
tutory Resolution disapproving the
Sick Textile Undertakings (Nationa-
lisation) Ordinance and the Sick Tex-
tile Undertakings (Nationalisation)
Bill seeking to replace the Ordinance.

SHRI KRISHNA CHANDRA HAL-
DER (Ausgram): Sir, I rise on a point
of order. Where is the Minister in-
charge of the Bill?

THE MINISTER OF STATE IN THE
MINISTRY OF INDUSTRY AND
CIVIL SUPPLIES (SHRI A. P.
SHARMA): I am here. (Interrup-
tions).

MR. DEPUTY-SPEAKER: Al-
though it is true that according to
the rules, the Minister in-charge of
the Bill... (Interruptions). Order,
please. I do not like to run the House
in this manner. There has to be
some decorum.

AN HON. MEMBER: He is coming.

MR. DEPUTY-SPEAKER: He may
have come now. We are in the midst
of something else. If any Minister
wants to deputise for any other Min-
ister, the least he could do was to in-
form me here. I do not like this.
While I respect all the hon. Members,
I would also like the hon. Members to
respect the Chair; not respect me.
And the least we could do is not to
take the Chair for granted. As long
as I sit in this Chair, I will not accept
the position that anybody will take
the Chair for granted. Now, let us
carry on.

SHRI S. M. BANERJEE (Kanpur):
Sir, I want to know....

THE MINISTER OF STATE IN
THE MINISTRY OF INDUSTRY AND
CIVIL SUPPLIES (SHRI B. P.
MAURYA): May I submit....

MR. DEPUTY-SPEAKER: Let
Mr. Banerjee finish.

SHRI S. M. BANERJEE: Out of the
six hours allotted, I want to know,
how much are we devoting for the First
Reading because I have to move my
amendments. I want to know whether
we will continue upto 4.30 or 5.00 p.m.
the First Reading. In fact, it should
continue for the whole day because
it is a very important Bill.

Lastly, Sir, I thought, Mr. A. P.
Sharma, had become responsible after
becoming a Minister.

उद्योग और नागरिक प्रति संघालय में राज्य मंत्री (श्री बी. पी. शर्मा) : माननीय उपाध्यक्ष महोदय, मैं आप से नम्र निवेदन केवल इतना ही करना चाहता हूँ कि जैसे यह प्रश्न उठा कि संबंधित मिनिस्टर कहां पर हैं, मैं पानी पी रहा था और पानी झूरा छोड़ कर मैं आया, आ कर वहां बैठ गया। क्योंकि आप खड़े थे, मैं ने यह उचित नहीं समझा कि आपके खड़े होते हुए दौड़ता हुआ यहाँ आऊँ, इसलिए मैं वहीं बैठ गया। यदि आप का ध्यान उस ओर न जाये तो इस के लिए आप मुझे सजा क्यों देते हैं? इस के झलावा मैं पन्द्रह मिनट के लिये जब बाहर भी गया था तो उस के लिए भी मैं अपने साथी श्री ए पी शर्मा से निवेदन कर गया था। पर जिस समय यह एतराज उठा है उस समय मैं लाबी में पानी पी रहा था। पानी भी पूरा नहीं पिया और वहाँ आ कर बैठ गया। लेकिन आपका ध्यान नहीं खींच पाया इस के लिए मैं क्षमा चाहता हूँ। (व्यवधान)

MR. DEPUTY-SPEAKER: When it suits your purpose, you cooperate with the Chair and when it does not suit your purpose, you do not. While I am running the House, you are having your purpose, you do not. While I am ing at the top of your voice. I do not understand this.

Now, I have no reason to disbelieve what the Minister says. The very fact that he has made this submission shows that he has that regard for the Chair. Another Minister can deputise for a Minister, but the only thing is that you should at least inform and say that, because of this, he will be here. That is enough.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): This Minister was piloting the Minister who is piloting the Bill.

SHRI S. M. BANERJEE: How are we dividing the time allotted for this?

MR. DEPUTY-SPEAKER: We had

tentatively arranged that four hours would be taken for general discussion and two hours for clause-by-clause consideration and Third Reading. Let us do our best. We are already much behind the schedule.

SHRI S. M. BANERJEE: Do we continue the First Reading upto 5.00 P.M.?

MR. DEPUTY-SPEAKER: How can I say?

Shri P. M. Mehta.

SHRI P. M. MEHTA (Bhavnagar): The Sick Textile Undertakings Nationalisation Ordinance promulgated by the President in an anti-labour ordinance and the subsequent Bill also has the same character.

The objective of the Bill is to provide for the acquisition and transfer of the right, title and interest of the owners in respect of the sick textile undertakings specified in the First Schedule with a view to re-organise and rehabilitating such sick textile undertakings so as to subserve the interests of the general public by the augmentation of the production and distribution, at fair prices, of different varieties of cloth and yarn, and for matters connected therewith or incidental thereto.

How are they going to augment the production? They have neglected one of the basic factors of production and they have given undue weightage to the capitalists. Clause 5 in Chapter II—Sub-clause (2)(a) reads like this:

"For the removal of doubts, it is hereby declared that,—

(a) save as otherwise provided elsewhere in this Act, no claim for wages, bonus, rate, rent, taxes, provident fund, pension, gratuity or any other dues in relation to a sick textile undertaking in respect of any period prior to the appointed day, shall be enforceable against the Central Government or the National Textile Corporation;"

This is the negative reward given by the Government to the labour for all their labour and for their having brought these properties to the Government.

The House will recall that in 1968 the owners of the mills started closing their units under the pretext of financial crisis and the large-scale closure demanded the taking over of the mills. And the House will also recall that there is a Textile Labour Association of Ahmedabad which initiated a movement and the Government was compelled to take over the sick textile mills under the Industries Development and Regulation Act. But what was the process followed under that Act? Investigation Committees were appointed. They went through the different aspects of the companies, their financial position, the condition of the machinery and the economic viability. After receipt of the recommendations of that committee and knowing full-well that these units are economically viable, the Government took over all these textile mills under the Industries Development and Regulation Act. These units were economically viable but due to the unfair trade practices, due to the maladministration and due to mismanagement and other corrupt practices, these mills were not functioning and running profitably.

15.00 hrs.

Their owners exploited this means of production and the mills were ultimately closed. The workers' wages were not paid. They earned these wages but these were not paid and their bonus amounts were not paid, gratuity and other privileges which accrued were not paid by the past management. Those workers worked hard in those mills and they made these mills viable and profitable. The Ordinance and the subsequent Bill deprives these people of their legitimate dues. There is no provision here-in in regard to giving them these privileges and dues accrued because of their valuable service in the undertaking.

There is no adequate and satisfactory provision in the Bill so that workers may feel that their dues will be paid by the Government and they can work in a confident manner.

For augmenting production they should take such steps. If you ask whether the legitimate right of the workers are protected, the answer is, it is not. There is no mention for safeguarding all these things in this Bill, on the basis of recognition of past service, on the basis of production, retrenchment compensation, provident fund contribution, seniority, annual increment, payment of past arrears of gratuity, wages, bonus, provident fund, leave wages and other things. There is no mention in this Bill. This Bill therefore, I would say, reflects the anti-labour policy of the Government. So, this Bill requires an amendment in this respect which the Government must bring forward.

102 mills are nationalised. They are paying Rs. 39,18,13,000 as per para 1. As per para 2, they will have to pay Rs. 2,000 per month. According to para 3, they will have to pay Rs. 13,06,000 per month. They are paying such huge amounts to the owners. But they have never cared for the workers who have brought this property to the doors of the Government. This is the oldest industry in the country and if you calculate its depreciated value, this will come to zero. No compensation is necessary. They mismanaged, followed corrupt practices, and these had to be closed down. Why should compensation be given to these who have not cared for the workers, for the public? Why should you pay such huge amounts? We would not mind had you made any provision to protect the rights and privileges of the workers.

In regard to the situation of the textile industry I would submit that 7000 workers of Ahmedabad city

[Shri P. M. Mehta]

alone have been rendered unemployed. They have been thrown out of employment for the last two months and no action has been taken. Is this the way to augment production only. It is to bring pressure, to raise the crisis and the Government is helpless and is watching it. Workers to-day are thrown out of employment.

In regard to the cheap cloth and the fair distribution of the controlled cloth I may state that there is no adequate arrangement to get the controlled cloth in the rural areas as well as the urban areas. Time and again this point has been made in this House but till to-day no satisfactory and proper arrangement has been made for the distribution or for producing more cloth. May I ask the Minister, who prevents you from producing more of cheap and coarse cloth you should decrease the number of different varieties and you should compel the mill to weave the coarse and medium cloth according to the requirements of the people.

श्री शिवनारायण सिंह (झुंझुनु) : उपाध्यक्ष जी, 103 टेक्सटाइल मिलों का राष्ट्रीयकरण होने की बात है, मैं इसके लिये उन टेक्सटाइल मिल मीनर्स को धन्यवाद देता हूँ जिन्होंने उन मिलों का पूरा खून खूस लिया और उसके बाद हमारी सरकार का ध्यान दिलाया कि इनका राष्ट्रीयकरण करो। यदि थोड़ी बहुत जान भी छोड़ देते तो हमारी सरकार कभी भी उनके राष्ट्रीयकरण की तरफ नहीं जाती। राष्ट्रीयकरण इस लिये हो रहा है कि इन मिलों का इन्तजाम ठप्प हो गया है वे मिलें आज चलने की स्थिति में नहीं हैं। मैं निवेदन करना चाहता हूँ—ये मिलें आज चलाने की स्थिति में क्यों नहीं हैं? इस लिये कि मिल मीनर्स ने उन मिलों से जितना रुपया और जितना प्रॉफिट कमाया, उससे आज उन्होंने कई नई मिलें कायम कर लीं।

कल मेरे एक साथी कह रहे थे कि इसमें क्लास 6 ऐसी है जो वर्कर्स के राइट्स और उनकी गाड़ी कमाई को खत्म कर रहा है और उन वर्कर्स के राइट्स को हमें प्रोटेक्ट करना चाहिए, उनके प्रॉब्लिम्स फण्ड का रुपया प्रोटेक्ट होना चाहिए—मैं भी इस बात को मानने वाला हूँ—यह जरूर प्रोटेक्ट होना चाहिए। अब मैं इसका तरीका बतलाना चाहता हूँ। इन 103 मिलों में एक भी ऐसी मिल नहीं है जिसकी कोई सिस्टर कन्सर्न न हो। एक भी ऐसी मिल नहीं है जिसकी कमाई से दूसरी मिल न लगी हो। आज इन मिलों के इतने ऐंस्ट्स नहीं हैं जिन से वर्कर्स के राइट प्रोटेक्ट हो सकें, लेकिन सिस्टर कन्सर्न तो हैं, जो इसी मिल की कमाई से कायम हुई हैं। आप उन मिल मीनर्स के सिस्टर कन्सर्न के प्रॉफिट से रुपया लेकर इनको पे करें। ये मिलें तो ऐसी मिलें हैं जिनका खून चूसा जा चुका है, इनके मीनर्स ने पोलिटिकल में भाग लिया, अदर-एक्टिविटीज में भाग लिया, लड़के-लड़कियों की शादियां कीं, अनेकों प्रकार का करपशन किया, आज हम उसको हाइट वाश कर रहे हैं, उसको मान्यता दे रहे हैं। इस लिये ऐसी एक्टिविटीज में सरकार की साझेदारी नहीं होनी चाहिए।

जितने भी पार्लियामेंट या मन्सम्बलियों के चुनाव होते हैं मिल मीनर्स अपनी गाड़ियां और पैसा खेजते हैं और उनका पूरा लवाजमा जाता है जिसका खर्चा मिलों को भुगतना पड़ता है, न कि अपनी गांठ से देते हैं। जब उन्होंने सरकार की नीति का पूरा लाभ उठा लिया, प्रोब्लिम्स फंड का रुपया खा लिया, इम्पोर्ट और एक्सपोर्ट लाइसेंस भी कमाई खाती है और एक, एक बीमार मिल से 10, 11 नई मिलें खड़ी कर लीं, तब उन पुरानी मिलों को वह सरकार को दे रहे हैं। इसलिये क्लास 6 को रक्षित और वर्कर्स

की इच्छा को प्रोत्साहन दीजिये और उनकी सिस्टर कम्पन्नि में मजदूरों का बकाया पैसा लीजिये।

मिलें खराब इसलिये हुई कि सरकार ने अपने कर्तव्य का निर्वहन नहीं किया। आज कम्पनीज ऐक्ट वे: तहत इस प्रकार की पाबन्दियां हैं कि कोई भी मिल मालिक अपनी मिल की कमाई को इस तरह से अस्तव्यस्त नहीं कर सकता। यदि सरकार की मशीनरी विजिलेंट होती तो कोई भी मिल मालिक इस तरह से रुपया खर्च नहीं कर सकता था। मजदूरों का प्रोबिडेंट फंड का पैसा किसी सिक्कोर प्लेस में जमा होना चाहिए, ऐसा किया है। लेकिन सरकार ने उस तरफ कोई ध्यान नहीं दिया। और आज कहते हैं कि वह रुपया हम मिल मालिक से नहीं ले सकते। अगर हमारी चैकिंग मशीनरी विजिलेंट होती तो यह दिक्कत नहीं आती। चोरी करने वाला तो जरूर चोरी करेगा, लेकिन चोरी को रोकने की जम्मेदारी सरकार की है। सरकार के पास मशीनरी थी जो इस चोरी को रोक सकती थी। लेकिन उसने अपना काम नहीं किया। इसलिये मेरा कहना है कि सरकार ने अपने कर्तव्य का निर्वहन नहीं किया।

आप 103 मिलों का राष्ट्रीयकरण कर रहे हैं। लेकिन हमें देखना चाहिए कि इस उद्योग का सम्पूर्ण रूप से राष्ट्रीयकरण कर सकते हैं कि नहीं। राष्ट्रीयकरण की कई कमियां हमारे सामने हैं। लेकिन जो स्कीम नेशनलाइजेशन की है उसकी कमियां नहीं हैं, बल्कि हमारे मैनेजमेंट की कमी है। आज पब्लिक सैक्टर के कारखाने ठीक से नहीं चल रहे हैं, इसका मतलब यह नहीं है कि पब्लिक सैक्टर ऐज सब ही खराब है। खराबी हमारे मैनेजमेंट की है। इसलिये पब्लिक सैक्टर को बर्बाद करना चाहिए और सभी कपड़ा मिलों को नेशनलाइज करना चाहिए। तथा कपड़े के सम्बन्ध में हमारी क्या नीति हो इसको तय

करना चाहिए। आज कई हजार किस्में कपड़े की बनती हैं जिनकी पैसों वाले लोग पहन कर अपनी हैसियत का प्रदर्शन करते हैं। जबकि गरीबों को अपनी जरूरत का कपड़ा नहीं मिलता। इसलिये मेरी मांग है कि किसी भी आदमी को अपनी हैसियत का प्रदर्शन समाज में करने के लिये कपड़ा का उत्पादन नहीं होना चाहिए। देश में करोड़ों लोगों के पास कपड़ा नहीं है और हमारे देश के कुछ प्रतिशत ही लोग कपड़ा पहन कर समाज के अन्दर अपनी हैसियत को दिखाते हैं। इस प्रकार की उत्पादन की पोलिसी हमें बदलनी पड़ेगी। किस प्रकार का कपड़ा पैदा करें यह हमें तय करना चाहिए। जितने भी नेशनलाइज्ड मिलें हैं, तथा जेप जो और कपड़े की मिलें हैं उन पर इस पाबन्दी को लगायें। अगर निश्चित किन्म का कपड़ा कोई मिल नहीं बनाती है तो आप उस मिल पर फ्राइन करते हैं। मेरा कहना है कि फ्राइन में काम नहीं चलेगा, बल्कि उनके लाइसेंस को कैसिल करना चाहिए।

रा काटन और फिनिश गुड्स के बीच में कितना हम वैरियेशन चाहते हैं यह हमें सोचना चाहिए। 2. 4 २० बिलो के हिसाब से रुई मिलती है लेकिन फिनिश प्रोडक्ट का दाम 2,800 २० तक होता है। यह उचित नहीं है। इसको हमें देखना पड़ेगा। मिल मालिक को इसका फायदा नहीं होना चाहिए, बल्कि उत्पादन करने वाले को इसका लाभ मिलना चाहिए। तो प्रीफ़्ट का कितना साजिन हम देना चाहते हैं इसका हमें निर्धारण करना चाहिए। मैं चाहता हूँ कि इस प्रकार का बिल ग्राह्मन्दा न आये, बल्कि हमें सम्पूर्ण टैक्स्टाइल मिलों को नेशनलाइज करना चाहिए, इस उद्देश्य का बिल आगे आयेगा ऐसा हमारा विश्वास है, और उस बिल का हम समर्थन करेंगे।

SHRI ERASMO DE SEQUEIRA
 (Marmagao): Permit me to begin by

[Shri Erasmo de Sequeira]

recording a protest against government by ordinance. This was a case where the mills were already in the management of Government and there could be no particular hurry in coming forward with the ordinance.

I was listening to the Minister the day before yesterday giving us the reasons. One particularly was objectionable because he said that there were some court orders which prevented take over of some mills and therefore an ordinance had to be promulgated. This is being increasingly done, now. We are seeking to get around the courts with ordinances and I submit the whole House should take notice of this, and realise that we have a constitution with checks and balances and that we must observe some sort of constitutional propriety and not bring this House into unnecessary confrontation with the courts.

This is a takeover of sick institutions. Behind the demand for the sick mills, I heard yesterday a demand that the sick mica mines be taken over. There is already a demand in regard to the sick sugar mills. I want to ask Government whether it is part of its policy now to expend the scarce resources of this country to buyjunk, because that is what they are buying.

In the causes of sickness, Government have put forward the idea that the entire sickness was caused by mismanagement. But when the mills they have taken over are 16 per cent of the total spindage and 22 per cent of the total looms in this country, I think we must look for other reasons as well. Government themselves have put forward many of those reason when they gave the reasons why the mills continue to be sick after takeover. Many of those reasons given in this note prepared by our Secretariat are an indictment of Government's policy with reference to power, labour and other segments of administration.

The Bill shows us several aspects of the gap between the announced

policy of Government and their actual performance in practice.

Take the question of controlled cloth. Government preach from the house tops that they are committed to the common man, that they will give him cloth at controlled prices. What is the performance of the sick mills which Government are running? When production went up from 583 million to 806 million meters, controlled cloth went from 97 to only 112. This is what throws in doubt the entire credibility of Government. They say one thing and do another.

This Government while ciamouring from the house tops, and screaming from the commanding heights, that they are on the side of the workmen show their real attitude in this Bill. They are prepared to pay Rs. 39 crores to management for junk, but to the labour who work these mills, who rebuilt them, they aren't even prepared to assume the responsibility for their back wages before takeover, for their provident fund contribution and, the way the bill is drafted, not even for their gratuity. This is something intolerable. I am sure this House will never tolerate it.

I was very very happy to hear from the ruling party benches yesterday a very strong plea that the first charge should be the back wages of the employers and I hope that the hon. members who have spoken will vote as they have spoken, though it would not surprise me if they do not.

SHRI M. C. DAGA (Pali): We have done a duty.

SHRI ERASMO DE SEQUEIRA: That may be so. It is not what you say but the law that counts. The courts are not going to listen to what you say, but what you do in the law.

Look at the attitude to Parliament. We are supposed to be an organisation, a body that sanctions and approves government expenditure. They are asking us to sanction Rs. 39 crores of public money. By their own confession, the machinery of these mills is almost a century old, and yet not one line is given to this House by

way of an explanation of how these Rs. 39 crores were worked out.

This is the attitude of the Government to this House. How are we to discharge our responsibility? I insist that the Government should come forward and tell us exactly how Rs. 39 crores were worked out. Unless they do that they do not allow us to discharge our responsibility to find out whether the money is being properly spent.

We know that we had two good years and the textiles did very well. Mills that were run by the Government did rather less well than other mills. The position has now changed. Stocks are mounting up Cotton prices are crashing. What is your textile policy? Can you say that your textile policy is to have 3,000 varieties of cloth in a poor country? Can you say that you have a textile policy when of the long staple cotton that you are importing in the name of export promotion, only ten per cent of the cotton is used for exports. Can you say that you have a textile policy when only 14 per cent of the cloth is controlled and more than half of that is sold in the black market? What policy have you got? What are you going to do with sick mills when everything is crashing? Are you going to bury them?

I want to end with a word of caution. When you are planning modernisation of the sick mills—I believe you have Rs. 46 crores for this—there is one fact that this Government does not realise. Everybody in the country talks of production, but it is completely meaningless unless it is accompanied by the massive utilisation of manpower. In modernising the textile mills or agriculture or anything. Government must not go helter skelter for machines to replace men. Please review this and see that with Rs. 46 crores you do not replace manpower with machines because men need wages so that they can live.

SHRI M. RAM GOPAL REDDY
 (Nizamabad): The sick textile mills

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have been nationalised but I should begin by saying that Government should not wait till the mills become sick to take them over. Wherever symptoms of sickness are there they should immediately take over that mill just like a doctor does not wait till an epidemic spreads; a good doctor always tries to control the disease before it actually occurs.

MR. DEPUTY-SPEAKER: Provided he is a good doctor.

SHRI M. RAM GOPAL REDDY: Mr. Maurya has taken 103 sick children and what sort of balanced food is he going to give them? Unless he gives them balanced and good food, those mills will not become strong. Those mills should immediately be modernised and rehabilitated; otherwise they will become scrap in two or three years.

We are producing in our country textile machinery and textile machinery manufacturers are utilising fifty per cent of their capacity. Machinery worth Rs. 60 crores is being produced. Out of that Rs. 30 crores worth is exported. The hon. Minister Prof. Chattopadhyaya was saying that he was thinking of importing Rs. 400 crores worth of textile machinery. It is unnecessary and Government should not import any machinery from outside because we are ourselves in a position to export machinery worth over Rs. 60 crores. If the textile machinery manufacturers are allowed to produce and their machinery is consumed every year, they can produce Rs. 120 crores worth of machinery in this country. That is why I would first request the Minister to see that these mill are modernised immediately.

Secondly, I would like to say that no cotton should be imported into this country. We are already producing H-4 and Varalakshmi varieties of cotton in this country. This is the best long-staple cotton and these cotton growers must be encouraged. Now, the cotton prices are falling like anything. What is happening in the case of sugar industry is going to

[Shri M. Ram Gopal Reddy]

happen here also. In one year, we have got glut of sugar and plenty of sugarcane. Immediately, next year, there is no sugarcane and there is scarcity of sugar. Here also, the same thing is going to be repeated. In one year, we have plenty of cotton and, next year, there will be scarcity and famine of cotton.

This year, we are producing more of cotton and of good varieties. Their prices have come down like anything. The Government should see that cotton prices are so maintained that cotton growers are allowed to make at least reasonable profits. The cotton is being grown all over the country. In every State, the people have taken to growing of cotton. That is why, more responsibility rests on the Minister.

We are now going to have the National Textile Corporation and some subsidiary Corporations. Here, I want to point out that in Andhra Pradesh, there are six mills which are being taken over by the Government. I want that at least one subsidiary Corporation must be established at Hyderabad. Three or four States are clubbed together and it is established at a place where not even one or two mills are existing. The Minister should not unnecessarily give rise to any political controversy. Already, our State has experienced two violent movements. I do not want that another movement to be started.

Then, Andhra Pradesh Government has invested over Rs. 6 crores in these mills, either by way of guarantees to the banks or financial institutions or direct. Now, when the Government is taking over these mills—either it is the Central Government or the State Government, it is all the same—I would request the Minister to see that this amount of Rs. 6 crores which the Government of Andhra Pradesh has invested in these mills is reimbursed to them.

Lastly, the workers' gratuity, wages and everything must be paid to them. After all, they live in the hope that

they will get the amount in old age. The Bill does not give first priority to that. I strongly plead that the gratuity, provident fund, everything must be paid first to the workers and, later on, if any amount is remaining, that may be given to the mill-owners.

SHRI P. G. MAVALANKAR
(Ahmedabad): Mr. Deputy-Speaker, Sir, this sick Textile Undertakings (Nationalisation) Bill is, of course, welcome because the whole effort of the Government is to restore health to the units which are already sick. But the whole purpose should not be merely to restore health.

The Government have themselves said that this is a Nationalisation Bill. They are taking over the responsibility of running these mills. I would, therefore, like the Government to come out with a pattern of nationalisation which would be a model to textile undertakings and other units in the whole country.

I am afraid, my initial objection and a very important objection to this Bill is that this Bill, although it is useful, the way it has been drafted, the way a number of things have been suggested, does not meet the main point. Does it give really a certain pattern, a certain model, of nationalisation?

But before I come to that point, I would first ask this question to the Government. Why should the Government have gone in for an Ordinance? We are discussing both the Statutory Resolution and the Bill together. I do not see any special urgency about the promulgation of the Ordinance by the President as back as, and before the session, on the 24th September, 1974. If the Government come and say that if they had not gone in for an Ordinance, the heavens would have fallen in terms of certain unavoidable impediments which would be put by the owners I would have understood it. If there are no impediments and merely because the Government has the power of promulgating an Ordinance why should they go

in for an Ordinance? Now, I ask: Have Government really gone into this question of finding out what are the problems of the sick textile undertakings? Without going into the nature of the sickness, without going into the problems involved in the sickness, without going into the causes of sickness, if you merely go on taking over, and even if you make them profitable later on, after some years. I would still not be satisfied because taking over these units and making them profitable without trying to go into the causes of suffering will lead you nowhere. My grievance is that this Bill, to that extent, is incomplete or inadequate because it does not go to the root of the problem.

I want to ask one simple question. Have any of these owners or Managing Directors of these sick textile units become sick? Have they gone out of business and employment? Have they gone out of industrial endeavours? Government have taken over about 103 undertakings, but several of the owners of these units are not sick. In Ahmedabad, I make bold to say, none of these owners is "sick". How is it that they themselves manage to be healthy and allow their undertakings to become sick? That means there is no labour participation. there is no labour involvement, they are not having proper machinery, they are not roping in profits for research purposes. and so on. Unless you go into all these aspects and then cure the disease, you will not be able to get anything out of this Bill. I feel that those people who were in charge of these sick textile undertakings—many of them—have been living well; look at their scandalous behaviour, look at their living standards, look at their consumption pattern; there is no change; on the contrary, they are spending more. If they were heads of sick units, how could they afford all these things and luxuries? That means, they have one set of standards for themselves and

another set of standards for workers and others working under them.

Government have a good aim in taking over the sick units. But have Government really gone into the exercise of diagnosing the disease, treating it properly and well and restoring it to normal health and improving the conditions? If you look at the Bill, you will find they have not done it. I want to say that this is not full nationalisation; it is only a partial nationalisation, nationalisation, partially, of only sick and sickening mills. So far so good. But my point is this. Are Government going to see that these sick textile units which have been taken over by them are given a new pattern in terms of modernisation, in terms of new machinery being installed, in terms of adoption of new technique of industrial production, in terms of showing how labour participation can become successful and meaningful? It is not enough that we have schemes of labour getting the right at sharing profits; apart from profit-sharing which is the right of the labour, we must see that labour has a place in management. I would like to ask the hon. Minister whether his Bill and his proposals do contain anything of his sort or is it merely taking over the sick units and giving them some sort of help.

I now come to the question of compensation or amount. These people who were the heads of the sick textile units have had enough for their consumption pattern, they have been spending on their consumption in a very fabulous way; and yet you are giving them compensation or amount. Basically, it is a good principle. If you take something, you must pay some compensation or amount. But you are going to pay so much of amount by way of compensation to those who have already enough. Of course, they were running the sick units; they have lost something; and they must be paid for their machinery, etc. But if you pay them so much and do not pay anything to the

[Shri P. G. Mavalankar]

labour who were working all these years, surely it is unjust, it is immoral, it is very very objectionable, and I am quite sure that labour in this country will not tolerate it; at least in my city of Ahmedabad, the labour will not tolerate this kind of situation. You give compensation only to the people who belong to the higher class. The have-nots are in greater difficulties, in greater misery, and you leave them to their fate, to their destiny. But you give so much of amount to the owners. I repeat, I am not against the principle of compensation, but there must be some equity, some fairness, some justice, about it. I feel that, while looking into the problem of compensation or amount, you have also to consider the question of payments of the dues to the labour, their wages, bonus, whatever else has accrued, gratuity, provident fund, etc. All these dues must be paid to the labour who were working there all these years. It was not their fault that those units become sick. Their dues should be paid to them.

Finally, I wish to make one or two remarks very briefly. One is that if it is nationalisation—I am sure my friend, the Minister, Shri Maurya will say that it is nationalisation—then I would like to ask are the Government by this nationalisation in particular and in general, really having a policy which will mean nationalisation for social benefits, nationalisation for economic advantages and nationalisation because of moral compulsions? But if there are no moral compulsions, if no economic advantages are to be got and if no social benefits accrued, why do you want to have nationalisation for the sake of nationalisation?

Finally, have the Government got any uniform textile policy? My feeling is that there is neither a sensible policy nor a policy which is in tune with the principles and requirements of social justice that one can find even in the present administration of the Government.

I also want to refer to one or two other points which I think are rather important. In this Bill which we are discussing, in the First Schedule at page 20, there is an item, item 34—Fine Knitting Mills, near Chamunda-mata, Asarva Road, Ahmedabad. It is considered a sick textile undertaking. But, as far as my information goes, this is neither a sick undertaking nor a textile unit. It is a hosiery unit. Why should such a kind of unit be taken over by the Government? I can understand their anxiety and enthusiasm to take over anything....

MR. DEPUTY SPEAKER: It is not a mill?

SHRI P. G. MAVALANKAR: It is not a mill. It is a hosiery unit and it is not a sick unit.

SHRI ATAL BIHARI VAJPAYEE: (Gwalior): They will make it sick.

SHRI P. G. MAVALANKAR: I can understand their desire and enthusiasm to take over sick mills. But if it is not a sick unit, why should it be taken over? Then, according to my information, this particular undertaking has gone to the High Court and obtained a stay order against the Government's order. If so, why have they included its name in the schedule?

Lastly, let me conclude that we are talking of sick textile mills whether in Ahmedabad or Gujarat or in the whole country. I want to know with reference to the so-called non-sick textile mills in Ahmedabad and elsewhere, whether their condition is good, whether their normal health is good. My information is that in Ahmedabad alone as many as 7000 and more workers lost their jobs in the last two months because of the closure of the third shift. Many of the 66 existing units, which are in no case sick mills, have made in the last two to four years fabulous profits which run into crores of rupees. Is there any sharing of these profits by the workers?

Has the workers' lot been improved? Therefore, my contention is that if you are going to look into the question of the sickness of the mills, what about the so-called non-sick textile Mills? Compel them to re-open their third shift so that the workers may return to their jobs. Only yesterday I heard that some mills have closed their second shifts also because the Government are not taking any action. If this kind of things goes on, I am afraid, even the so-called non-sick mills will compel the Government to convert them into sick mills.

SHRI RAJA KULKARNI (Bombay-North-East): In the recent past this House has passed a number of legislations on nationalisation of many industries and many members from both sides have welcomed it. It is only the employers whose undertakings were taken over opposed and criticised the Bills of nationalisation in the public. But, here what we find is that in this piece of legislation because there is ownership coming along with the word 'nationalisation', everything has been criticised. In this legislation, it is not only Schedule II regarding workers' claims and the claims of others which are being criticised. We have nothing to say so far as Schedule I is concerned because after all the compensation to be paid in the First Schedule is very small and the total of 103 mills is Rs. 39 crores and if that is so, all the mills are supposed to be sick. They are not running concerns. For some years, this was a liability on the economy. Government wants to come out of such a situation. Government is not bound to give them compensation in a normal way. We have nothing to say so far as the amount in schedule I is concerned. Here this is being criticised because workers claims are neglected. In previous nationalisation enactments, it is a social responsibility. It is the Government's responsibility when it takes ownership of an industry, or undertaking. Their due has been liability number one. But here

for the first time we find, Government disowns its liability. It is a very serious point. Government has not understood its implications properly. Government should take cognisance of the total opposition to this way in which Government has neglected its responsibility towards the workers' dues. Workers' dues prior to take over of management must be protected, and secured. All commitments made by the State Government, by the State Textile Corporation or Central Government must be honoured. I come from Bombay. It is a big textile centre. There it started first. First textile mill came up in Nagpur. This was taken in 1959. There was no legislation at that time. This 1972 legislation of take-over of textile mills and textile undertakings, was not there. In 1959, Government took over. There were certain measures which were taken. After that, about 8 or 10 mills were taken before Central Government came into the picture for amending Industrial Development Act, passing the legislation in 1963, Cotton Textile Companies measure in 1971 and then the Industrial Development Act of 1972, and now the present 1974 measure. Before Central Government, the Maharashtra Government stepped in. Commitments were made and on the basis of the commitments, the workers cooperated with the Government of Maharashtra. Their dearness allowances were cut when these closed mills were to be started.

Since this was a commitment made by Maharashtra Government, we would particularly like to know whether the Centre is going or not going to honour these commitments. Are we going to tell them, we will not honour those things, they will not get that, they will not be restored these cuts in their dearness allowances? In respect of all these things, it is the duty of the National Textile Corporation to honour those commitments and give those dues and they cannot go out of this position. Top priority

[Shri Raja Kulgarni]

must be given to the liability of the workers under the nationalised sector.

So, it is not only on that count that this Bill is defective. But there are other counts. There are certain vital and important points which I wish to bring to your attention. One is about the mills in Maharashtra. Sir, Government of Maharashtra is concerned with more number of mills than any other State, I should say.

Out of 103 mills, 6 are actually not under the possession of this National Textile Corporation. The National Textile Corporation is a minority owner at present even in this nationalised sector now. Out of 97 mills which are in possession of the Government for management, they are having only 33 or 34 mills. 59 to 60 mills are managed and controlled by about 7 State Textile Corporations in which the Maharashtra State Textile Corporation is the biggest. 21 mills are run by the Maharashtra State Textile Corporation. About 21 crores of rupees have been invested by the Maharashtra State Textile Corporation and the Central Government has given about Rs. 8 crores. The investment made by the Maharashtra State Textile Corporation has been not only after the take over of management under 1972 legislation but prior to that also because continue production was in the interest of the country, continued employment was in the interest of the country and, therefore, crores of rupees were invested to avoid closure. Under the private management, Maharashtra Government gave guarantee and as against that guarantee about Rs. 4 crores were given. What is going to happen to Rs. 4 crores of the Maharashtra Government?

About 21 crores of rupees I would like to have an assurance, that they are going to protect whatever has been spent, whatever Maharashtra Government has invested under 'leave and licence'. Here what is

protected and guaranteed is 'advances and loans', but what about the money spent under 'leave and licence'? We want that money to be protected. With the management to be taken over we do not want the National Textile Corporation to start another subsidiary in Maharashtra. We are giving this warning. The Maharashtra Government has communicated its views to the Textile Corporation. The Maharashtra Assembly has given its candid opinion not to transfer these mills in Maharashtra to the National Textile Corporation because it is the Maharashtra Textile Corporation which has converted all those loss-making mills into profit making mills. Now the National Textile Corporation would like to take advantage to-day without even sanctioning the investments made in the past and therefore, unless the assurance comes from the Minister here that the present set-up in Maharashtra will not be disturbed, that the management also will remain with the Maharashtra State Textile Corporation and it can be done under Section 11 without any amendment we will not feel satisfied. Therefore, we want the Minister to give this assurance to us.

The third defective point is about the fulfilment of the National Textile policy.

After all, you are nationalising the sick mills. When you are taking over the ownership of the sick mills, you should not give false hopes to the country that you have spelt out the national textile policy. The national textile policy has not been specifically spelt out in a comprehensive and integrated manner. Take the question of standard cloth. Mills under the National Textile Corporation are producing the standard variety.... Sir, kindly give me one minute more.

MR. DEPUTY-SPEAKER: I am only putting it to you that you are depriving some of your colleagues from making their submissions.

SHRI RAJA KULKARNI: These are points which should not go out. These points should be spelt out here.

MR. DEPUTY-SPEAKER: What you say should not go out. Then, some of your colleagues will have to go out of the list.

SHRI RAJA KULKARNI: Time should be given. This is a very important legislation. Therefore, enough time should be given. It would not be proper to cut down the time. After taking over the sick mills, you should also see to it that they are made profit-making concerns instead of loss-making concerns. This would be the culmination of the nationalisation measure. They should be restored to their health. But, restoration of the health of the 97 mills is one thing and the question of the whole textile industry is another. After all, the nationalised sector is going to be less than 20 per cent of the textile industry as a whole.

MR. DEPUTY-SPEAKER: Mr. Kulkarni, if you do not cooperate I will have to safeguard the rights of the other Members.

SHRI RAJA KULKARNI: My point is without spelling out the textile policy in a specific manner, whether it is in regard to export obligation or in regard to standard cloth or in regard to adequate supply, this measure will not lead to the fulfilment of the main objective which has been mentioned here.

With these observations, I support this Bill.

SHRI TRIDIB CHAUDHURI (Bengaluru): Mr. Deputy-Speaker, Sir, we are on an important piece of legislation. This is a very important piece of legislation which concerns one of the major industries in our country with a long history.

15.53 hrs.

[**SHRI ISHAQUE SAMBHALI** in the Chair]

But, unfortunately, Government has proceeded in this matter in a half-hearted manner and the Bill that has come before us is the result of an incomplete, truncated and haphazard textile policy. Sir, we are today enacting, in the process of enacting, the Sick Textile Undertakings (Nationalisation) Bill. I would like to point out, Sir, that today in the textile industry in the country, the situation is such that it would be correct to say that the entire textile industry is sick not only sick, but it has adopted gangster methods to intimidate the Government into accepting their demands. They have already imposed on us a contrived recession. After having made fabulous profits during the last two-three years, they are now holding the country to ransom. Therefore, I make hold to say that the entire textile industry should be taken over and nationalised.

Then I come to my other point why I call this Bill the result of a half-hearted and haphazard policy. We know that sick textile mills have been taken over in the last few years. The National Textile Corporation was formed in course of time and now the Corporation is being given a responsibility to manage all these mills, of course, subsidiary textile corporations may be formed later on. But what passes my comprehension is why this important sector of the textile industry which will control a sizeable section of our entire cotton textile industry in this country, with all its spindleage, loomage, labour employed and all that, has been put in the charge of the Ministry of Industrial Development. Only about a year back, this was under the charge of the Commerce or Foreign Trade Ministry which is still in charge of the textile industry as such. But the NTC which will manage these sick mills taken over is under the Ministry of Industrial Development.

I do not want to go into the history of how it came to be so, on the appo-

[Shri Tridib Chaudhuri]
 inment of the present Finance Minister as the Minister of Industrial Development, how this part of the textile industry, the sick textile mills, NTC and all that came under the Ministry of Industrial Development. That is past history. But what I want to urge in this context is that there should be a single Ministry in charge of the textile industry as a whole. Now the Commerce Ministry manages the textile industry. The textile policy is determined by the Commerce Ministry. The Textile Commissioner is there who over-looks the entire industry. Here another Ministry, which does not have control over the major part of the textile industry, will be managing these mills, and the position today is such that the overall situation in the textile industry is bound to be reflected in regard to the future of these textile mills now being taken over.

I have referred earlier to a contrived recession in the textile industry. The process has started in Ahmedabad. We have just heard our friend, Shri Mavalankar refer to the closure of third shift; not only that, second shift has also started to be closed. Take it from me, I speak from first hand experience there are in my constituency two sick textile mills taken over the Manindra and B. T. Mill. They were doing very well after take-over; they were earning profits. But in the last two or three months, stocks have started accumulating not only there, but in other take-over mills which are being run well by the NTC or the State Textile Corporations. All these mills are faced with an immediate difficulty.

16.00 hrs.

As soon as we take over the sick textile mills under "state ownership" they will be confronted with a textile crisis. I assert that the textile crisis is an entirely artificial crisis. All the importunities of the Government, of the Textile Commissioner to the leaders of the Textile industry to effect reduction of prices of cloth have gone

in vain. The stocks are accumulating not only in the Private Sector but they have also started accumulating in the taken over mills as I have said just now. In many taken over mills the process of lay-off is starting or will start and soon retrenchment will also start. That is why I say that there should be one integrated textile policy. Let the Government seriously think over this matter. They have taken over the entire coal mining industry. Similarly could they not take over the entire textile industry as such and have a single Ministry not only for the textile industry but also for the textile machinery industry which should also come within the purview of that integrated Ministry. If they adopt that kind of integrated policy and nationalise the entire textile industry that will have some meaning. Otherwise if we take them over like this immediately we will be confronted with difficulties, from which it will be almost impossible to escape.

Then I come to another feature of the Bill with regard to the past claims of the workers in the pretake-over period. I should think that the Government has taken serious note of the suggestions put forward not only from this side of the House but also from their side of the House. If you go to the amendments you will see that Members belonging to the ruling Congress Party as well as the Opposition, Members who have some connections with the labour movement have tabled amendments which propose that the responsibility for meeting past claims of the textile workers in the pre-take over period should be accepted by the Government and it should be the responsibility of the Government and the liability on the Government and the National Textile Corporation to fully pay up those claims. They should be the first charge upon the amount that has to be paid to the owners of the sick textile mills taken over. I hope our good friend Mr. Maurya has taken due note of those suggestions. If they disregard this suggestion which is almost a unanimous suggestion of this House, I ask the Government and I ask the

Prime Minister also to consider whether by disregarding this suggestion pertaining to the claims of the workers, they will not reduce the entire Parliament and Parliamentary proceedings to irrelevance and to a nullity.

I would like to have a straight answer from Mr. Maurya. If Mr. Maurya cannot give this answer today, I would like the Government to postpone the reply and take some time. Let the Cabinet decide whether they will accept the unanimous demand of the entire House. Otherwise, it will be proved to the whole country and to the whole world that this Government cares a fig for this Parliament. This is a challenge not thrown by me, not thrown by Members of the Opposition but by the entire Parliament, by the entire national representative body, to the Government as to whether they are going to accept the pre-take-over claims of the workers.

Your professed slogans, your profession of socialism, your profession of *garibi hatao*, your profession of care for the poor and the under-dog, will be tested by this one criterion alone. I am very happy that all sections of the House are united in this demand. The Government must rise to the occasion and accept this demand.

Let them not say, no. That is why I say, let Mr. Maurya hold over his reply. Let the Government hold over the reply to this discussion in the consideration stage of the Bill if they are not in a position to give the reply today. Let this matter be referred again to the Cabinet, as I said, and let the Government take a policy decision, come out and concede the unanimous demand of the entire House.

MR. CHAIRMAN: Shri R. S. Pandey.

SARDAR SWARAN SINGH SOKHI (Jamshedpur): Mr. Chairman, Sir, I gave my name yesterday to the Notice Office. My name is not there in the List. I want to speak on this Bill. I have been sitting here for two days

to get an opportunity to speak on the Bill. I should be given at least 2-3 minutes. I gave it to the Notice Office, not to the Whip. That is a mistake I should get some time at least.

सभापति श्रीवधु : माननीय सोखी जी आप एक पार्टी के मेम्बर हैं, कांग्रेस पार्टी में शामिल हैं। हाउस के अन्दर एक अनुशासन और नबम रखने के लिये यह जरूरी है कि मुक्तलिफ पार्टीज के लोग अपने व्हिप्स के जरिये नाम भेजें। हमें खुशी है कि सदन में इस पर अमल दरामद होता है और व्हिप्स के जरिये नाम आते हैं। मुझे अफसोस है कि आपका नाम लिस्ट में नहीं है। आप ने कुछ ऐसी परम्परा भी बना ली है कि आप डायरेक्ट अपना नाम भेज देते हैं और चीफ व्हिप को एंप्रोच नहीं करते हैं। यह नहीं है कि आपको बोलने का हक नहीं है। लेकिन मैं समझता हूँ कि इतनी बड़ी पार्टी के मेम्बर होने के नाते यह जरूरी है कि आप का नाम आपके व्हिप के जरिये आना चाहिये। आपका नाम मौजूद है जो नोटिस आफिस के जरिये आया है। मैं कोशिश करूंगा, जो नाम पार्टीज के जरिये आये हैं उनको समय देने के बाद अगर कोई मौका मिलेगा तब आपको जरूर अकॉमोडेट करूंगा।

श्री राम सहाय पांडे (राजनंदगांव) : मैं आपका मजदूर हूँ कि आपने मुझे बोलने का मौका दिया है।

हमारी कांस्टिट्यूएंसि में एक ही टैक्स-टाइल मिल है, बंगाल नागपुर काटन मिल और सारे छत्तीसगढ़ में एक ही स्पिनग मिल है। इलेक्शन के वक्त जब मैं वहां गया तो मैंने देखा कि मजदूरों की बड़ी बुरी हालत है। इस मिल को एक कंट्रोलर के सुपुर्द कर दिया गया था। जो कुछ भी तब फायदा या लाभ होता था वह सब इस कंट्रोलर की जेब में जाता था। चार हजार मजदूर बर्हा काम करते थे और उनको कंसालिडेटिड वेज

[श्री राम सहाय पांडे]

95 रुपये मिलती थी। राम सिंह जी इन मजदूरों के रहनुमा हैं, राष्ट्रीय मिल मजदूर संघके बड़े भारी नेता हैं। उन्होंने इन मजदूरों की रहनुमाई की और कंट्रोलर से कहा कि पांच पये इनके बढ़ा दो। कंट्रोलर ने कहा कि आर्टर्ड एकाउंटेंट से कंसल्ट करके ही हम बढ़ा सकते हैं। किसी तरह कंट्रोलर के हाथ से यह मिल चली गई और मध्य प्रदेश टैक्सटाइल कारपोरेशन के तहत आ गई। अब मजदूरों को वहां 350 पया मिलता है। मैं सोच रहा था कि अंध्यादेश आने के बाद बिल में यह बात कहां गायब हो गई है कि अटर्नी जनरल ने जो राय दी थी उस पर धमल नहीं किया गया है। उसने कहा था कि हमारे ऊपर यह जिम्मेदारी आती है कि जो पैसा मजदूरों का है वह हम उनको दें। यह हमारी पहली जिम्मेदारी है कि हम प्राविडेंट फंड का, प्रेच्युटी का, पेंशन का पैसा उनको हम दें, जो उनका हक है वह उनको मिलना चाहिए। जब यह आर्डिनंस आया उसके बाद नेशनल टैक्सटाइल कारपोरेशन ने अटर्नी जनरल से पूछा कि इनके बारे में आपकी क्या राय है। अटर्नी जनरल ने साफ राय दी और साफ अपना इंटरप्रेटेशन दिया :

"Interpreting the provisions as discussed above, it will be the Corporation's liability to pay gratuity and pension with regard to the employees transferred to the Corporation after the taking over of the management by the Central Government."

एटर्नी जनरल ने साफ राय दी है कि जब आप किसी मिल को टेक ओवर करें तो यह जिम्मेदारी आप पर आथक होती है कि मजदूरों के जितने हकूक हैं, जितने मुतालबात हैं, उनको आप महकूब रखें और उनको दें। बिल में यह भीख गायब है। पार्लियामेंट जब यह कानून पास कर देगी तो क्या इसका यह मतलब है कि उनके हकूक और उनके मुतालबात पर पानी

फिर जायेगा? वे आप उनको नहीं देने? यह ठीक नहीं है। यह जोड़ नहीं न कहीं बुझनी चाहिए।

जो मजदूर तीस बरस से काम कर रहा है और बीमार मिल होते वक्त वह खूब बीमार हो गया और जब वह रिटायर होने की है तो आप अपना हाथ जोड़ते हैं, अपनी जिम्मेदारी से पीछे हट जाते हैं, यह ठीक नहीं है, ऐसा नहीं होना चाहिए। मैं बड़े ही अचब से कहूंगा कि आप इस बिल में यह जोड़ दें कि उसकी राष्ट्रीयकरण के साथ-साथ सविस भी ट्रांसफर हुई है, 103 मिलों का राष्ट्रीयकरण करने के साथ-साथ आप ने 1 लाख 65 हजार मजदूरों के श्रम का भी राष्ट्रीयकरण किया है। उनका जो हक है वह तो उनको मिलना ही चाहिए।

103 मिलों का आप राष्ट्रीयकरण करने जा रहे हैं और मुआवजे के तौर पर इन मिल-मालिकों को आप 49 करोड़ रुपये देने जा रहे हैं। यह बात मेरी समझ में नहीं आई है। किस बात का आप उनको मुआवजा देने जा रहे हैं? मेरे सावियों ने भी कहा है कि ये लोग बहुत मार चुके हैं, बहुत कमा चुके हैं, इन्होंने लड़ाई के वक्त खूब कैंक किया है, खूब लूटा है, चूना है और अंत में जा कर जब मिल बीमार पड़ गई तो आप उनके रैसक्यू पर आ गये हैं, बीमार बंछियायें ब्राह्मण के जिम्मे कर दी गई हैं। वैसे आपने 103 मिलों को अपने हाथ में ले कर एक घण्टा काम किया है। लेकिन 49 करोड़ की बात को आपकी उल्लंघन से निकाल देना चाहिए। मैं नहीं चाहता हूँ कि यह राशि उनको दी जाये। ज्यादा से ज्यादा 103 रुपया यानी एक मिस के पीछे एक पया आप उनको दे सकते थे और जो प्रिंसिपल की बात है उसकी आप इस तरह से पूति कर सकते थे। बीमार मिलों को तपहुस्त बनाने के लिए, उनका इलाज करने के लिए, उनकी मशीनें ठीक करने के लिए,

मजदूरों को तनदुस्त करने के लिए, उनके हार्जिस के लिए, बकिंग कैपिटल के लिए, हम को पैसा चाहिए। काटव नई खरीदने के लिए हमें फंडिंग चाहिये। क्वालिटी इम्प्रूव करने के लिए हमको पैसा चाहिए, प्राइवेट सैक्टर के साथ होने वाले कम्पीटीशन का मुकाबला करने के लिए हमको इन मिलों की मशीनरी को मॉडर्नाइज करने के लिए पैसा चाहिए। लेकिन आप 49 करोड़ रुपया, टैक्स पेयबं का पैसा, जनता का पैसा उनके हवाले कर रहे हैं जिन्होंने इन मिलों को बीमार किया है, इन लोगों को तनदुस्त करने के लिए आप 49 करोड़ रुपया दे रहे हैं जो पहले से ही तनदुस्त हैं। उनको पैसे की जरूरत नहीं है। जबामब्बाह आप कहते हैं लो मियां आ जाओ और 49 करोड़ ले लो। आज के जमाने में यह मौजू नहीं है। वक्त बदल चुका है। यदि देश के हालात बिगड़े हुए न होते, मजदूरों के हालात बिगड़े हुए न होते, उत्पादन बढ़ाने के लिए इकोनोमी को हमें स्ट्रॉंग फुटिंग पर न रखना होता तो मुश्किल है कि जो फैसला आपने किया है वह ठीक भी होता। 103 मिलों को आपने अपने हाथ में लिया है और उन मिलों के साथ साथ 1 लाख 65 हजार श्रमिकों की भी जिम्मेदारी आप ने ली है। वे लोग आशा भरी निगाहों से आपकी ओर देख रहे हैं। वे आशा लगाये बैठे हैं कि सरकार कुछ हमारे लिये करेगी। मैं आपको मुबारकबाद देता हूँ इस अच्छे फैसले के लिए। उनका जो हक है, उनको जो लेना देना है, उसको आप मत काटिये, वे बेकार नहीं जायें, उनके बाल बच्चे भूखे न मर जाय, उनकी हालत और भी न बिगड़ जाये, इसलिये मैं कहता हूँ कि उनको पहले आप प्राथमिकता दें, उनके हकूक और मुतालबात को आप महफूज रखें।

इन शर्तों के साथ मैं इस बिल का स्वागत करता हूँ।

श्री ईश्वर चौधरी (गया) : आप ने सिक मिल्स का प्रबन्ध अपने हाथ में लिया है। यह देर से तो आप ने किया है लेकिन बहुत अच्छा कार्य किया है। हम आशा करते थे कि आजादी के बाद मजदूरों के हितों को आप संरक्षण प्रदान करेंगे और कपड़े के मामले में आत्मनिर्भर होंगे। इन 103 मिलों को अपने हाथ में लेकर सरकार जो कार्य आगे करने वाली है, मैं समझता हूँ कि यह सही दिशा में एक कदम है। परन्तु जो प्रबन्धक हैं उन पर भी आपकी निगाह जानी चाहिए। उनकी वजह से भी मिलें जर्जर हो गई थीं, मजदूरों को काम से वंचित होना पड़ा था। गरीब हरिजनों को काम नहीं मिल रहा है, उनकी आर्थिक स्थिति बहुत दयनीय हो गई है। जनता को भी सस्ते दामों पर कपड़ा नहीं मिल रहा है। ये सब चीजें हैं जिनकी तरफ आपका ध्यान जाना चाहिए। जिन मिलों को आप अपने हाथ में ले रहे हैं, आपको देखना होगा कि कपड़े का वितरण ठीक हो, लोगों को काम मिले, इसमें किसी प्रकार की राजनीति न चले। राजनीति के आघार पर आप ने अभी तक प्रबन्धकों को बहाल किया है। आगे ऐसा नहीं होना चाहिए। मेरे अपने क्षेत्र में एक बहुत पुरानो मिल है, गया टैक्सटाइल मिल। वह काफी दिनों से बन्द थी। एक प्रबन्धक जोकि इंदौर में कल्याण जी मिल के प्रबन्धक थे उन्होंने मजदूरों के प्राइवेट फंड का पसा गबन किया, जब उन्होंने वहां लूट मचाई और इन कारणों से उनको वहां से निकाल बाहर करने के बाद आपने उनको पता नहीं कौन सी राजनीति के आघार पर गया में शिफ्ट कर दिया। इससे सम्बन्ध में मुझे एक चिट्ठी आई है। इस प्रबन्धक महोदय ने अभी तक भी हरिजनों को बहाल तक नहीं किया है वहां। इंदौर, मध्य प्रदेश, उत्तर प्रदेश से प्रभावशाली लोगों की इसने

[श्री इश्वर चौधरी]

बहाली कर रखी है। स्थानीय लोगों को पांच परसेंट को भी यहाँ काम नहीं दिया गया है, एम्प्लायमेंट एक्सचेंजिज से लोगों को लेने की बात तो दूर रही। मैं बगल में रहता हूँ इस वास्ते मुझे जानकारी है। हमारे यहाँ चार हजार बुनकर हैं, जो हैंडलूम और पावर लूम चलाते हैं। उनके वास्ते सूत की व्यवस्था कुछ भी नहीं है। सस्ता सूत उनको देने की बात की जाती है लेकिन मिलता नहीं है, उसकी व्यवस्था नहीं की जाती है। जो पत्र भ्रामा है उसमें जो लिखा है मैं भ्राम को बताता हूँ। मैं नाम नहीं लूंगा। इन्होंने गया काटन मिल को खोखला कर दिया है, जर्जर कर दिया है, 75 लाख रूपए की अभी भी इस मिल की पूंजी है लेकिन यह इसको धीरे धीरे खोखला करते जा रहे हैं। इस तरह से जो भ्रामका उद्देश्य है, उसकी पूर्ति नहीं होगी। जो लिखा है वह मैं भ्रामके सामने रखता हूँ विगत कुछ महीनों से भ्रामने दो लाख रूपए परचेजिंग के चोटाला से भ्रजन किया है। इंटरप्राइज फर्म से (जो इनके सम्बन्धी रतन लाल जैन के लडके की है) महंगे भाव पर एवं खराब माल आपूर्ति कराया है।

“मनीस इन्टरप्राइजेज इन्दौर (जिस का मालिक श्रीमान के भाई हैं) से ऊंचे भाव पर माल खरीद कर अपने खाता से (बैंक से) 23 हजार रुपया निकाल कर माल की हुन्डी छुड़ायी है।

गम इरामिस के बदले गम सुपरा-सप्लाई लेकर के हजारों रुपये भ्रजन किये हैं।

गेडिया कर्टींग का ऊंचे दाम में एक नामी फ़र्म को न देकर उससे बहुत कम रेट में भ्रामने रिस्तेदार को दिया है।

चार लाख मीटर कपड़ा ऊंचे भाव पर बेचा है और रजिस्टर में कम भाव दिखाया है। साथ ही इन्दौर के खण्डलवाल टूडर्स को आपूर्ति किया है, जो कि इस फ़र्म के मालिक इनके पुराने संबन्धी हैं। जब भाव

बट गया है तो माल वापस मंगा लिया गया है बिना के मिल को हजारों हजार का बाटा लगा है।

करीब 75 लाख की नगद पूंजी मिल में है पर ये लोग हुडपने पर तुले हुए हैं।

इन्दौर के कल्याणजी मिल का ये पी० एफ० का पैसा खा कर यहाँ भ्रामे ह।”

उन्होंने इन्दौर की मिल का कल्याण कर दिबा और अब वह गया मिल का कल्याण करने जा रहे हैं। मेरा अनुरोध है कि इस सारे मामले की जांच करानी चाहिए और प्रबन्ध कमेटी में अच्छे भ्रादमियों को रखना चाहिए। देश की अन्य 103 सिक मिलों में भी इस तरह के मामले हो रहे होंगे। मेरा निवेदन है कि मंत्री महोदय तीक्ष्ण बुद्धि से इन सब बातों को देख, अच्छे प्रबन्धकों को नियुक्त करें और हरिजन तथा बैकवर्ड बुनकरों को रखने की व्यवस्था करें।

डेली बजिज पर लोगों को बहाल किया जाता है और चार दिन के बाद उनको निकाल कर दूसरे लोगों को रख लिया जाता है। लेकिन रजिस्टर में उनको परमिंट दिखाया जाता है। अगर अन्य 103 मिलों में भी इसी तरह की स्थिति रही तो देश कहां जायेगा ?

जहां तक मुद्रावत्ता देने का प्रश्न है मैं कहना चाहता हूँ कि उसकी कोई जरूरत नहीं है। क्या के मिल-मालिक गरीब भ्रादमी हो गये हैं? क्या उनकी तौंद बाहर नहीं आई है? मालिकों ने प्राविडेंट फंड का जो रुपया नहीं दिया है वह मुद्रावत्ता में से काट कर मजदूरों को दिया जाये। मजदूरों को तीनों पालियों पर काम दिया जाये। तभी मंत्री महोदय का उद्देश्य सफल होगा।

श्री इच० को० एस्० भक्त (पूर्व दिल्ली) :
समापति महोदय, इस बिल के जरिये 103 मिलों को लिया गया है और 165 हजार वर्कर्सों की रोजी को सुरक्षित किया गया है, अच्छी नीयत से और अच्छे मकसद से यह किया गया है, इस लिए मैं इस का स्वागत करता हूँ।

मुझे बहुत खुशी होती, अगर मैं यह कहने की पीजीशन में होता कि हर मिल जो ली गई है, उस में वे मुझे पूरे किये जा रहे हैं, जो स्टेटमेंट आफ़ आबजेक्ट्स एण्ड रीजन्स में बयान किये गये हैं। ज्यादातर मिलों के बारे में मुझे जानकारी नहीं है। एक मिल—अथोथ्या टैक्स्टाइल मिल—के बारे में मुझे जानकारी है, जो कि मेरी कास्टीट्यूएन्सी में है। उस के बारे में मैं बाद में कहूंगा। उस से पहले मैं एक दो वनिवादी वार्न आप के सामने रखना चाहता हूँ।

ये 103 मिलें ले ली गई हैं, यह बहुत अच्छा हुआ है। लेकिन आज हमारे देश में टैक्स्टाइल इंडस्ट्री में जो स्थिति है, क्या यह बिल उस स्थिति का सही इलाज है? आज हम देखते हैं कि टैक्स्टाइल मैनेजेंट्स अपनी मिलों को बन्द कर रहे हैं। कई मिलों में उन्होंने कुछ शिफ्ट्स को बन्द कर दिया है और कई के बारे में कहा जा रहा है कि उन के बन्द होने का खतरा है। उन लोगों ने बहुत ज्यादा नफ़ा कमाया है, और वे एक खास लवल तक नफ़ा कमाने के झाड़ी हो चुके हैं। आज अगर क्रेडिट एक्वीजिशन गवर्नमेंट के कुछ मेम्बरों की वजह से उन मैनेजेंट्स का प्रॉफ़िट कुछ कम होता है—होलसेल मार्केट में टैक्स्टाइल के रेट्स 20 से 40 परसेंट तक कम हो गये हैं—तो वे लोग कहते हैं कि हम मिलों को नहीं चला सकते हैं और वे मिलों के चलने में रूबरू बँदा कर रहे हैं। जहाँ तक मेरा क्याल है, उन्होंने खुद कहा है—अगर मैं गलत हूँगा, तो मुझे अच्छीस होना—कि टैक्स्टाइल

इंडस्ट्री ने पिछले साल 52 करोड़ रुपया कमाया है। वहाँ उन कानफ़ा थोड़ा कम होने लगा, तो वे कहते हैं कि हमें नुकसान हो रहा है। जब उन को प्रॉफ़िट कुछ कम होता है, तो वे उस को नुकसान मानते हैं। वे मिलों को बन्द, या पार्शली बन्द, कर रहे हैं। इस के बाद वे सिक मिलें बन जायेंगी गवर्नमेंट उन को टेक-ओवर कर लेगी और उन लोगों को मुआवजा दे देगी।

होर्डर तो बाद में आता है। वह वनी हुई चीजों को होर्ड कर लेता है। लेकिन जो जनता के इस्तेमाल की चीजों को नफ़ा कमाने के लालच में, या अपने नफ़े को एक खास लवल तक रखने के लिए, जानबूझ कर बनाना बन्द कर देना है, देश का उससे बड़ा दुश्मन कौन हो सकता है, उस का इलाज यह नहीं है कि गवर्नमेंट उन लोगों की मिलों को टेक ओवर कर ले और उन को मुआवजा दे दे। यह बड़ा गम्भीर सवाल है। कुछ शक्तियों की तरफ से इस बात की काफ़ी कोशिश हो रही है कि उत्पादन के साधनों को बन्द कर दिया जाये, ताकि देश की मुश्किल आर्थिक स्थिति को और मुश्किल बना दिया जाये। मंत्री महोदय को रीसोसिज की पीजीशन मालूम है। आज कितना डिफ़िकल्ट इकोनॉमिक सिचुएशन है। इस हालत में इलाज यह नहीं है कि मिलों को टेक ओवर कर लिया जाये और उन के बदले में मुआवजा दे दिया जाये। उन पूँजी-पतियों ने बरसों तक सरकार की मदद से—लाइसेंस, क्वोटा, परमिट से, बिजली लेकर बैंकों से साधन लेकर—करोड़ों रुपये कमाये हैं। अगर उन को मुनाफ़ा कम होता है और वे कहते हैं कि वे मिल को बन्द कर देंगे या बन्द कर देते हैं, तो उन कि मिलों को टेक ओवर कर लिया जाये, उन को भीसा में गिरफ़्तार कर लिया जाये और उनकी सम्पत्ति पर कब्ज़ा कर लिया जाये। इसका हल यह नहीं है कि वे लोग मिलें बन्द करते जायें, सरकार उन को लेती जाये और उन को पैसा देती जाये।

[श्री एच के एस अणत]

सरकार को इस बर्तनवादी बात पर विचार करना होगा। उस के अलावा कोई रास्ता नहीं है। मुल्क के सामने बड़ी गम्भीर स्थिति है। इस मिनिस्ट्री, होम मिनिस्ट्री, इंडस्ट्रीज मिनिस्ट्री, ला मिनिस्ट्री और दूसरी कनसन्ड मिनिस्ट्रीज को बैठ कर यह बेसिक क्रिसला कराना चाहिए कि सरकार इस इमर्जेंट सिचुएशन में कौन सा कदम उठाये जिस से इस सवाल का समाधान किया जा सके।

हाउस के सभी संवशब्द की तरफ से एक बात कही गई है और मैं भी उस से सहमत हूँ। सरकार बहे कि प्री-टेक प्रोवर लायबिलिटीज को हम नहीं लेते हैं, उन एसेट्स को हम टक प्रोवर कर लेंगे जिन पर वर्कज क्लेम कर सकते हैं, और उन लायबिलिटीज को हम नहीं लेंगे, जिन का जूडिशल डेटरमिनेशन हो चुका है, या जो इन दि प्रासेस आफ जूडिशल डेटरमिनेशन हैं, यह बात मेरी समझ में नहीं आती है। यह बहुत बड़ा अन्याय होगा। मैमानतीय सदस्यों से सहमत हूँ कि सरकार को उन लायबिलिटीज को लेना चाहिए। इस के अलावा उस के पास कोई चारा नहीं है, और वह इन्साफ की बात है। हम सब की मांग है कि सरकार को उन्हें लेना चाहिए।

वर्कज की कान्टीन्यूइटी आफ एम्प्लायमेंट इस बिल का एक मकसद बताया गया है। सरकार ने मिलों को टेक प्रोवर कर लिया और वर्कज की नौकरी महफूज हुई, यह अच्छा हुआ। लेकिन इस बिल में ऐसा कोई प्राविजन नहीं है, जिस की हम आशा करते थे, कि वर्कज को किस तरह से मैनेजमेंट में या फायदे में साझेदार बनाया जायेगा। श्री मौर्य बहुत डायनामिक और फ्रॉन्ट-लुकिंग हैं। उन से हमारी बड़ी आशाएँ हैं। मैं बहुत खलूस दिली से पूछना चाहता हूँ कि क्या वह खाली टापब्रास मैनेजमेंट को बिठा कर किसी मिल की इल्थ को रेस्टोर कर सकते हैं। भिसाल के तीर पर सरकार ने अयोध्या टेक्स्टाइल मिल

को टेक प्रोवर किया। वह अच्छा किया। इस से वर्कज का रीकार बना रहा, बरना वे परेशान होते, और हम भी परेशान होते। लेकिन इन चार सालों में सरकार ने बर्तनवादी टाप-ब्रास मैनेजमेंट भेजे—एक भेजा, दूसरा भेजा कई दफ़ा एन० टी० सी० के मैनेजमेंट और गार्डियन भी भेजे गये। और चार साल के अन्दर उस में आप भूनाफा नहीं पंदा कर सके, नुकसान पर नुकसान होता चला गया। वर्कज ने शिकायत की। एक वर्जन प्रोजेन्टेशन उनके सोरियस चार्जज लगाते हुए आप की मिनिस्ट्री के पास आए हैं। लेकिन एन्क्वायरी करना छोड़ आप ने उन को जवाब तक नहीं दिया और दुभा क्या कि आज भी वही हालत चल रही है। मैं बड़े दुख से कहना चाहता हूँ, मैं कभी भी इस अन्दाज से नहीं बोलता, लेकिन आज मुझे दुख के साथ कहना पड़ता है इस मिल के अन्दर कुछ वर्कज को निकाल दिया गया बिना नोटिस, बिना एन्क्वायरी, बिना चार्जशीट के। हम ने कहा भी कि अगर किसी के खिलाफ कोई इल्जाम है तो उस को नोटिस दो, एन्क्वायरी करो, चार्जशीट दो। फिर उस को निकालो। 12-12 साल के, 14-14 साल के नौकर हैं। उन को ऐसे ही नहीं निकाला जाना चाहिए। जवाब यह दिया गया कि हम ने निकाल दिया, हमें अधिकार है। पावर है। हम ने टेक प्रोवर कर लिया ला ने इस को रिलीफ प्रॉडरटिंग बना दिया, उस का नतीजा यह है कि इंडस्ट्रियल डिस्प्यूट्स एंक्ट लागू नहीं होता। मैं इन्साफ के लिए एक कोने से दूसरे कोने तक गया। मेरे साथ मिसेज मुभद्रा जोषी भी गईं। हमारी यह राय है और दिल्ली गवर्नमेंट को जो चला रहे हैं, उन की यह राय है, दिल्ली सरकार के लैबर विभाग को डील करने वाले जो जिम्मेदार लोग हैं, एक्जीक्यूटिव का स्थिर है, उन्होंने एक मीटिंग बुलाई इस सवाल पर विचार करने के लिये तो इस मिल को चलाने वालों ने वहाँ जाने से इन्कार कर दिया और कहा कि हम नहीं जायेंगे बात करने के लिये। हमारा

अधिकार है—निकालने का। मैं मोर्य जी से बहुत अदब से कहना चाहता हूँ कि मान लीजिये, आप को पावर भी हो, आप की डेमोक्रेटिक कान्फ्रेंस पर मुझे फेंक है, आप यह बताइये कि किसी आदमी को बिना नोटिस या बिना चार्जशीट या बिना एन्क्वायरी के निकालना आप कभी पसन्द करेंगे ? मुझे इन्साफ नहीं मिला, मेरी मुतवातिर कोशिश करने के बाद भी इन्साफ नहीं मिला, दिल्ली गवर्नमेंट जिस के 49 परसेन्ट शेअर है, उसकी परवाह नहीं की गई, उस की बात नहीं सुनी गई। अगर हम उन के पास जाते हैं तो वे कहते हैं कि हम कुछ नहीं कर सकते। एन० टी० सी० के पास जाते हैं तो वे कहते हैं कि हम मिनिस्ट्री के पास रिपोर्ट भेज रहे हैं। मिनिस्ट्री कहती है कि हमारा क्या ताल्लुक है, यह कोई पार्लिसी मॅटर नहीं है। मुझे दुख के साथ कहना पड़ता है—आई० एम० फोलींग चोइड। मैं आप से सब कहता हूँ कि मुझे बरदाश्त नहीं हो रहा है। ये जो वर्कज हैं, अगर वे खराब हैं तो आप उन्हें नोटिस दीजिये, एन्क्वायरी कीजिये, चार्जशीट दीजिये। अगर वे ठीक नहीं है तो उन्हें निकाल दीजिये। मैं आप के पास नहीं आऊंगा।

अन्तिम बात कह कर समाप्त करूंगा। आग्रामेंट दिया गया कि इस में इण्डस्ट्रियल डिस्प्यूट्स एक्ट लागू नहीं है, क्योंकि रिलीफ अण्डरटेकिंग ही गई। यह बिल आपने लागू किया है—1 अप्रैल, 1974 से और जो कुछ लोग निकाले गये थे, कुछ उस में उससे पहले निकाले गये थे, कुछ इस के बाद निकाले गये। हम ने कहा कि अब तो इण्डस्ट्रियल डिस्प्यूट्स एक्ट लागू हो गया है—तो कहते हैं कि जो काम हम ने पहले कर लिया, हमारी ला-मिनिस्ट्री की राय यह है, उस पर इस एक्ट का कोई असर नहीं पड़ता। हम ने कई समय से राय ली—लेकिन वे कहते हैं कि ये चलत है। मैं मोर्य जी से कहना चाहता हूँ कि वे गरीब लोग उन पर भरोसा और विश्वास रखते हैं और

उन की तरफ देखते हैं। वे इस बात पर विचार करें कि आया यह बात न्यायसंगत है क्या ?

श्रीमती सुभद्रा जोशी जी ने इस में एक अग्नेष्टमेंट दिया है—जिस में उन्होंने यह साफ करने की कोशिश की है कि किसी भी वर्कर को अप्रैल, 1974 के बाद बिना एन्क्वायरी, बिना चार्जशीट और बिना नोटिस के निकाला गया है तो उस पर इण्डस्ट्रियल डिस्प्यूट्स एक्ट की प्रावीजन लागू होंगी। मैं तो कहूंगा कि अप्रैल, 1974 से पहले भी अगर किसी वर्कर को आपने बिना चार्जशीट और एन्क्वायरी के निकाला है तो उस को पहले आप नोटिस दीजिए, उसके बाद उस को सम्पेड करने की पावर आप के पास है, आप सम्पेड कर देंजिए, एन्क्वायरी कीजिए, वह अपनी कानूनी रिस्पेडेंसी सोच करेगा। लेकिन यह जो ऐटीट्यूड लिया गया है यह ठीक नहीं है। मैं बड़े अदब से आप से कहूंगा कि आप के अफसरों की राय यह है कि उन के डंडे की बजह से, उन के अनुशासन की बजह से मिल चल रही है, मिल उस से नहीं चल रही है। मिल चल रही है वर्कज की इस रीयलाइजेशन से कि मिल उनकी रोजी है और जो उनके नेता हैं वे उनको बराबर सलाह दे रहे हैं कि मिल को चलाओं दुखी रहो तब भी मिल को चलाओं भगडा न करो, कोई सधर या इस तरह की बात न करो जिससे तुम्हारा रोजगार छिने। पहले से ही मिल घाटे में है, उसको फायदे में लाओं, उसकी प्रोडक्शन बढ़ाओं। हम तो हर चन्द उरको यह सलाह देते हैं लेकिन आपकी मार्गनाइजेशन से हमारी शिवायत यह है कि हम जहां जाते हैं हमें बटेथी तो मिलती है, चाय का प्याला भी दे देते हैं लेकिन इन्साफ नहीं मिलता है। मैं आगा करता हूँ कि मोर्य जी हमें इन्साफ देगे और कॅटेगरिकली यह बूझेंगे कि थानुन था या नहीं किसी भी वर्कर को बिना एन्क्वायरी और चार्ज शीट के अगर निकाला गया है तो उसको वह फलज मानते हैं और उस इन्जस्टिस को वह ठीक करेंगे।

SHRI S. M. BANERJEE (Kanpur): I would request you, Sir to ask Minister of Parliamentary Affairs to extend the time because many Members have to speak. My suggestion is, we can consider this upto 5.30 P.M. today. Let the first reading be completed at 5.30 P.M. There is no Tulmohan Ram tomorrow because Speaker has said that he will give his ruling afterwards. Tomorrow, from 12 Noon, we can take up further consideration of the Bill. There is no Call Attention Motion tomorrow.

There will be no Tulmohan Ram tomorrow.

SHRI C. M. STEPHEN: It is not in your hands.

SHRI K. RAGHU RAMAIAH: I do not know which Mohanram will come tomorrow. That is another matter. But I have no objection to extend the time provided the Minister is allowed even only one minute so that the general discussion may not go on again tomorrow.

SHRI S. M. BANERJEE: Agreed.

I generally support the Bill because ultimately Government have decided to nationalise 105 textile mills. I also support the suggestion made by my hon. friends that not only the sick textile mills but all the textile mills should be nationalised without further delay.

My other friends have pointed out certain lacunae in the Bill. I know Shri Maurya has really taken enough pains to bring some amendments which meet our requirements. But there are certain basic things. We stand for the workers and we want that once these textile mills are taken over by Government, after nationalisation, whether it is post-nationalisation wages or pre-nationalisation wages, every wage should be properly protected. Here what has happened is that gratuity, bonus and other things after the nationalisation

are properly protected, but not in the pre-take-over period. Unless the Schedule is changed, unless the priorities are changed, the workers will not get anything out of it.

If you kindly refer to p. 8, you will find that gratuity and pension are protected, but unfortunately not provident fund. I want that the words 'provident fund' should also be there. Some amendment has been tabled to that effect. When Shrimati Subhadra Joshi, Shrimati Roza Deshpande, Shrimati Parvati Krishnan and myself met the hon. Minister, Shri Pai, and Shri Maurya, the Minister agreed that this should be done. But I am now told that the Solicitor-General or some other law officer does not want provident fund to be included here. His interpretation is that it will be covered in 'other matters'. Now when bonus has been defined, when wages has been defined and when there is provision for gratuity and pension for being protected, why should provident fund be left undefined? Why should this be left vague? Because no worker is going to approach the High Court or the Supreme Court, provident fund is a due which should be cleared. I come from Kanpur where there are 11 textile mills. Two of them are government-owned, the Muir Mills and the New Victoria Mills. In regard to these mills also, we want a proper investigation to be made. Back wages have not been paid. In regard to another mill, the Lakshmiratan Cotton Mill, non-paid government revenue is its capital. They have not paid provident fund, ESI payments and other things. This mill should also be taken over. I feel this amendment should be accepted.

The Schedule has to be changed. I would request you to see how the Schedule has been drafted. First, I agree that Government should realise their money in the form of secured loans.

The secured loans come first and then come the wages of workers. Unless the schedule is changed so that the wages of the workers come first and the secured loans come later, the workers are not going to get anything out of it. Once the secured loans are realised, what will be left for the workers. Shri Maurya should consider this problem. Even tomorrow we are prepared to meet and discuss the matter. Amendments are going to come tomorrow. Provident Funds should be included in clear terms. I have talked an amendment. Let the Government come with an amendment of their own. The schedule has to be changed; the priorities have to be changed in favour of the workers. Otherwise the hard earned money of the workers, that is their provident fund or back wages or bonus will be lost. When you take over nationalised mills a feeling will have to be created among the textile workers that they belong to them and that they will have better wages and better working conditions. Otherwise workers will lose interest. The reactionary forces who are against nationalisation will say that nationalisation means bureaucratization and that nationalisation means less wages and less provident fund for the workers. My friend Mr. Bhagat just now posed the question; what is the workers share in it? There will be a National Textile Corporation which will have some subsidiaries. I hope that one of the subsidiaries will be in Kanpur where there are 11 mills. It may not be the State capital but it is the biggest industrial city in U.P. There should be workers' participation in management after a nationalisation at the national level, at the State level and at the unit level. Unless they are associated with the means of production and also distribution, the workers cannot be held responsible. I hope Shri Maurya will take some lessons from what has happened in Durgapur where there is a scheme and also from the nationalised banks where workers have been appointed as Directors.

In the nationalised textile mills there should be proper men for the proper job. Sometimes a politician is put in charge and sometimes a bureaucrate comes as the Chairman. I am not opposed to bureaucrats. Some of them are bad. But we want technocrat who know something about textiles. A bureaucrat is one day the Chairman of the IDPL knowing everything about medicines then he comes to the labour board knowing everything about labour and then comes to the labour board knowing everything about rubber and then comes back to the textile. We do not want a versatile genius. We want that those who are connected with textile should be there.

Shri Maurya should apply his mind to those problems. He started very well. I must congratulate him for some of his amendments. I also congratulated Mr Pai for giving me a letter assuring me that the back wages will be protected. It should be embodied in the Bill. It should not be left for the courts and the lawyers to interpret. The workers do not want to have litigation. This Bill should give protection to their service. Their services might have been under Thapar or Singhanian or any big mill owner. But once they are taken over and nationalised their services should continue and their wages should be protected. In respect of their provident fund there are charges against big mill owners. There have been defaulters. I would request him to look into the matter. I say, unless their back wages are protected, unless the Schedule is changed, unless the provident fund is protected, we shall oppose it.

Nationalisation is our belief and it is our conviction. But nationalisation should not result in losses. It should not result in that the workers lose their wages. Nationalisation is something sacred for which we are pleading so much. Many workers have sacrificed their lives. My leader Mr. Dange, has spent a major portion of

[Shri S. M. Banerjee]

his life for the cause of the workers in the textile industry.....

AN HON. MEMBER: So also his daughter.

SHRI S. M. BANERJEE: The workers' wages, provident fund, everything, should be protected. This unanimous demand of the House should be accepted.

Let Mr. Pai apply his mind to it; let the Prime Minister apply her mind to it. If it is not amended, if this becomes a law, if this becomes an Act, the Supreme Court will interpret in one way and the High Courts will interpret it in different ways. The workers will become shuttles, moving from court to court.

I would beg of you to apply your mind to it afresh and not to depend upon the verdict given by the Solicitor General or the Attorney General. Let them apply their commonsense and protect the rights of the workers. The workers should not be penalised.

Even in this movement led by right reactionary forces, whether in Bihar or elsewhere, all sections of people are backing them minus the working class. The working class has not joined them. The poor class has not joined them. Under this Bill, it is the workers who have been hit and their rights have been affected. In the larger interest of the workers and the textile industry as a whole, to boost up the production in the textile industry, this unanimous demand of the House should be accepted.

I know, Mr. Maurya has a heart that bleeds for the workers. He comes from the lowest class, the lowest rung of the society. He is a Minister today. He will never forget the days when he had to fight for the rights in society. Let him do it

again. Let him apply his mind to it.

We are not going to tolerate this. My sister, Shrimati Roza has already said it. I am also repeating that we shall fight the battle if the workers' provident fund and the wages, are not protected. The workers' provident fund must be protected. Their wages must be protected. The schedule must be changed. The heavens are not going to fall. It is the workers' money and it must be paid back to them.

श्री जगन्नाथ मिश्र (मधुवनी) : श्रीमान कपड़ा उद्योग के पीछे एक इतिहास है। आवश्यकता यह है कि इस इतिहास को भ्रमण रखा जाय और उस को धूमिल न होने दिया जाये। लगता है कि इसको ही मद्देनजर रखते हुए सरकार राष्ट्रीयकरण का यह विधेयक सदन के विचारार्थ और स्वीकृति के लिये लाई है, इस के लिये वह धन्यवाद की मात्र है।

श्रीमान् द्वितीय विश्व युद्ध के पहले हमारा देश कपड़े के मामले में अत्मनिर्भर नहीं था, उसे विदेशों पर निर्भर करना पड़ता था। द्वितीय विश्व युद्ध में कुछ घटनाओं ने ऐसी करवटें लीं जिनका देश पर दूरगामी प्रभाव पड़ा और अपना यह देश उन देशों की श्रेणी में आ गया, जिन्हें कपड़ के लिये दूसरे देशों पर निर्भर नहीं करना पड़ता था, अर्थात् स्वावलम्बी हो गया। लेकिन उस के बाद हुआ यह कि मिल मालिकों ने कुछ ज्यादतियां शुरू कर दीं, मनमानी शुरू कर दी। जहां उन्हें मिल के चलाने की उचित व्यवस्था करनी चाहिये, कर्मचारियों के हित की ओर ध्यान देना चाहिये, मिलों को स्वस्थ रखना चाहिये, इन सारी बातों को नजरअन्दाज कर दिया। सरकार की चेतावनी पर भी कोई ध्यान नहीं दिया और उस का परिणाम यह हुआ कि

उत्पादन में ह्रास हुआ। तब सरकार को उन के सुसंचालन के लिये 10 करोड़ रुपये की पूंजी लगा कर—जो बाद में 15 करोड़ तक पहुँच गई—एक नेशनल टैक्सटाइल कारपोरेशन की स्थापना करने पड़ी। और इतना ही नहीं, इस उद्योग के सर्वे और स्टडी के लिये तथा उस की सही स्थिति को जानने के लिये कि कैसे और क्या आवश्यक सुधार किया जा सकता है इस के लिये 1971 में श्री. के. श्रीनिवासन की अध्यक्षता में एक कमेटी का संगठन हुआ जिस ने 1972 में रिपोर्ट दी। तब तक सिक मिलों की संख्या जो पहले 17 थी 67 हो गई और अक्टूबर तक 46 और बढ़ गई। इस प्रकार 103 सिक मिल हो गई। इसलिये राष्ट्रीयकरण की आवश्यकता हुई। 2 सितम्बर 1974 को संसद में इस बारे में बिल पेश किया गया और 21 सितम्बर, 1974 को राष्ट्रपति ने अध्यादेश निकाला और आज हम इस पर विचार कर रहे हैं। हमें देखना यह है कि टेक ओवर के बाद मिलों पर क्या असर पड़ा? अगर इस का विवेचन करें तो देखेंगे कि टेक ओवर के बाद मिलों के कार्य संचालन और मैनेजमेंट तथा प्रोडक्शन पर अच्छा प्रभाव पड़ा। टेक ओवर के बाद 200 करोड़ १० का उत्पादन हो सका एक लाख लोगों को रोजगार मिल सका और 800 करोड़ १० से ज्यादा का कपड़ा हम एक्सपोर्ट कर चुके। इसलिए आवश्यक हुआ कि इनका राष्ट्रीयकरण किया जाय।

अपनी सहमति देने के पहले मैं अपना कर्तव्य समझता हूँ कि सरकार को कुछ सुझाव हैं। जब किसी उद्योग का राष्ट्रीयकरण होने को जाता है तो उस के उत्पादन संचालन आदि विषयों के बारे में सबूतबाग दिखाया जाता है। लेकिन जब राष्ट्रीयकरण हो जाता है तब वह परिणाम सामने नहीं आता है। उदाहरण के लिये कोयला खान राष्ट्रीयकरण की बात लें। चकि समय कम है इसलिये उस विस्तार में मैं नहीं जाता, कुछ निजी विचार सरकार के सामने रखना चाहता हूँ और वह

यह कि इन कपड़ा मिलों से प्राप्त उचित उत्पादन नहीं प्राप्त कर सकें जब तक पुरानी मिलों की मरम्मत नहीं करें, नई मशीनें न लगाये। क्योंकि अगर मोडर्नाइजेशन नहीं होता है तो प्रोडक्शन नहीं होगा। इसलिये मोडर्नाइजेशन जरूरी है।

तीसरी बात यह है कि मजदूरों में हमारा सम्बन्ध मधुर होना चाहिये। इसलिये एक नोट ब्राफ वारनिंग करना चाहता हूँ कि अभी से ऐसी व्यवस्था हम करें जिस से मजदूरों में मधुर सम्बन्ध बनें रहे ताकि उत्पादन को धक्का न लगे और मिल चलती रहे। इस के साथ मिलों में सर्वसाधारण के उपयोग के लायक कपड़ा पैदा हो जिस का उचित रूप से वितरण हो। मिलों के धन का दुरुपयोग न हो। चोर बाजारी रोकੀ जाय और एक्सपोर्ट पर ध्यान देना चाहिये क्योंकि देश के विकास के लिय हमें विदेशी मुद्रा चाहिये। इस काम के लिय कपड़ा उद्योग सब से बड़ा साधन है। इसलिय हमें अच्छ बनाने चाहिये ताकि दुनिया के कम्पटीशन में हम टिक सकें। इन सब बातों को ध्यान में रखते हुए हमें एक्सपोर्ट को बढ़ावा देना है।

कुछ कपड़ों पर कंट्रोल है। जो कंट्रोल कपड़े की वैराइटीज हैं तो सम्बद्ध मंत्रालय के द्वारा क्यों नहीं नुमाइश होती जिस से लोग उन को देख सकें, पहचान सकें, उन को पहचानने की जानकारी हासिल कर सकें और उस के क्रय के लिय उन्मुख हो सकें।

इन लब्धों के साथ मैं इस विषयक का समर्थन करता हूँ।

SHRI DHAMANKAR (Bhirwandi):
I rise to support this Bill, but I would like to make certain suggestions and certain remarks.

One hon. friend has just said that these mills are entrusted to the Commerce Ministry but now the nationalisation Bill has been brought forward by the Ministry of Industry.

[Shri Dhamankar]

In my speech during the Budget debate on the Commerce Ministry's Demands I had made a point that textile mills should be within the purview of the Industries Ministry and not the Commerce Ministry because Textile is industry and now the nationalisation Bill is rightly piloted by the Industrial Development Ministry.

I welcome the Bill on two counts. One is that it is going to augment the production and distribution of cloth to the poor people and the other is that it is going to give employment to the unemployed people in this country. The objective of the Bill is very laudable but there are very many difficulties in achieving the objective because many times these mills have been entrusted to capitalists and there were many *benami* transactions. And at the purchase and selling ends premium has to be paid and the *benami* transactions are quite rampant and because of that the mills become sick. These mills became sick not because they were underfed but because they were overfed and I am sorry to say that some of the nationalised textile mills are also not free from this evil.

Some fifteen months back there was a boom in the textile trade, especially cotton cloth and yarn and the prices rose by 200 to 300 per cent. Where did all that money go? Not only the premium had to be paid but it had to be paid one week in advance and then only the delivery was effected. I come from a textile centre where both the handlooms and powerlooms are working. They had to buy yarn by paying premium. In this evil practice, even some of the nationalised mills are involved. I do not say that all are involved but some are involved. That must be stopped. Otherwise, if the same malpractice continues, instead of these mills making profits, they will again go sick.

One more point I would like to make is: is the nationalisation of the textile mills going to help in any way the decentralised sector of powerlooms and the handlooms? When ever there is boom in the market, both these sectors are put at the mercy of these *dalals* and these mills. They have to buy the yarn at whatever prices they quote. Not only that they have to pay advance premium and there are the *benami* transaction and then only they get the yarn. I would request the hon Minister to see that some responsibility of supplying yarn to these decentralised sectors of powerlooms and handlooms is entrusted to these nationalised mills.

Some mills in the Maharashtra State were taken over by the Maharashtra Government in 1959. They went into liquidation and thousands of workers were made unemployed. The Maharashtra Government came forward to ease the situation and took over the management of these mills from the Liquidator. They have invested more than Rs. 4 crores and created assets in these mills and now these mills are working well and making profits. Now these mills which were making losses were made profitable ones. The workers co-operated. Sometime ago the workers demanded D.A. The Government said that they will have to wait till the mills are put in a sound position. Now, they are partially paying the dues of D.A. But that responsibility Centre should not disown. What is agreed to by the State Government and what is due to the labour should be the first responsibility. Just now, an hon. friend said that the priority in the Schedule will have to be changed. Loans from nationalised banks and the Government dues are the first charge, but at least the second priority should go to the arrears of bonus, provident fund and wages of those workers who have been continuously serving these mills for so many years. Some of the

mills went into liquidation and the workers became unemployed and when they were taken over, the workers were taken back but their continuity of service was discontinued; the continuity of service should be maintained and should be restored and some provision should be made. The Maharashtra Government invested Rs. 1573 lakhs. The Government of India's National Textile Corporation has given only Rs. 869 lakhs for running sick mills. Now according to this Bill the NTC will have subsidiaries in these States. If there is no machinery to work the mills, I can understand and that subsidiary organisation should be created to work the mills but where there is efficient machinery working very competently and where they have achieved some expertise in the trade there is no need for subsidiary organisation. If you go through the report of NTC you will find they are doing very well. I suggest when such organisation is already there like for example in Maharashtra and Tamilnadu no subsidiary organisation is necessary. With these words I support the Bill.

SHRI B. R. SHUKLA (Bahraich): Food and cloth are the top-ranking priority items, they are the basic necessities of life. Food has already been discussed in the House. Now today we are discussing cloth position in the country.

By grace of nature, we have got only 3 months of cold season. In these three months the hon. Minister knows the appalling condition of the semi-naked ill-clad millions of the poor people in the country. Whenever we visit any corner of the country we see the tragic human condition on a very large and extensive scale.

The Bill wants to provide and distribute cloth at fair and equitable price to millions of this country. I would point out that the marking cloth is extensively and mainly used by poor sections of people, rural and

urban sector alike, at least throughout Northern India. Government should take steps for manufacture of the marking cloth which can be used by poor masses.

My second point is this. This is about the production of standard cloth. What happens is this the mill owners go on paying the fine and what I would suggest is that all the fine cloth which is produced by them (in place of standard cloth) during the particular period should be confiscated and it should be distributed at same reduced rate to the consumers in place of the standard cloth which was expected of these mills. This is my submission.

Hon. Members raised the point about protection of workers. I would say that under Section 14 there is ample and adequate provision. Service condition of every employee is safeguarded under Industrial Disputes Act 1947. They will remain intact on the basis of the law as it stands now. As regards guarantee of payment, Part B of the Schedule gives secured loans first priority. The second priority is given to wages and salaries and other dues to employees. The dues accruing during the pre-take-over management period get second priority. So far as the post take-over management period is concerned, I think the dues have already been paid because these mills have been brought within the management of public sector. Therefore, such charges are not there. I would be glad if the position is clarified further to the satisfaction of the working people and the hon. members of this House if it is also made 2nd charge on the revenue and fund of these textile mills.

Fourthly, the position of the hon. members of Parliament has been put at par with the position of the President of India. The President of India in issuing the ordinance has to sign on it suggested by the Ministry and the Ministry signs on the document

[Shri Dhamankar]

prepared by the Secretariat. The Members of this House have no option but to extend their support and put their stamp of approval because such an extensive bill, having such important measures is not going to be allowed to be discussed fully, to be modified or in any way changed or revised because it is a *fait accompli*. I wish that this Bill would have been brought within the normal course of things. There should have been a Select Committee of this House who should have been directed, if the measure was very urgent and important, to submit its report within a week. Then there would have been justice. We want to know why after the take-over of 103 mills, they are again designated as sick textile mills. We want to know what has Government done to restore their health? How has their condition been improved during the period of management by the National Textile Corporation and how had this huge amount to be given been calculated before hand? How the hon. members can say whether this amount which is to be paid to a particular undertaking is correct or not. We have to sign the document in a blind fashion and this is circumventing the rights and privileges of this Parliament.

SHRI C. M. STEPHEN (Muvattupuzha): Mr. Chairman, Sir, I would appeal to the Minister Incharge of the Bill to take note of very peculiar circumstance which has developed in the House during the discussion on the Bill. On the one hand there is all round appreciation of step taken by the Government in regard to nationalisation. I do not think any other measure has received such a measure of unstinted approval, appreciation and support. On the other hand there is all round sentiment very strong, very deep, very unrestrained, without any party affiliation, unanimous sentiment of resentment against the type of mental working which has induced the framers of the Bill to incorporate certain prov-

sions, I am referring to the provision concerning the liabilities owned to the employees.

As very rightly pointed out by my friend who spoke here, Mr. Tridib Chaudhuri, this is not only a consensus, but this is a uniform opinion emerging from the floor of the House. Let it not be taken note of casually and generally as the Government is prone to react to these things. This is a very extraordinary development. Government in its due deference to the sentiments of Parliament, must take note of this particular reaction. Otherwise, I would certainly support the comment of Mr. Tridib Chaudhuri that failure to take note of this will be underlined to show the shallowness of the respect the Government is accused of having towards Parliament, from the Opposition Members. This will only underline that that accusation is not without merit.

Sir, speaking on this Bill, I am governed by two sentiments. On the one hand, I have before me, the view, the panoramic picture of a particular line of progressive evolutions whereby a considerable section of a vital industrial sector in this country is passing into the hands of the Government step by step beginning with the Industries Development and Regulation Act. Beginning with one or two mills, we have passed on, step by step, and come to 1974, when we are taking over 103 mills. The National Textile Corporation was set up in 1968. Seventeen textile mills was the number that we had. This rose to 31 in March 1971, 47 in 1972 and 103, today, in 1974. So far, it was under the tutelage of the management of the Government. The basic character changes today when the Bill is being passed, namely, it is becoming a national property. The principle of nationalisation is accepted and implemented. To that extent, here is a historic development which has got to be complemented and I take it as the beginning of the nationalisation of the textile mills which will have to take place if not today, tomorrow. To

that extent, this is an admirable position and the National Textile Corporation will be having 1.63 lakhs of workers under it and will be commanding 16 per cent of the total spindleage, 22 per cent of the total loomage and 16 per cent of the total working force working in the textile mills. It is in this respect I say that it is a good development.

But, Sir, when this good development has to be welcomed whole heartedly, that particular section which has got to cooperate with it, and which must have a claim, that particular section, it appears, has been singled out for a cruel saddistic discriminatory treatment. I find before me two sectors. One is the former owners and the other, the poor workers. For the former owners, of course, compensation has been given. I would not go into that question now. It is a large question. I do not want to deal with it now. Twenty eight crores have been allotted. Alright. Even then, you are not satisfied with it. You think that if there is a delay, they must be compensated. Four per cent interest you have provided for them. This is the reserve. You say that it has got a retrospective operation; retrospective operation must be provided for. You also say that for period of retrospective operation every mill must have some amount every month. This has been so meticulously provided for. Everything is provided for. But, when we come to the workers, what do we find? You find a distinction between the pre-take-over period and the after take-over-period. For the after take over period, you say that you would accept the liability. For the pre-take-over period, you would not accept the liability. Here, there is one wonderful thing. I do not know whether it is deliberate or whether it is some drafting inaccuracy. Whereas in clause 5 (1) you say that you would not accept the liability prior to the date of take-over, in clause 5(2) you say

"save as otherwise provided elsewhere in this Act, no claim for

wages, rate, rent, taxes, provident fund, pension, gratuity or any other dues in relation to a sick textile undertaking in respect of any period prior to the appointed day...."

"Appointed day" is in April. But takeover day is in 1972, 1971, 1969, whatever that be. You say after this if there is any liability, not enforceable. I do not understand what this is.

MR. CHAIRMAN: Please conclude. There are other members also wanting to speak and the Minister has to be called.

SHRI C. M. STEPHEN: I do not want to be perfunctory. I do not want to speak for the sake of it. I am a trade union leader myself. Here is a section of people who are affected. If I am not permitted to plead for them, I do not consider my membership of Parliament worth having. I must have my right to put it on record. I am pleading for them, not speaking for the love of it. I want to go on record that I feel so strongly that the workers are being discriminated against. I am ashamed to be a party to that position. I want to put this on record. That is what we are finding.

Looking to the background, these mills have been with you for years on end. The workers have been with you for all these years. You took them over as continuing concerns. There are two Acts, the Sick Textile Undertakings (Takeover of management) Act under which 46 mills have been taken over and, and then the Industries (Development and Regulation) Act under which 56 mills have been taken over. These are continuing mills which you took over. The workers have been with you. Years have gone by. You had agreed to pay them what was due to them before the date you took over. But the proceedings were suspended. Now you say that the suspension will evaporate after three years. Till 1975 was the period. During this period,

[Shri C. M. Stephen]

the workers were not able to get the award implemented. They were not able to proceed with the whole thing. They were not able to get relief. Now by a statute you come and say that whatever was due before the period, which you kept under suspension, could be collected by the workers from the former owners. For my Rs. 50 or Rs. 100 or whatever it is, I must go to some former owner. You are paying the former owner. What connection have I with them. Nationalisation is the thing. In that I am the principal partner. If I am to be discriminated against, nationalisation will have absolutely no meaning.

I do not know how much money is involved in the whole thing. But I would certainly say that this approach is dangerous. Apart from the money involved, the approach is dangerous in that it is indicative of a mental attitude of being solicitous about the 4 per cent of the former owners but of being Shylockian about the payment of dues to the workers. To that extent, this will stand as a draconian legislation as far as the workers are concerned. Shri Maurya should take note of the unanimous feeling, irrespective of party affiliation, class interests and other interests expressed in this House concerning this draconian aspect of the Bill and it should be amended accordingly. I hope this will be taken note of and some amendments will be incorporated.

As a progressive measure, I support it, but I condemn that part of it which is draconian, and I appeal to the Minister to take such steps as may be necessary to rectify it and make it a clean thing so that this chapter of nationalisation may begin with the rejoicing of workers who are to be partners in this industry.

श्रीमन्मोक्षगुप्तजी (चांदवी चौक) :
समापति महोदय, मैं समझता हूँ इस विषय में अपनी बात सिद्ध कुछ पासेट्स में रखना

चाहती हूँ और मंत्री महोदय से सरकारस्त करना चाहती हूँ कि जैसे पहले लोग चिट्ठी में लिखा करते थे कि इस बात की कार्रवाई, जैसे ही मेरे काम बोलने से वह इस को काम इम्पॉन्ट न समझें, बल्कि इस को बहुत महत्व दें।

पहली बात यह है कि एसेंशल कामोबिडीय के बारे में सरकार को एक ही दफ्तर बह नीति बना लेनी चाहिए कि उनको टेक ओवर कर लिया जाय। क्योंकि सिर्फ सिंक मिल्स का बात नहीं है। और भी दूसरी मिल्स की बात बहुत लोग कर चुके हैं कि वह प्रोडक्शन जानबूझ कर कम कर देते हैं। यहाँ दिल्ली क्लाय मिल का मुझे मालूम है जहाँ मजदूरों का हिसाब से पैसा मिलता है तो भी वे उन से कहते हैं कि हम तुम्हारी शिफ्ट डालते रहने पैसा तुम को दे देंगे, तुम प्रोडक्शन मत करो। प्रोडक्शन दिखा देते हैं और करते नहीं हैं। इसी तरह औरों के बारे में भी जिक्र किया गया कि लोग फाइल दे देते हैं प्रोडक्शन नहीं करते हैं जितना कि करना चाहिए। इसलिए बाकी को भी टेक ओवर करें।

दूसरी बात मैं कहना चाहती हूँ कि इस बिल के स्टेटमेंट आफ प्रॉपोजेक्त्स में लिखा है कि अनाता का ध्यान रखते हुए, उन के और कार्यक्षेत्रों के हित में धन को लिया जा रहा है, तो सब से पहली बात तो यह देखनी चाहिए कि लेबर का पार्टिसिपेशन इसमें है या नहीं। काफी धरसा हो गया, पब्लिक इन्टरनेशनल वनेटी ने एक रिपोर्ट दी थी जिस में यह खास तबय्याहू बिलार्ड की कि वर्कर्स का पार्टिसिपेशन नीचे से लेकर ऊपर तक होना चाहिए। क्यों कि यह नई मिल्स टेक ओवर की जा रही है इसलिए मैं समझती हूँ कि इस से मुकामसिब समय नहीं होगा जब सरकार इस पार्लिसी को अपनाएगी और उस को अमल में लाएगी।

प्रीसरी बात यह है कि बर्कस वगैरे जो भी प्राविडेंट फंड हो जिस के लिए हम सभी लोग बहुत बड़े चुके हैं, उस की भी लायबिलिटी सरकार को अपने ऊपर लेनी चाहिए। उस को इनोरे नहीं करना चाहिए। यह मजदूरों के प्रति बहुत भारी धन्याय होगा और नेशनलाइजेशन के प्रति हमेशा के लिए उन की एक बेजुबिस हो जायेगी, वह समझें कि नेशनलाइजेशन का मतलब है कि हमारे हितों की रक्षा नहीं होगी।

चौथी बात यह है कि जो शेड्यूल में परिवर्तन करने के लिए सदस्यों ने कहा है, मैं सोचती हूँ कि बर्कस का पहला चार्ज होना चाहिए। सरकार का काम और बैंकों का काम फिर भी थोड़ा बहुत चल सकता है अगर उन को एक दम से पेमेंट न हो पर जो मजदूर हैं, कारीगर हैं, जिन्होंने सारी सारी उम्र अपनी लगा दी इस काम में उन के श्रम उन को नहीं दिए जाएंगे तो वह दोबारा जवान होकर कामाने वाले तो हैं नहीं, उन वगैरे उन को न दिया जाना यह बड़ा भारी धन्याय होगा मजदूरों के साथ। इसलिए उस को पहली जिम्मेदारी माननी चाहिए।

आखिरी बात मैं यह कहना चाहती हूँ, अभी श्री एच० के० ए० भा० ने जो बिल किया है, जैसे प्रयोप्या टेक्सटाइल बिल वरपोरेसन ने ले की थी, वरपोरेस। लेने के बाद उस में इतनी रिसा व। को और बेईमानी वगैरे की बिलायतें मजदूर भाई करते रहे, बड़ी मुश्किल से उन्होंने एन्वयरी कमेटी एक सेट अप करवाई, एन्वयरी कमेटी सेट अप होने के बाद वहाँ के जो मैनेजर थे उन्होंने कह दिया कि एन्वयरी कमेटी जब आयेगी तो उन को पिटाई मिल के अन्दर डोपी, सब भी एन्वयरी की गई। जिन्होंने सब कुछ किया, धाटा कराया, जिन के खिलाफ चार्ज एस्टैब्लिश हो गए उन्हें

हटाया दूर, उन की तरक्की कर दी गई और लॉकी कर के उन्हें मिनिस्ट्री में कहीं लाया गया। मेरे आप से यह कहना है कि अगर नहीं चलती है मिल तो प्राज भी वहाँ के मजदूरों को उसे सॉप बीजिए। वे इस से बेहतर चलाने वाले हैं। बजाय इस के कि आप रोज दस की निकालें, पांच को निकालें, 20 को निकालें, इस से अच्छा है कि आप उन को सॉप दीजिए, वे इस को अच्छी तरह से चलाएंगे। अगर उन के साथ इस तरह से जो अन्याय रोज हो रहा है इस को रोकना चाहिए। इसी लिए मैंने एक प्रमेंडमेंट भी दिया है। प्रमेंडमेंट के वक्त में उस का बिल कहूँगी कि जो आप का कानून है वह कानून कम से कम तब से तो लागू हो ही जाना चाहिए और उन को छूट इंडस्ट्रियल डिस्प्यूट्स ऐक्ट से नहीं मिलनी चाहिए जब से आप ने उस को टेक ओवर कर लिया। उस तारीख से तो उस को लागू हो ही जाना चाहिए हम तमाम बकीलों से इस के बाबत राय ले चुके। इसलिए मैं आप से कहना चाहती हूँ कि आप उन को मजदूर मत करिए कि वे गरीब आदमी अदालतों में घूमते फिरें। एक तो वे डिसमिस हो गए, अगर से हजाराँ रूपये वहाँ जा कर खर्च करें। जब कि सरकार जानती है कि कानून में कमजोरियाँ हैं तो इस कानून को ठीक कर देना चाहिए।

श्री सुब्रह्मण्य प्रसाद वर्मा (नवादा) :
सभापति महोदय, मैं सिक टेक्सटाइल अन्डरटेकिंग नेशनलाइजेशन बिल का समर्थन करता हूँ और समर्थन करते हुए मंत्री महोदय को बधाई देता हूँ कि वे जिस तत्परता के साथ इस बिल को लाए और इस सदन में जो उन्होंने आश्वासन दिया है मजदूरों के प्रति उस के लिए भी मैं उन्हें बधाई देता हूँ। लेकिन साथ साथ निवेदन करना चाहता हूँ कि आप की जो भावनाएं मजदूरों के बेलन एवं सुविधा के सम्बन्ध में हैं सचमुच में वे भावनाएं इस बिल में व्यक्त नहीं हुई हैं। मैं आप से निवेदन करता हूँ कि आपकी जो भावनाएं मजदूरों

[श्रीमती सभ्रता जोशी]

के प्रति हैं उन भावनाओं को इस विल में भी लाने की कृपा जरूर करें।

जहां तक पुरानी मिलों के जिम्मे जो मजदूरों का बकाया है, उस का संबंध है, उस संबंध में मेरा कहना यह है कि वह बकाया उन को जरूर मिलना चाहिए और जो धाप मुावजा दे रहे हैं उस में से ही वह रकम देनी चाहिए। चाहे वह बकाया बतन का हो, भयवा भविष्य निधि का या लैबर कोर्ट के एवार्ड का हो, प्राथमिकता देकर भुगतान कर देना चाहिये।

अब मैं धाप का ध्यान गया जिले की काटन एंड जूट मिल की ओर ले जाना चाहता हूँ। उस मिल के साथ जब पुराने मालिक की वह मिल थी, लीख में दी गई थी, उस वक्त से लेकर अब तक वहां के मजदूरों की यूनियन के साथ मेरा संबंध रहा है। उस के संबंध में माननीय सदस्य श्री ईश्वर चौधरी ने जिन बातों को व्यक्त किया है वस्तुतः उन्हें उसकी ठीक जानकारी नहीं है। जब मिल का टैक भोवर हुआ तो यहां तो एक आफिसर भ्रान स्पेशल ड्यूटी भी बी०डी०त्रिपाठी भेजे गए। यह बात तय हुई थी कि पुराने मजदूर ही लिए जाएंगे। लेकिन उस आफिसर भ्रान स्पेशल ड्यूटी ने दो ढाई सौ मजदूर बाहर से कानपुर बगैरह से ले जा कर वहां रख दिये। और कहा कि सफाई में है। मिल चालू होने के समय पुराने मजदूरों को ही लिया जायेगा और ये सभी हटा दिये जायेंगे। पर ऐसा नहीं किया। पीछे जब मिल चालू होने की बात आई तो उन्होंने उन्हीं नए मजदूरों को लेना प्रारम्भ कर दिया। मैं धन्यवाद दूंगा मैनेजिंग डायरेक्टर टैक्सटाइल कारपोरेशन के श्री जे० सी० जेटली को कि उन की नोटिस में मैं यह बात जब लाया, तब उन्होंने आर्डर दिया कि जो पुराने मजदूर हैं वही लिए जाएंगे, नये भ्रादमियों को हटा दें। बाबजूद इन के आदेश के अभी भी सौ से अधिक नये भ्रादमी उस में रह गए। फिर पुराने मजदूर लिए जाने लगे। मुझे

यह बात कहने में खुशी है कि पुराने मजदूरों में 80 प्रतिशत हरिजन और बैकवर्ड क्लासों के लोग हैं। और यही कारण था कि वह चाहते थे कि इन को याने पुराने मजदूरों को हटा कर बाहर के लोगों को लाएं। 80 प्रतिशत उस में गरीब हरिजन और बैकवर्ड क्लासों के लोग जो लोकल हैं, वही पुराने मजदूरों में है। यह बात सही है कि उन आफिसर भ्रान स्पेशल ड्यूटी ने जो उस वक्त थे और बलबस गैरह को बाहर से जा कर नये भ्रादमियों को रख दिया और पुराने भ्रादमियों को नहीं लिया जिस से वे बेचारे हरिजन नहीं लिए गए। मैं उस की लड़ाई लड़ रहा हूँ। जो मौजूदा सी० ई० भो० हैं अशोक कासलीवाल उन्होंने पुराने मजदूरों के केस के लिया है। उन के साथ धन्याय हुआ है मैं उन के नोटिस में ले आया हूँ। वो उसे देख रहे हैं।

साथ ही साथ मैं माननीय मंत्री जी से यह कहना चाहता हूँ कि उस मिल के विस्तार की काफी संभावना है। 20 हजार स्पिडिल बढ़ाने के लिए और उस के कार्य को और विस्तार करने के लिए सी० ई० भो० ने एक योजना बना कर भेजी है। मैं चाहूंगा कि उस की धाप स्वीकृति दिलाए। साथ ही साथ वह एक पुरानी मिल है। मजदूर उस से मेहनत कर रहे हैं। उहोंने बहुत कम पैसे में काम करना शुरू किया था। सौ रुपये महीने पर उन्होंने काम प्रारम्भ किया था और जब मिल को लाभ होने की स्थिति हुई तो दूसरे मिलों की तरह वे भी अपनी मांगें रख रहे हैं। वह बात चल रही है। टैक्सटाइल कारपोरेशन के मैनेजिंग डायरेक्टर ने उसे टैक धप किया है। मैं चाहूंगा कि उन को भी वे सुविधाएं दी जायें जो और जगह दी जाती है, राष्ट्रीयकृत मिलों में।

अन्त में मेरा निवेदन है कि उस मिल के संबंध में जो बातें कही गई हैं जो भाषनाएं व्यक्त की गई हैं उन की जांच कराने के बाद

ही कोई कार्यवाही उस क संबंध में करें। जो अप्रतिभार भान स्पेशल इयूटी पहले थे मैं ने उन के खिलाफ जो बातें थी वह लिख कर दी हैं, कारपोरेशन से उस की जांच करा लें ;

एक प्वाइंट यह निवेदन करना है कि बिजली के कारण वहां काम अच्छा नहीं चल पा रहा है। खर्च जो आप का ज्यादा पड़ रहा है। बिजली का काफी रान बका है और विद्युत परिवुटेम्पोरेरी लाइन्स देकर के ज्यादा पैसा चाँस कर रहा है। मैं बहुत प्रयत्न किया लेकिन अभी तक स्थायी लाइन नहीं मिली है। मैं चाहूंगा कि सचमुच में मिल का मुनाफे में लाने के लिए और मजदूरों को उत्साह दिलाने के लिए बिजली के प्रबंध की तर्फ आप ध्यान दें। मिल अपना टांसफारमर खरीदना चाहता है। लेकिन नहीं दिया जा रहा है। फलस्वरूप मिल को जरूरत के अनुसार बिजली नहीं मिल रही है।

SHRI VAYALAR RAVI (Chirayinkil): Mr. Chairman, Sir, I rise to support one of the very important measures taken by the Government relating to a very important industry which, to an extent, is controlling the economy of our country.

Before I come to the Bill, I believe that it is necessary to go into certain aspects of the present situation in the textile industry as such. I am one who would not like to blame the industry as a whole as the blood suckers for all the mischiefs and mess in the economy, even though, they are responsible to an extent. But the fact remains that every time this industry is flourishing with the protection of the Government. Even during the days of freedom struggle, this industry was given protection and after independence, there was the ban on import of textile goods and this industry is flourishing with other encouraging measures from the government. I would like to draw the attention of the Minister to how they

behave and what they are doing. It is an industry which makes speculation and is indulging in all kinds of malpractices; they are tightening their grip on the labourers and are denying their rights and are putting them in difficulties; they are looting the public.

In this connection I may draw your attention to what Mr. Mavalankar has raised today. He has said that the mills have closed their third shift and are trying to close the second shift also. This is a very important matter which the Minister should take note of. They are only trying to intimidate the Government. It is not recession. Cotton is coming in bulk in the market. About Rs. 1000 crores are rolling in cotton alone and they want to crumble down the whole thing; one part of their game is to reduce the price of cotton and harm the interests of the farmers and on the other side they are threatening the Government that recession is setting in.

In reply to one of my questions, the Minister has given this information. There are 783 mills in the country. They have given the figures in respect of only 103 mills and we find that 81 mills alone have earned a profit of Rs. 53 crores in 1972; in 1973 the profit of the same number of mills was Rs. 43 crores. This does not represent the profits of all the mills; this represents the profits of only some of the mills. Therefore, the whole industry is flourishing and there is no question of their suffering any loss.

Another point to which I want to draw the attention of the hon. Minister is about exports. The total exports come to only Rs. 695 crores in the ten year period, 1961-71. But at the same time the incentive subsidy that they got was about Rs. 417 crores. And Government were forced to give them import licences to the tune of about Rs. 1,343 crores...

MR. CHAIRMAN: Only one minute more. At 5.40 we have to take up the half-an-hour discussion. Before that, I have to give five minutes to Mr. Sokhi and then the Minister will start.

SHRI VAYALAR RAVI: My point is this. As I have said, the subsidy element was to the tune of Rs. 417 crores. The import licence that they got for is more than double their value of exports. I do not want to go into detail. But I would like that the textile industry should be toned up and disciplined in accordance with the policy of the Government.

This Bill, as Mr. Stephen said, goes against the interests of the workers. The workers' interests should be fully protected. Here they have said that the interests will not be protected. First they will pay whatever is taken from the banks and other Government dues. I would again reiterate that the workers' interests should be fully safeguarded.

Lastly, there was a meeting held recently in Trivandram of the Provident Fund Commissioners. They wanted that the provident fund accumulations in the sick mills proposed to be taken over should be remitted to them. I do not know what they are doing with that request.

I do not want to go into the Bill further for want of time. One point I would like to make is that the production of coarse cloth has been reduced and the mills have not fulfilled their obligations in this regard. That should be remedied and it should be seen that they produce the full quota of coarse cloth.

Lastly, these 103 mills proposed to be taken over together with the NTC will act as a sort of checks and balances on the whole textile industry.

SARDAR SWARAN SINGH SOKHI
(Jamshedpur): Thank you for giving

me a few minutes to speak on this Bill. I rise to support this Bill for nationalisation of 103 sick textile mills instead of simply taking over for few years as the Government has done in the case of Indian Iron and Steel Co. Ltd. Burnpur. The Government is going to pay quite a high price for these sick mills. Some of them may be even of scrap value. Here, I would like to point out that it is going to cost us quite a tidy sum of money in repairing these mills and recommissioning the same.

I would also like to know how the valuation of these sick mills was worked out and what was the criterion or did they simply go through the books, registers and fixed the valuation.

As you know, Sir, we had a sad experience when we took over and nationalised the coal mines, leaving some mines out who played dirty tricks with the Government.

Till now almost none of the public sector plants has shown profits. We have to employ at least 103 General Managers and other personnel for these sick mills and here I would not only suggest but press the Government to give employment to the unemployed educated engineers, properly train them; also the participation of the labour in the management and its representation in the National Textile Corporation is very very essential for the smooth running of the mills.

There should be good relations between the company and the labour and as my friend who spoke before me has said about clause 5, the labour should not be deprived of its legitimate dues, provident fund and gratuity. This is quite reasonable. The owners of these mills should not be paid a single paise unless and until the labour and the Government are paid all their dues. Why should we pay them any compensation since we had amended the Constitution of

India. They could be paid any amount, since they have earned a lot and have switched over to other profitable business, leaving these sick babies in the laps of Government.

MR. CHAIRMAN: The hon. Minister,

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND CIVIL SUPPLIES (SHRI B. P. MAURYA): Let me have the privilege to express my heart-felt thanks towards all those hon. Members who took part in the debate concerning this Bill and I would like to express my heart-felt thanks to those hon. Members also who could not speak because of limitation of time but had been present all through because they are the symbol, they are the real representatives and they are the embodiments of the working class....

MR. CHAIRMAN: You will continue your speech tomorrow.

HALF-AN-HOUR DISCUSSION
Former President's statement on
Railway Strike

MR. CHAIRMAN: Now, we take up the half-an-hour discussion. Shri Samar Guha.

SHRI SAMAR GUHA (Contai): It appears to me that Shri L. N. Mishra is a typical example of a person with an impervious conscience....

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): We know each other for 18 years.

SHRI SAMAR GUHA: If you prove otherwise today, I will be quite happy. Requests and appeals made to him either on compassionate grounds or on humanitarian grounds go unheeded. He is armoured with some kind of a peculiar fire-proof plaster perhaps. Any kind of fire-works does not affect him. He goes on smiling, he pursues his own course of action, his own line of action. He gave an assurance to the then President of India. Shri

Giriji, saying that all the railway men who participated in the strike will be taken back, except those involved in charges of sabotage or violent activities and that they will be taken back to their services after the strike and without any break in service. But unfortunately that assurance is not fulfilled. Mr. Giri is one of the founders of the All India Railwaymen's Federation. He is one of the founders of the trade union activities of the Railwaymen in the country. On the 10th October he expressed his agony and deep feelings for the workers. He said:

"Mr. L. N. Mishra, the Railway Minister agreed to abide by my advice but I don't know what happened later because he did nothing."

He has accused the Railway Minister of behaving in a manner,—what I would say, if not impervious,—in a way without any heart and sympathy. And such an attitude was not taken even by the secretaries of the old British days. He used these words:

"Even during the British period all employees were reinstated after a strike was over. There was never any victimisation and magnanimity dictated policy after victory."

Before going out of his office, he said:

"Whenever I get an opportunity I am going to demand that the dismissed employees be taken back and that the break in their service be condoned. I shall not let the matter rest where it is."

In another statement he has requested the Government not to make any distinction between the striker and non-striker, not to create an atmosphere of animosity between one section of workers and the others, so-called loyal and disloyal, but he made the request to bring about as early as possible normalcy in the functioning of the railways. There is no question of victor or vanquished, and that they should not take any vindictive attitude. He said: