

[Shri Piloo Mody]

or not? Or, is it merely a formality that we express our objection to it and then the majority rules it out and carries through with the Bill, till it is struck down in the Supreme Court some months hence? There must be some valid way of finding out at this point whether it can or cannot be proceeded with. Some legal opinion must be available other than the legal opinion of the Government as given to them by the Law Ministry.

SHRI G. VISWANATHAN: There is a precedent when the Attorney General was invited to give his views on the floor of the House. You should direct the Government to ask the Attorney General to come here and give his views.

DR. G. S. MELKOTE: Sir, I would like to read a few sentences from the Committee of Jurists' report on Telengana Safeguards, headed by Mr. Wanchoo:

"The implications of the Supreme Court judgment being clear, the question now is whether or what provisions can be made which would make it possible to provide safeguards in the matter of public employment or appointment to the people of Telengana area of Andhra Pradesh in keeping with what had been going on since 21st March, 1969. We have already indicated that in view of the interpretation placed by the Supreme Court on article 16(3), it is no longer possible to make any law or rule prescribing residential qualification in a part of a State for appointments within that part. Any law or rule so made would be bad and would be liable to be struck down as *ultra vires* the Constitution."

SHRI M. SATYANARAYAN RAO: The Attorney General was also a member of this Committee.

MR. SPEAKER: What precisely do you want, Dr. Melkote?

DR. G. S. MELKOTE: In the bill they are introducing, they have not indicated the Act under which they are introducing the Bill. Secondly, whatever they are doing is going to affect only part

of a State and hence they cannot introduce the Bill in this form.

MR. SPEAKER: I am sorry, I will have to postpone the consideration for some time and satisfy myself on all the points. So, we will postpone the consideration of this item.

15 hrs.

**SICK TEXTILE UNDERTAKINGS
(TAKING OVER OF MANAGEMENT)
BILL—Contd.**

MR. SPEAKER: We will now take up the next item, namely, the Sick Textile Undertakings (Taking Over of Management) Bill. Shri Dinan Bhattacharyya will continue his speech.

SHRI DINEN BHATTACHARYYA (Serampore): Sir, in the list of business this Bill is mentioned as "Sick Textile Undertakings (Taking Over of Management) Bill" instead of calling it "Sick" Textile Undertakings.

I would say that confusion has been sought to be created on this issue of nationalisation. While I was speaking on this Bill the other day, the Minister stated that Government had no intention of nationalising the textile industry as a whole. Yet, in the Statement of Objects of Reasons attached to the Bill it is mentioned that this legislation is pending nationalisation of such undertakings. So, I want a categorical answer on this point. Government are not certain as to what measures they should adopt in respect of this industry and, therefore, they are bringing forward this bill for the rehabilitation of the sick mills.

15.02 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Who is responsible for the present state of affairs of these sick mills? The management of these mills frittered away their assets, cheated the shareholders and even swallowed the money due to the workers in respect of provident fund. Crores of rupees are lying unrealised from the management, not only their contribution but also the contribution of the workers.

Coming to the provisions of the Bill, it is provided that the government will make a regular payment "of an amount to the extent of Rs. 30,000 per annum" to the owners of the sick mills to save these industrialists. I do not know what is the necessity for this payment.

Then, in clause 7(b) it is stated

"all or any of the rights, privileges, obligations and liabilities accruing or arising herein before the said day shall remain suspended, or shall be enforceable with such adaptations and in such manner as may be specified in the notification."

This clearly means that any right, any privilege, as per the law to which the workers were entitled before the closure of the mills will be suspended by passing this Bill, that is, after taking over the management. This is a clear violation of the principles of natural justice and also the right of the workers.

Again, there is a provision in this Bill that the Government after taking over the management and the Custodian will be entrusted with all powers to manage these mills will be entitled to even retrench or not to give appointment to any employee whomsoever they like. Their only obligation will be that they will pay one month's pay as compensation. Here also, I want to make an emphatic protest against this sort of behaviour, this sort of attitude, of the Government after taking over the management of these concerns.

In the meantime, I know, some mills were taken over by the National Textile Corporation in Maharashtra and the workers of these mills were not given even the wages that the workers of other mills were getting. In regard to bonus also, I know, the minimum bonus was not given to the workers even after passing of the Minimum Bonus Act.

In this way, the other amenities which they are entitled to get are being denied to the workers of these taken-over mills. So, while you are taking over the management and you are paying compensation to the owners, you are at the same time denying even the minimum privileges and rights which the workers are entitled to get as per the law of the land.

I know, in some cases, in Tamil Nadu, the workers had to fight to get even the benefits of the Factories Act. They were not paid over-time wages although they were asked to work overtime. They were not paid due wages for extra work done. I am not against taking over the management of the mills. But why are you hiding the facts? On the one hand, you are saying that you have no intention to nationalise the textile industry, on the other hand, you are saying that, as a stepping stone to nationalisation, you are bringing forward this legislation. Because under the Industries Development and Regulation Act, you have limited powers, under this Bill, you are taking the powers to keep these mills under your management as long as you like. Why this double dealing? I say double-dealing in the sense that you are not straight-forward.

Coming to certain other aspects of the Bill, now you want rehabilitation of the industry. I know, in West Bengal, about the cost of the main raw material, that is, cotton, the mill-owners have to pay more than what the mill-owners of Gujarat and Maharashtra have to pay. Just like steel, I demand that price of raw cotton should be the same everywhere throughout India, so that the mills in any one State do not have to pay more than what the mills in other States, pay.

Another aspect that I would like to point out is this. I do not know whether you have got any idea about these mills. You have yourself stated here that 'in the meantime, the owners might fritter away all the assets'. I can tell you that the assets have already been frittered away and you have to start everything anew. I do not know why you are providing for payment to these owners, why

[Shri Dinen Bhattacharyya]

you are saying that if so many spindles are there, you will pay them so much amount, if so many looms are there, you will pay them so much amount. Why? All those firms had various sources for finance, they were taking money as loan and they have not paid any dividend to the shareholders and they have also swallowed the Provident Fund dues of the workers. You must realise all these and then only think of paying any return to those owners.

I will again appeal to the non Minister that he must have a first hand knowledge of the situation and should not deny any right or privilege that the workers were enjoying before these mills were closed. Those things should be continued as before and there should not be any retrenchment. All the employees who were on the pay-rolls on the day the mills were closed should be taken back and all the emoluments and other privileges which they were getting should be restored to them.

With these words I conclude

श्री रामसिंह भाई बर्मा (इंदौर)

श्रीमन्, जो बिल पेश किया गया है उसका मैं हृदय से समर्थन करता हूँ और माननीय मंत्री जी का आभार प्रकट करता हूँ। सेक्रेटरी लोक सभा में टेक्सटाइल इण्डस्ट्री के सम्बन्ध में जब चर्चा हुई थी तो माननीय उपाध्यक्ष महोदय ने सत्र 35 मिनट का टाइम दिया था और आज के बदले हुए जमाने में मैं आशा करता हूँ कि कम से कम 55 मिनट का समय जरूर देंगे।

MR DEPUTY-SPEAKER. How much time you want? 55 minutes? If you want to take the whole time of your Party, I have no objection. That is a matter between you and your Party.

श्री रामसिंह भाई बर्मा चार घंटे है।

श्रीमन्, टेक्सटाइल इंडस्ट्री देश की सबसे पहली, पुरानी और बड़ी इंडस्ट्री है। इसमें लगभग 3 अरब पेंड-ग्रुप कैपिटल है, 1 करोड़ 80 लाख स्पिंडलम जिसमें काम करते हैं, दो लाख लूम हैं और साढ़े सात लाख श्रमिक काम करते हैं। देश में लगभग 60 करोड़ किलोग्राम से ज्यादा मूत बनता है। हमारे शासन को भी 1 अरब 30 करोड़ से ज्यादा एम्प्लॉयमेंट डेवेलपमेंट इंडस्ट्री देती है। इस टेक्सटाइल इंडस्ट्री के ऊपर अभी तक किसी का ध्यान नहीं गया है जबकि इस इंडस्ट्री ने लगाई हुई पूंजी में सौ गुना ज्यादा पैसा दिया है। अब यह नहीं कहा जा सकता कि इस इंडस्ट्री में जो लगाई हुई पूंजी है वह किसी की है वह तो सारे राष्ट्र की हो चुकी है यह मानना चाहिए। यह इंडस्ट्री केवल शोषण करने के लिए अभी तक चलती रही है। जब देश आजाद हुआ तब 300 मिले हिन्दुस्तान में थे और अब 664 से ज्यादा मिले हो गई हैं। लेकिन इन सवा सौ वर्षों में इस इंडस्ट्री की तरफ ध्यान नहीं दिया गया है। पिछले टाइम जब यह इंडस्ट्री बन्द होने लगी तो गवर्नमेंट ने कुछ थिंकों को टेक-ओवर किया। टेक-ओवर करने पर इनको रिफॉर्म एक्ट के अनुसार बर्खास्त

गन्ना यानी मजदूरों को कम वेतन और कम भुहवाई भत्ता दिया गया और कुछ को ठीक करके एम्प्लायर्स को लौटा दिया गया। लेकिन अब हमारे मंत्री महोदय ने जो एनाउन्स-मेंट किया है और जो इस बिल में रखा है कि जब तक इस इंडस्ट्री का राष्ट्रीयकरण नहीं होता इन मिलों को नया बनाने और उत्पादन देने के हिसाब से गवर्नमेंट अपने हाथ में रखेगी या वापिस लौटायेगी नहीं— यह एक स्वागत योग्य बात है जिसके लिए मैं धन्यवाद देना चाहता हूँ।

46 मिलें आप हाथ में लेने जा रहे हैं, हाथ में ली है उनमें लगभग 12 लाख के करीब स्पिडल्स काम करते हैं, 60 हजार श्रमिक काम करने हैं और प्रति स्पिडल 54 किलोग्राम सूत के हिाब में लगभग 6 करोड़ किलोग्राम सूत इनमें पैदा होता है। लेकिन मैं निवेदन करना चाहता हूँ कि यह जो 12 लाख स्पिडल्स इन 46 मिलों में हैं उनमें से आधे तो बन्द पड़े हैं यानी बन्द इस हासत में हुए कि जहाँ तक इन मिलों का शोषण करना था उतना एम्प्लायर्स ने कर लिया। शासन ने जब इन मिलों को हाथ में लिया तो उनको सिक मिल्स नहीं मुर्दा मिलें मिली। बाकी आधी मिलों के करीब 6 लाख स्पिडल्स जो चल रहे हैं वह चल नहीं प्रतिम मास ले रहे हैं। वे कैसे चल रहे हैं उसका एक उदाहरण सदन के सामने रखना चाहता हूँ। एक मिल चल रही है और वह बढ़ाकर लागू कर रही है लेकिन सचेत करने के अभाव में उसको चाहे जैसे बसा रहे हैं।

और वह चल कैसे रही है? सन 1968 में उस मिल ने 18,20,915 रुपये प्राविडेंट फंड का जमा नहीं कराया। 5 लाख 8 हजार ६० ए० आई० का जमा नहीं करवाया गया।

श्री इन्द्रजीत गुप्त (अलीपुर): कौन सी मिल है?

श्री रामसिंह भाई बर्मा इन्दौर मालवा युनाइटेड मिल्स। 1967 में 31 लाख प्राविडेंट फंड का जमा नहीं करवाया, 9 लाख 20 हजार ६० ए० आई० का जमा नहीं करवाया। 1969 में 50 लाख 53 हजार प्राविडेंट फंड का जमा नहीं कराया और 15 लाख ए० एम० आई० का जमा नहीं करवाया तथा 12 लाख 11 हजार एलेक्ट्रीसिटी बोर्ड का जमा नहीं करवाया। पैसा मजदूरों का, पैसा सरकार का और शासन करें प्राइवेट एम्प्लायर्स। बड़े आश्चर्य की बात है कि ऐसी मिल जो चल रही है उसमें केवल प्राविडेंट फंड, ६० ए० आई० और इलेक्ट्रीसिटी बोर्ड का 1 करोड़ 46 लाख 90 हजार का बकाया है जो कि एम्प्लायर्स ने नहीं दिया है। मैं निवेदन करना चाहता हूँ कि उसका जो नेट ब्याक है वह 96 लाख है जबकि एक करोड़ 46 लाख केवल मजदूरों का बकाया है। इसके साथ में आप देखें कि लायबिलिटी क्या है—4 करोड़ 55 लाख और उसके असेट्स हैं 2 करोड़ 57 लाख तथा नेट मास है 1 करोड़ 98 लाख। मैं

[श्री राम सिंह भाई वर्मा]

मानता हूँ कि जब इन्डस्ट्री वी यह हालत हो तो गवर्नमेन्ट उसकी टेक-ओवर करती है और इस दृढ़ निश्चय के साथ कि हम वापिस नहीं लौटाएंगे तो यह एक स्वागत करने लायक बात है। लेकिन इसके साथ मैं निवेदन करना चाहता हूँ कि ऐसी 46 मिलों को चलाने के लिए आपने जो 10 करोड़ रुपए की राशि रखी है, वरकिंग कैपिटल, वय उससे 12 लाख स्पिडल्स का चला सकते हैं। मैं समझता हूँ 10 करोड़ का वरकिंग कैपिटल, बहुत कम है। इन मिलों के पास कुछ नहीं है, उन्हें फिर से आपकी खड़ा करना होगा।

आधुनिकीकरण के लिए आपने जो 17 करोड़ की राशि रखी है, उसके सम्बन्ध में मैं कहना चाहता हूँ कि लगभग 6 लाख स्पिडल बन्द पड़े हुए हैं और 6 लाख स्पिडल की हालत बहुत ही खराब है। हमारे शासन ने 1951 में एक वरकिंग पार्टी टेक्सटाइल्स के लिए मुरुरर की थी। उस वरकिंग पार्टी ने हमारे देश को मिलों को जाच करने के बाद सन् 1952 में रिपोर्ट दी थी। उसमें मैं एक सल्लह देना चाहता हूँ, वह सदन में पढ़ने लायक है। मैं मानता हूँ कि मंत्री महोदय को उस का पता नहीं है। उसमें लिखा हुआ है कि

“मिलों का नकशा तथा जमाबंद हर प्रकार से बिल्कुल पुराने ढंग की है। शुरुआत में मशीनें जमाते समय खाने में माल की इधर

उधर व्यवस्थित ढंग से लाने-ले जाने और श्रमिकों के आने जाने की सुविधाओं का कतई ध्यान नहीं रखा गया। मिलों की इमारतें भी बहुत बुरी हालत में पाई गईं, शायद जिन्हें पिछले 10-15 वर्षों में न तो दुरूस्त किया गया है और न उनकी पुतलाई हो गी गईं मालूम देती हैं। खातों में रोशनी के लिए लगाए गए उजारदान और खिडकियों के काच फूटे हुए थे या उन पर बर्षों से जमी धूल आदि में वे काले हो गये थे। मशीनों के चलते हुए हिस्सों को ठकने के लिए और जालियों की व्यवस्था या तो की ही नहीं गई या वे गायब थीं। मिलों की इमारत, शूट कम्पाउन्ड आदि त्राहर में ऐसे दिखाई देने थे मानो वे भतघर हों, उदास, निर्जीव, गन्दे मनहूँ। इसी प्रकार उपरोक्त कारखानों के खातों के अन्दर की हालत भी बहुत असन्तोषजनक थी। अंत में 19वीं सदी में डाली गई थी। इसलिए 19वीं सदी की पुरानी मशीनें ही यहाँ लगी हुई हैं। यद्यपि उस समय के बाद मशीनरी और उत्पादन के तरीके तेजी से बदल चुके हैं किन्तु यहाँ पर वे ही 19वीं सदी की मशीनरी जिना कोई मुधार किण चली गयी रही हैं। हमने मिलों में जीर्ण इमारतें खराब हालत में, पुरानी मशीनरी, बहुत खराब वरकिंग कैपिटल, काम करने के गन्दे तरीके, असन्तोषजनक काम की स्थिति, असन्तुष्ट श्रमिक वर्ग, और अक्षय मैनेजमेन्ट पाया। (पन्ट 526)”

मैं समझता हूँ कि जो मिस्टर की सारी हालत रख रही हैं उसकी और मंत्री महोदय का ध्यान आवश्यक जाएगा और मैं समझने

कि हमारे मामले क्या कठिनाइयां आने वाली हैं। बकिंग पार्टी ने सारी मशीनों की हालत और एक एक डिपार्टमेंट की हालत का उम रिपोर्ट में वर्णन किया है।

जहां तक कैश मुआवजा देने की बात है, इस बिल से ऐसा रक्खा गया है कि 1000 स्पिंडल्स पर 50 पैसे के हिसाब से और 100 लूम्स पर 1 रुपया के हिसाब से प्रति माह मुआवजा दिया जायेगा। जहां तक मुआवजे की बात है, मैं एक मिल का उदाहरण देना चाहता हूँ। 1956 में उस का पेड अप कैपिटल 31 लाख का था और इस मिल ने 10 रुपये के शेअर के ऊपर 150 रुपये के बोनस शेअर दिये और अपन पेड अप कैपिटल की बढ़ा कर 4 करोड़ से अधिक का कर लिया। जब उस न अपना पैड अप कैपिटल 31 लाख से बढ़ा कर 4 करोड़ रुपये से ऊपर का कर लिया है तब उस को मुआवजा देने की बात कहा से आती है ? मैंने इस सम्बन्ध से अमडमेट दिये हैं कि अगर आप को देना ही है तो आप 1000 स्पिंडल पर 5 पैसे दें और 100 लूम्स पर 10 पैसे दें। अगर कोई वैधानिक सवाल पैदा होता है तो इतना ही मुआवजा दें। इस से अधिक को मैं उचित नहीं समझता।

इस बिल में मजदूरों के जो कानून हैं वह स्थगित कर दिये गये हैं। एक तरफ तो आप शोषण करने वालों को मुआवजा दे रहे हैं और दूसरी तरफ मेहनत करने वालों का बेटन और महंगाई भत्ता काट रहे हैं। मेरे प्रदेश में मिल बन्द की गई। उस को बन्द करने के बाद हर एक मजदूर से 2

रुपये रोज के हिसाब से काट लिये गये। यानी 26 बकिंग डेज के हिसाब से हर एक मजदूर के 52 रुपये महीने काट लिये गये।

इस के बाद मैं यह निवेदन करना चाहता हूँ कि मैंने ही आप मिलों को अपने हाथ से लेते हैं लेकिन उन को चलाते कौन लोग हैं ? चलाते वही लोग हैं, उन्हीं लोगों को आप ने नियुक्त किया है जिन्होंने मिल मालिकों से मिल कर मिलों की इतनी दुर्दशा की है। आप मिलों को लेते हैं, यह स्वागत योग्य है, हम उस में पूरा पूरा सहयोग देना चाहते हैं, लेकिन इतना जरूर मैं निवेदन करना चाहता हूँ कि आप जिस को कंट्रोलर मुकर्रर करे उस को कम से कम मिल चलाने का तरीका तो मालूम होना चाहिये। एक ऐडमिनिस्ट्रेटर वहां काम नहीं आ सकता। वहां काम वह आयेगा जिस को खरीदने-बेचने एव टेक्निकल ज्ञान हो, यह मालूम हो कि काटन को किस तरीके से खरीदा जाता है या तैयार माल कैसे दूसरों को बेचा जाता है। उस को टेक्निकल योग्यता भी पूरी हो, प्रैक्टिकल एक्सपीरिएंस भी होना चाहिये। खाली किताबी योग्यता नहीं होनी चाहिये बिना जा कर कालेज से प्रमाण-पत्र ल आये। मैंने देखा है कि आप को जो मिलें आज चल रही हैं, जिस को आप न अपने हाथ में लिया है, उन की भी बहुत बुरी दशा है। हमारे यहां की मिल को जब शासन ने अपने हाथ में लिया था, जिस का नाम स्वदेशी काटन मिल है, उस की हालत में आप को क्या बतलाऊं। मजदूरों को छः वर्ष से बोनस नहीं दिया गया है जब कि

[श्री राजसिंह बाई वर्मा]

वहाँ की सूखरी मिलों में लोगों को बोमस मिला रहता है, सारी सुविधाएँ मिल रही हैं। लेकिन जो मिल हमारे यहाँ है उस की वै बात कर रहा हूँ बैलैस शीट मेरे पास है। उस में बतलाया गया है कि 1971 में उस की हालत क्या थी 42,32,650 रुपये प्राविडेंट फंड का जमा नहीं किया गया, ई० एस० आई० का 13,69,729 रुपये बाकी है। यह सब मिला कर 66,34,941 रुपये बनता है। मजदूरी का जिस से उम मिन का काम चलाया जा रहा है। 1966 से ले कर 1971 तक इस मिल ने जो लास किया है वह 1,30,54,897 रुपये तक का है।

ये निबंदन करना चाहता हूँ कि हम पूरी तरह से सहयोग देने के लिये तैयार हैं, प्रोडक्शन, प्रोडक्टिविटी बढ़ाने के लिये तैयार हैं, लेकिन हम इन्स्टी में प्राइवेट सेक्टर में जो सुविधाएँ मजदूरी का मिलती हैं कम से कम उतनी तो पब्लिक सेक्टर में मिलें। इस के साथ ही यह भी आवश्यक है कि योग्य लाभा के ह्रास से इन मिलों का चलाना चाहिये। मन्त्रा महादय ने कहा कि वह इस मामले में जल्दी काम कर रहे हैं। लेकिन मेरा इस मामले में एक अपेक्षामें है, आशा है आप मुझ को उस समय बोलने का अवसर देंगे, लेकिन इस बात का जरूर ध्यान रखा जाये कि वह इन्स्टी अनप्लैन्ड प्रनकॉन्सिड, अनबैरैन्सिड और पूरी तरह से मिस-मैनेज्ड है।

SHRI INDRAJIT GUPTA (Alipore) :
This Bill, apart from the details of its provisions which I shall come to a little later, represents in a way a new departure

of State policy or Government policy. This is the first time that Government are entering into the consumer industries in this country on a big scale. Up till now, public sector, nationalisation and so on have by and large been restricted to heavy basic industries or industries of a strategic nature which are vital for the economy. We had been demanding and urging for many years that at least the production and distribution of those essential commodities which are vital for the day-to-day existence of our people, particularly, the lower income groups, should be taken over by the State. Pressure of certain circumstances which are described here in the Statement of Objects and Reasons, has compelled the Government to come forward with this piece of legislation to take over 46 mills. There are already a number of other textile mills which were taken over either by the National Textile Corporation or by State Governments and State corporations or by the Industrial Reconstruction Corporation. So by and large a big sector of the textile industry or a big segment of it not the major segment but a big or substantial segment of it is now coming into the public sector. I can only hope that this is or will be the precursor of similar action in respect of sugar, edible oils and essential drugs. If the public sector, during the course of the Fifth Plan, has the boldness and the vision to enter these fields also, then perhaps at least a part of the misery which the low income groups and the poorer sections of the people are suffering from at present due to the ever-increasing prices may be alleviated.

Although the statement of objects and reasons says that the ultimate goal is to subserve the interest of the general public by the augmentation of production and distribution at fair price of cheaper varieties of cloth—very laudable objective no doubt; we do not know how far we will succeed in achieving it; let us see—the selection of these 46 mills has been due to the fact that they have fallen sick, sickness being what is defined here in the Bill, according to the Minister. If they had not fallen sick in terms of this definition, they might still not have been taken over.

My friend, Shri Ramsinghbhai Verma, cited instances of two or three mills, to his knowledge, which are running—they have not yet put up a closure notice. You heard his description, the symptoms of the patients. I do not know to what degree these symptoms have to increase before the Minister will decide they are sick mills. They wait until everything is frittered away, all the money is looted, the owners run away with all the money, the mill closes down and people are rendered unemployed. Then only it is going to be a sick mill.

There is the classic case of the Lakshminrattan Cotton Mills, Kanpur. It was raised here. For three years no bonus was paid; lakhs of rupees being share of the workers' provident fund contribution have not been deposited, lakhs of rupees of HSI contribution have not been deposited by the management and Rs. 31 lakhs are due as arrears of income tax by the company. An investigation committee was set up some time ago by the Central Government. It recommended that the mill should be taken over. But the State Government did not agree; they said 'we are going to conduct our own investigation'. Although the mill is formally still running, 5,000 spindles are idle, but according to the definition in this Bill, it is not a sick mill.

Then there is the case of the Saksaria Mills of Bombay which the Minister knows very well. The owners had run away with all the money; they were showing losses year after year. It was closed down and it was taken over. In two years, it was showing a profit of Rs. 94 lakhs. Thus nursed back to health, earning a profit of Rs. 94 lakhs, it was handed back to the same employers who had looted and ruined it. Again they started looting and fleecing it. Again it closed down, I do not know since when. Now it is in the list of sick mills in the Bill.

So, I must say that it is not really this high-sounding concern of yours for supplying the poorer sections of the community with cheaper cloth at fair price which really activated Government. These owners have been allowed over and over again to

mismanage and loot these concerns and then they are taken over. This is the oldest, largest, and best-established industry in the country enjoying an entirely protected market with a huge potential as everybody requires cloth, there is no competition from imports. Yet this is an eloquent commentary on the way the capitalist system works, with Government giving them so many incentives, facilities, benefits and concessions paid for by the taxpayer with a completely protected domestic market. But they have reduced some of the best mills in the country to absolute junk by simple robbery, thievery and loot. Now they have reached a stage when they are being taken over. We welcome it, of course, but I want a categorical assurance from the Minister on the floor of the House that these mills will not at any stage in future be handed back to these same people who have ruined them.

THE MINISTER OF FOREIGN TRADE (SHRI L. N. MISHRA): Yes, not to anybody else.

SHRI INDRAJIT GUPTA: Nowhere in the body of the Bill is there anything stated about this being the first step towards complete nationalisation. It is stated only in the statement of objects and reasons.

MR. DEPUTY-SPEAKER: And the long title.

SHRI INDRAJIT GUPTA: Yes, and the long title. Nowhere in the provisions is there any finality or definiteness about the period for which the management is being taken over.

PROF. MADHU DANDAVATE (Rajapur): There also, it did not say nationalisation, but "pending nationalisation."

SHRI INDRAJIT GUPTA: Pending nationalisation. It may pend for 50 years.

SHRI L. N. MISHRA: Yesterday I said in my speech that the earlier regulation was only for 15 years.

SHRI INDRAJIT GUPTA Mr. Mishra when you reply, you make it very clear what the commitment is. I find, for example, in West Bengal—he must know—in some of the mills which were lying closed, which have been taken over with the assistance of the Industrial Reconstruction Corporation, the Boards of Directors have been slightly reshuffled. One or two new people have been brought in, but the majority of the directors remain the same people who are responsible for what has happened. This is not the proper way of setting about it.

Other Members have also expressed their concern, and if this is going to be done, this whole thing will be reduced to a farce. The consumers have been looted, and the cotton growers have been not looted but in some parts of the country certainly they have not got their dues.

A very important point has been mentioned by my friend Shri Bhatta Charyya, that without equalisation of cotton prices all over the country, the weaker mills, the smaller mills, mills which have got lesser or smaller resources, in many cases have faced such difficulties regarding their raw materials supplies that they have had to be closed down also. So, equalisation of cotton prices is very very important as has been done in the case of coal and steel. Otherwise, the mills situated in those areas which are not cotton growing areas are always casualties. And this is an unfair discrimination against them to the benefit of mills which are situated in the cotton-growing or near to the cotton-growing areas.

Another point I want to raise is there seems to me to be—I do not know why—a great multiplicity of agencies visualised here. There is the National Textile Corporation; there are textile corporations in various States. There is the Industrial Reconstruction Corporation, and now, according to clauses 5(1) and 5(2) of the present Bill, these 46 mills after being taken over may be managed by either some individual custodians or by Government companies acting as custodians. So, we have got five or six types, even now, of management of

these various textile mills which have been taken over. I would like to know what is the thinking of the Government in this matter. As far as steel is concerned they have thought of a holding company; one central, overall holding company which will regulate the production and operation of all the steel mills. But here we are having five to six different agencies. There is nothing to indicate here whether Government is thinking on the lines of a big textile holding company also for all these mills in the public sector.

Then the definition of textiles under clause 2(e), I find, includes jute, "cotton, wool, jute, synthetic and artificial (man made) fibres". In that case, I would like to know from him whether they have in contemplation also to take over a whole number of sick jute mills which are lying closed. There is nothing to indicate it, because the preamble and the Statement of Objects and Reasons talk about the supply of cheap cloth to poor people, but what about the jute mills which are lying closed?

Then there is the question of compensation. My friend Mr. Bhattacharyya mentioned in passing that Rs. 30,000 per annum is to be paid for taking over the management. As far as I read this financial memorandum it is Rs. 30,000 per annum per mill. It is not for all the 46 mills together—the amount of Rs. 30,000. The amount will come to Rs. 1,38,000 per annum, by way of so-called compensation now called more politely 'amount', for taking over the management. This is nothing but gratis or bonus. You may not give bonus to the workers but you are giving bonus to the people who run the mills, every year, not because their ownership is being taken away but only their management. We are totally against this. This is a further example of how taxpayer's money is used to pamper these people. For modernisation and for providing working capital, common people like you and me will have to pay out of their pocket Rs. 10.55 crores as working capital, Rs. 17.06 crores for modernising these mills and Rs. 2.65 crores for recouping losses, because these mills have been

reduced to junk; every thing has been taken away and trittered away and ruined. For that now, we the tax payers of the country will have to pay these huge amounts. This kind of a thing is not very promising as far as the prospect of cheap cloth being provided to the people is concerned. All this will come into the pricing policy and we will be told that because of these huge investments which have now got to be met out of the national exchequer, it will not be possible to reduce the price of cloth. The very purpose of the Bill will be defeated. There is a provision in the Bill for giving cloth at cheap price to the poorer sections of the people and this will be defeated because of the heavy amount of compensation which has to be paid. This is only for taking over the management side. Later on if Mr. Mishra decided to nationalise them a much bigger dose of compensation amount will be prescribed and all these will go into the pricing policy. I would like to know from him how he will work out a policy which will permit cloth to be sold in the market at a cheap price to the vast majority of poor people.

I do not want to go into detail about the relief which is sought to be given to these mills after being taken over. I only want to reiterate with all the emphasis at my command what the speakers preceding me have said. The relief should not be at the cost of workers' amenities. Powers are given to the custodian to such an extent that even the application of the Industrial Disputes Act and the Minimum Wages Act may be withheld. That is the provision made in Schedule II so that even the Minimum Wages Act and the Industrial Disputes Act may not apply to some of these mills. Agreements which have been made or settlements or awards in force regarding the workers' condition may, also, if necessary, be cancelled or modified or something like that can be done. In these cases I do not see why the workers should be penalised. People who have ruined these mills are not being punished in any way. They are not going to be penalised. They are criminals who should be put in jail but far from it they are going to be given compensation; for having successfully looted and ruined the

mills they are going to be given compensation and the tax payers have to provide the money to nurse these mills for health. People who are likely to be penalised are the workers who would be told; you should accept a cut in wage, no bonus for you, there will be reduction in your dearness allowance,—no Minimum Wages Act and no Industrial Disputes Act for you. Is this the way to Socialism? This is kind of nationalisation is only meant to repair the health of sick undertakings which the capitalists have ruined and made the workers and the taxpayers pay for it. Because of that cloth cannot be sold cheaply. This inverted form of nationalisation is not going to achieve the purpose of the Government.

I would like the hon. Minister to refer to page 7. I have not been able to send an amendment because I did not have the time to do it. But I would request him to please consider this. The first line on page 7 refers to contract or agreement entered into before the take over in relation to such sick textile undertakings and says that if the Government is satisfied that it has been entered into in bad faith and is detrimental to the interests of the sick textile undertaking, it may make an order cancelling or varying the contract. . . . I request him to consider this. Because the technical formalities could not be completed there is no listed amendment from me. It should be 'in bad faith or is detrimental'. Otherwise, something may be found detrimental to the interests of the mills but one may say he did it in good faith. You have to prove bad faith as well as detriment to the industry. Otherwise, the contract subsists. An identical amendment was accepted at the time of taking over the IISCO by the minister concerned.

Finally about the interim management, I would reinforce what Mr. Ramalinghbai said that pending the appointment of Custodians or whatever other form of management they are going to device, it is laid down that those people who have actually been in charge of the management up to the appointed day, they will continue to manage the mills. Even if it means some risk, I would suggest that this should not be permitted. Those people who have been associated all along

[Shri Indrajit Gupta]

with the mismanagement of these mills should not be allowed to continue there for a single day. You may ask, where will we get the men overnight? At least honest people can be found who will hold the baby until you are able to finalise your arrangement. Don't allow the management to remain in the hands of the people who are guilty by every standard and who will utilise their positions to do further damage to the assets of these companies.

SHRI J. B. PATNAIK (Cuttack): Sir, I congratulate the Government on taking this very important step. If socialism means anything it is higher production and equitable distribution. On these two counts, the textile industry in this country has failed signally. The textile industrialists promised last year that they would export a greater volume of textile goods. But the performance in the 1st 10 months shows that the exports are running short by Rs. 11 crores. So, on their own promise they have failed. So far as internal consumption is concerned their failure is evident. There is short supply of medium and coarse cloth as a result of which consumers are put to great difficulty. So, on these two accounts, if not on any other account, the textile mills should have been taken over by Government. Not only these sick mills but the other textile mills also should be nationalised as a policy keeping this basic consumer industry in the hands of Government.

The reason for the signal failure of the textile mills is that most of them are old, out-dated and below standard. They have been making profits all these years, but they have never tried to the old machinery with new machinery. Some of the machinery are as old as the first world war and second world war, and they have never been renovated. So, it was necessary in the interests of the country's economy that the sick mills should have been taken over long ago. They have been taken over only now, which is belated justice. The other textile mills are going to be sick after

some time. The record of the textile industry has been one of killing the hen which is laying the golden egg. It is necessary for Government to take over all textile mills and not allow the other textile mills which are now outside the purview of Government's action to fall sick.

Taking over the management of the sick mills is not entirely a new step for the government. Because, the National Textile Corporation has under its management 51 mills producing 526 million metres of cloth, roughly ten per cent of the total textile production in this country. They employ one lakh workers, which also comes to 10 per cent of the total strength of workers in this industry. They export Rs. 5 crores worth of textile and earn foreign exchange. They have also made a good profit out of these textile mills, belying the impression that government-managed mills do not make any profit and only private sector mills can make profit. Government have built-in know-how, capacity and organisation to take over mills and they are a major factor in moulding the economy of the textile industry in this country.

Now I want to make some points on the Financial Memorandum attached to the Bill. While taking over the management of these mills, Government would be paying them round about Rs. 30,000 per mill.

SHRI L. N. MISHRA: It is Rs. 30,000 for all the mills.

SHRI J. B. PATNAIK: I would say that they should not be paid even that. It is my sincere plea to the Minister that those people who are responsible for reducing these mills to their present position should not be given any money even in terms of relief or compensation, whatever may be the term used.

Secondly, it must be made clear that this is the first step towards nationalisation of all the mills within a limited

period. Government must stipulate a period of five years within which the new taken over sick units should be nationalised and another time limit should be fixed, say, the end of the Fifth Plan for the take over of the entire textile industry in this country.

Then, for the running of these mills, the government now depend on the share of the State Governments which have to take 49 per cent shares in these units. In many cases, the State Government may not come forward and pay their share of the money and there will be inordinate delay in bringing these units back to life. Therefore, the entire burden of these sick mills should be taken by the Union Government and nothing should be left to the State Governments.

I want to make a reference to a particular textile mill in my constituency. The Orissa Cotton Mills, Bhatatpuri is the oldest textile mill in the State of Orissa. Unfortunately, this mill died an infantile death. It never regained its health and its machinery has been reduced to nothing; it is just junk now. About 600 families who were depending on that mill for their employment are now unemployed. Government should take particular care to bring this mill back to health from its present position of an uneconomic unit so that it may not die an untimely death again.

I now come to the employment policy, which is not clearly mentioned in this Bill. In the case of those mills which were closed long ago, if the ex-employees of those mills are still unemployed, they should be given first preference in the matter of employment when they are re-opened.

With the take over of these sick textile mills, the government is now a major partner in the field of textile industry in this country. So, a large number of fair price shops should be opened by them all over the country, particularly in the countryside, so that there will be no dearth of cheap cloth in the country. Their only government can rightly justify their action in this field.

3001 LS—4

SHRI VIRENDRA AGARWAL (Moradabad): Mr. Deputy-Speaker, Sir, the shadow of a deepening economic crisis has engulfed the whole nation. But the Government's industrial policy has remained in doldrums. Indian economy today is really poised for breakdown because the Government has really learnt nothing from the past. We have reached a stage in our national history when the economic policy needs to be reviewed if we are really keen to guarantee a national minimum to the people.

The Government today suffers from a sense of helplessness and it really does not know what to do and in which direction to move. Of course, the Government has got a magic word "nationalisation" in which it finds solutions for all economic problems. Whenever there is a problem, or there is a difficulty, the Government leaders immediately talk in terms of nationalisation or take-over. The Prime Minister has repeatedly said that nationalisation should be resorted to only when it is essential because this by itself is not a socialistic step. Nationalisation undoubtedly is a powerful instrument and it should certainly be employed, judiciously, whenever it is found that it can bring relief to the poor.

In actual practice, the State ownership of the means of production has proved to be an irrelevant factor because it has wholly failed either in the attainment of socialism or in ensuring a higher growth rate. Of course, it ensures erosion of democratic values. The nationalisation as a whole has not brought any relief to the poor nor it has benefited the priority sectors. The economic policies which we are pursuing today are creating scarcities and shortages. When the Government fails to hold the price-line, it immediately thinks in terms of take-over without creating adequate machinery resulting in all-round chaos and widely prevalent corruption.

A nationalised institution squanders the nation's resources to the extent that the rupee value has begun eroding in a his way. Today, we find that the economic policy has placed the economy in a

[Shri Virendra Agarwal]

very turbulent situation. We are very fond of blaming the bureaucracy here and there. But we really do not know why we blame bureaucracy when we are entrusting a large share of responsibility which it is not able to discharge. This is a question which I would like the ruling party to answer as to whether the bureaucracy is really capable of handling the responsibility which has been entrusted with.

15.57 hrs.

[SHRI R D BHANDARE in the Chair]

This is the question which has never been replied to while we are really going on a slippery ground of socialism or nationalisation without knowing where it will ultimately lead us to. This Bill is undoubtedly a hasty step. This take-over of 46 sick textile mills will ultimately, in actual practice, develop into what. That is what we are interested to know. We know that vandalism, loot, grab and corruption have, taken over the Union Ministry of Foreign Trade. Everyone in the Ministry has minted money and has become a potential capitalist. This is what the country knows and the people in the political life know that the officers of this Ministry right from the top to bottom are corrupt. In fact today we have a sick Government with a sick economic thinking.

The hon. Minister has claimed that this Bill will save 46 mills from closure and will also bring the tendency of retrenchment to an end. This is undoubtedly a laudable objective. But we know that this objective has never been realised whenever the industries have been taken over. We are interested to know why these mills have gone sick and how they become sick. What are the factors responsible for it?

There are three major criteria to judge the performance of any industrial unit. One is operational efficiency, the second is to produce qualitative goods at competitive prices, and the third is profitability of the industrial concern. If you apply these three criteria to the public sector, I

am afraid, I will have to say that the entire public sector will fall in a distinct sector, i.e. the sick sector. The entire public sector today is sick, if you see in terms of profitability, if you see in terms of operational efficiency, if you see in terms of producing quality goods (Interruptions). That is the situation. I would request him not to interrupt me. Let me take his own chance. With this interruption, nobody can really present his case.

16 hrs.

SHRI K P UNNIKRISHNAN (Badagara) When you make such denunciation of the public sector, you must be prepared for interruptions.

SHRI VIRENDRA AGARWAL There are three factors which are largely responsible for this. One is the persistent shortage of cotton resulting in high cost of cotton. Number two is inflation—spiralling of wages by 20 to 25 per cent. Number three is the high level of taxation. These three major factors have resulted in uneconomic working not only of these 46 mills but of the vast majority of 668 cotton mills that we have in this country.

I would also like to present the Reserve Bank report which says that the profit after tax as percentage of net worth has been so low that it hardly leaves anything for modernisation of plant and machinery. The Reserve Bank has recently analysed the financial results of 271 cotton mills for 1968-69 and it has shown that 141 mills have incurred losses amounting to Rs 3.64 crores in contrast to a net profit of Rs 4.01 crores in 1967-68, Rs 11.28 crores in 1966-67 and Rs 2.55 crores in 1965-66. The industry is caught in a vicious circle of lower profits, smaller outlay on modernisation, and so on.

What we do need today is a time-bound comprehensive programme for modernisation which needs to be drawn up on the basis of Rs 630 crores with an annual outlay of Rs 50 to Rs 60 crores. It has also been repeatedly recommended that the Government should immediately set up an institution called Cotton Textile Modernisation Corporation with a paid-

up capital of Rs. 25 crores to be increased to Rs. 50 crores in three years, to provide financial assistance in the form of long term on soft terms with suitable safeguards for overseeing that the funds are effectively used and modernisation actually takes place. The norms of credit-worthiness should be liberal. Viability of borrowing units should be determined on the basis of the competence of management, possibilities of cost reduction and improvement in quality as well as profitability as a result of modernisation. It is ultimately not the nationalisation of 46 sick mills but a national policy of modernisation which can go a long way to meet the demands of the growing population as well as for exports.

Sometime back, the Manubhai Shah Committee had recommended that these sick mills should better be merged with better run mills rather than bureaucratisation of the sick mills which is sure to become a permanent liability on the Government's resources. The State should not burden itself with such a huge liability.

MR. CHAIRMAN: Kindly conclude now.

SHRI VIRENDRA AGARWAL: In the end, Sir, with your permission I would like to put a few questions to the hon. Minister. These questions are as follows: Which were the mills which were actually running on the date of promulgation of the Ordinance either by the same management or under some lease or any other arrangement? Which were the mills for which the proposals were received and considered by the Government for re-starting under lease or any other arrangements? Which were the mills for which the proposals were considered favourably and the Government has given clearance or 'No Objection memo' for running the mills on lease or under any other arrangement? Which were the mills which were really closed on the date of promulgation of the Ordinance for which no proposals were received and considered by the Government to re-start the mills? Whether any opportunity was given to all the 46 mills listed in the first schedule

of the Ordinance to find out whether the present management has any scheme or resources to re-start the mills and why the mills should not be taken over by the Government in public interest in case they do not have any scheme or arrangement for re-starting the closed mills? If not, the said failure on the part of the Government amounts to a violation of fundamental rights of the mills concerned and under such circumstances legal complications are bound to crop up and the Government will be unnecessarily dragged to High Courts and the Supreme Court. It is learnt that many mills have already filed writ petitions in courts and in some cases even stay orders have been issued by the Courts restraining the Government from giving effect to the said Ordinance. This shows that there was complete non-application of mind....

MR. CHAIRMAN: You have to conclude.

SHRI VIRENDRA AGARWAL: This shows that there was complete non-application of mind in including many such mills in the first schedule.

The grounds of urgency and other circumstances to promulgate the Ordinance so hastily on 31st October, 1972, only 13 days before the winter session of the Parliament was to begin since there was no emergency.

Why the Government has included the names of those mills which were actually running on the date of promulgation of the Ordinance—

- (a) when there is no loss of production of cloth;
- (b) when the labour is getting employment;
- (c) when there is no financial stake required to be made by the Government and no botherations are to be taken by the Government, since the private parties are to manage the affairs of such mills.

[Shri Virendra Agarwal]

Sir these the questions I would like to put to the hon Minister to reply so that the House could know exactly where and to what extent this Ministry has bungled in the whole affair of the textile industry

श्री प्रबोध चन्द्र (गुरदासपुर) सभा-पति महोदय, जहा तक इम बिल के बेसिक प्रॉजेक्ट का ताल्लुक है, मै बडे जोरसे इसकी मुखालफत करने के लिये खडा हुआ हू । आज आप इस तरह की सिक टैक्सटाइल मिले लेते है, कल जूट मिलो को लेगे, परसो मकैनिकल चीजो को बनाने वाले कारखानो को लेगे, इम तरह से करप्शन और इन एफिसिएन्सी की लाबी को एक प्रिमियम देने का ऐम बन जायेगा । इससे भ्रच्छा तो यह होना कि जो इम तरह की नाकारा मिले हो चुकी हैं—मेरे खयाल से गवर्नमट के इल्म मे यह बात होगी कि मिलो को लेने और ऐलान करने के दरमियान जितने मिल ओनर्स हैं, उन्होने मिलो के अन्दर से तमाम भ्रच्छे-भ्रच्छे पुरजो की निकाल लिया और जब सरकार इन मिलो को चलायेगी तो वे पुर्जे बहुत ज्यादा कीमतें देकर खरीदने पडेगे । इसलिये इनको लेने के बजाय, अगर सचमुच सरकार के सामने यह मकसद है कि गरीब आदमियों को मोटा कपडा सस्ते भावी पर मिले, तो सरकार को चाहिये कि इन मिलो के बंधाय भई मिलें चलाये । पुरानी मिलों को निदानसाइज करने से एक नई बीमारी को मोल लेना है । अई बिजो के लिये जाहे ज्यादा कीमत की खर्च करवी पडे, लेकिन उस पर किलों की धीगुली भई उठेगी ।

आज देश की बी स्थिति है—मै अपने साथी बिना सहज से कहना चाहता

हूँ—इस तरफ हजारो धगुलिया उठ रही हैं । जब इस बिल की चर्चा एक जगह पर ही रहीं थी तो वहा 10 वे से 9 आदमियो ने यही कहा कि यह एक और तरीका पब्लिक सेक्टर एक्सचेकर को लूटने का बन गया है । यह बात गलत होगी, मै नही जानता कि इसने कहा तक सच्चाई है, लेकिन हमारे हर अमल को एक नही, दो नही, हजारो-लाखो आखे देख रही है, हम कहते है, हम करते क्या है । एक तरफ ऐलान किया जाता है कि 46 मिले इसलिये ली जा रही है कि मोटे कपडे की कीमते कम की जाये तो आप को यह भी देखना चाहिये कि 1969, 1970 और 1971 मे जो मिले पूरी तरह से चली है, जो मोटा कपडा पैदा करती हैं, उनकी कीमतें मे कोई इजाफा हुआ है या नही हुआ है या कमी हुई है । आज लोग इस बात मे विश्वास नही रखते कि हम गरीबी हटाओ का नारा लगाते है या गरीबी बढाओ का नारा लगाते हैं, आज दुनिया हमारे ऐमाल पर हमको परखेगी । मै यहा एक शेर अर्ष करना चाहता हूँ—

साकी की नवाजिद उन पर है
पीने का सलीका जिनको नही,

दस्तूर अंगर कायमे यह रहा
आबाद न होया बीबाका ।

अंगर इसी तरह से टूटी-फूटी, बक लगी हुई कमीन्सी को लेकर आप काफ़ियाम होते हैं कि टोंक है क्विट गवर्नमेंट की मिलिंग, भंडे जैसी खर्च है कि पाकाफिकाव होगी लें एक बख्त और उनके वालन पर लस जावेगा ।

इसलिये गवर्नमेंट अच्छी तरह से सोच ले कि अभी उसने तक जो मिलें चलाई हैं उनको कितना इन्तहा तक उसने पहुंचाया है। अगर मुकाबला किया जाये, प्राइवेट सेक्टर और पब्लिक सेक्टर की मिलों के दर्जाने तो कोई ऐसा नकशा आज तक हमारे सामने गवर्नमेंट ने पेश नहीं किया जिस पर खुशी और फख महशूस कर सकें। चाहे स्टील इन्डस्ट्री हो या कोई दूसरी इन्डस्ट्री, हम देखते हैं कि प्राइवेट सेक्टर की स्टील मिलें जहा टोटल कैपेसिटी का 60—70 परसेन्ट पैदा करती है वहा पर पब्लिक सेक्टर की मिलें 30—40 परसेन्ट ही पैदा करती है। जहां टाटा एक मजदूर साल में 140—145 टन लोहा पैदा करता है हमारे पब्लिक सेक्टर में 80 टन से ज्यादा पैदा नहीं करते है। जापान में एक मजदूर 600 टन से ऊपर पैदा करता है, अमरीका में 480 टन पैदा करता है, जर्मनी में तीन, साढ़े तीन सौ टन पैदा करता है लेकिन हमारे पब्लिक सेक्टर की मिलें जो है उनकी पैदावार 80 टन से ज्यादा नहीं है। मैं इशारतन कहूंगा, कोई मुक्यालिफत करने की बात नहीं है, सिर्फ एक दोस्त के नाते उस पार्टी से ताल्लुक रखते हुए जिसकी सरकार यह बिल ला रही है, कि हमें कदम सोच समझ कर रखना चाहिये। पिछला जो तजुर्बा है, हम अंधेरे में चारों तरफ भटक रहे हैं लेकिन कोई रास्ता और मंजिल हमारे सामने नहीं है। कुछ सूखे फीके नारे हैं और चारों तरफ हिन्दुस्तान के हर कोने में, हर मोबे में तालिब-इस्लाम, ब्रजदूर और क्राइकान्तों में मायूसी है। इसको कम करने की कोशिश की जाये बजाय

बीमार मरने वाली मिलों को जैसे कि इस्लेजिटिमेंट चाइल्ड की तरह मुतबन्ना बनाया जा रहा है। आप ममझ सकते हैं कि उस खानदान की हालत क्या होगी जिसमें कि इस तरह के चाइल्ड इकट्ठे किये गये हों। जिस तरह से उस खानदान की बदनामी होगी उसी तरह से इस गवर्नमेंट की भी हालत हो सकती है। अगर आपने मिलों को सेने का फैसला कर ही लिया है ती मेहरबानी करके इन मिलों के इन्चार्ज जो हो वह ऐसे आदमी लगाये जायें जिन्हें कि उन मिलों को चलाने के बारे में पूरा इल्म हों उस तरह से न करें जैसे कि काबुल में बच्चा सकका की बादशाहत आई तो उसने अपने एक मोची दोस्त को इन्स्पेक्टर जनरल आफ हास्पिटल बना दिया। आज इस तरह से काबिलियत देखकर नौकरिया नहीं मिलती है बल्कि यह देखा जाता है कि फला आदमी से उसके क्या सम्बन्ध हैं और दूसरे से उसकी क्या रिश्तेदारी है। मैं सिर्फ इतना ही कहूंगा कि यह आपका जो फैसला है उसमें अगर आप कामियाब हो जाये तो मुबारिक है लेकिन जो पिछला तजुर्बा है उससे कोई आर्टि-मिउम नहीं है। इसलिये कोशिश करें चाहे चाहे कुछ दिन वही चलाते रहें लेकिन एक बार आप मिलों को अपने कब्जे में लें तो कामियाब बनाकर दिखायें ताकि आज उंगलियां उठाने वाले शर्म महशूस करें न कि वे इस बात को जतायें कि हमने तो पहले ही बार्न कर दिया था। इन अलफाज के साथ फिर बार्न करते हुये मैं कहूंगा कि इतना बड़ा जो कदम उठाया है उसके लिये जो जरूरी चीजें है उनका पहले खयाल कर लें आपका शुक्रिया।

*SHRI P. A. SAMINATHAN (Gobichettipalayam): Mr. Chairman, Sir, on behalf of my party, the Dravida Munnetra Kazhagam, I would like to place before you a few concrete and constructive suggestions on The Sick Textile Undertakings (Taking Over of Management) Bill, 1972.

This Bill seeks to replace the Sick Textile Undertakings (Taking Over of Management) Ordinance, 1972, promulgated by the President on 31-10-1972 whereby the management of 46 textile undertakings pending their nationalisation was taken over by the Central Government. In our country there are 379 pure spinning mills and 291 composite textile mills. Out of 34 mills taken over by the Government under the Industries (Development and Regulation) Act and placed under Authorised Controllers, six mills are under the direct management of the National Textile Corporation.

SHRI C. T. DHANDAPANI (Dharampuram): Mr. Chairman, Sir, the hon. Minister of Foreign Trade is not listening to the Member. Perhaps the hon. Minister does not care to hear the Member who is speaking in Tamil.

MR CHAIRMAN: Please do not be so sensitive.

SHRI MOHANRAJ KALINGARAYAR (Pallachi): Sir, he cannot understand Tamil. How can he reply to the points being raised by the hon. Member if he does not listen to the interpretation? Perhaps he is not interested.

SHRI C. T. DHANDAPANI: Let the hon. Minister finish his conversation first and after that the hon. Member can resume his speech.

MR CHAIRMAN: Order, Order You do not worry. The hon. Minister will reply to the points raised by the hon. Member.

*SHRI P. A. SAMINATHAN: As the owners of 46 textiles were frittering

away the assets of these textile mills to the detriment of public interest, the Government of India were compelled to arrange for the promulgation of Presidential Ordinance on 31st October, 1972 and to replace that Ordinance this Bill providing for the taking over the management of the said sick textile undertakings has been brought before this House. I am not in a position to accept the contention that this is the first step in the nationalisation of entire textile industry. Not only the huge profits earned by these textile undertakings have been misappropriated by the owners for their own self-aggrandisement, without even declaring dividends to the share-holders, but also the Depreciation Reserve Fund has been eaten away by the owners, leaving these undertakings high and dry. They did not invest the Depreciation Reserve Fund for modernising these mills. The Central Government were left with no other alternative except to issue the Presidential Ordinance for the purpose of taking over these 46 sick textile undertakings. The argument that this is the first step in the nationalisation of one of the important consumer industries like the textile industry, is, according to me, untenable. I would substantiate my point by saying that if the Government were serious in their profession of maximization of production and distribution at fair prices of cheaper varieties, of cloth, they should have come forward with the statute for nationalising the 379 pure spinning mills and the 291 composite textile mills in the country which are earning enormous profits running to crores of rupees and which are also being exploited fully by the owners for their personal benefits.

Sir, there could be only one reason for not taking up the step of nationalising the entire textile trade and that is, many of these mill magnates are members of the ruling Congress Party and they happen to have a major say in the affairs of the ruling party. In Coimbatore District from where I come, there are many textile

mills. The mill-owners who were previously members of the Old Congress have now come to the new Congress. Just like the sugar industry which was a milch cow for the ruling Congress during the Elections, it is reported that the Election Fund of the ruling party swelled by the contribution of 18 paise per spindle from the textile trade. In their personal conversations with me, the mill-owners have conveyed this to me.

MR. CHAIRMAN: Let not the hon. Member follow Shri Jyotirmoy Bosu in making all sorts of allegations.

SHRI C. T. DHANDAPANI: These are incontrovertible facts.

*SHRI P. A. SAMINATHAN: The main reason for not nationalising the entire textile industry or for that matter the sugar industry is that these are the perennial sources for the ruling party to fleece for their Elections. If the Government want to prove it otherwise, they should not show any hesitancy in nationalising the entire textile trade and the sugar trade.

Even in the matter of taking over of the management of 46 sick textile undertakings, Clause 6(3) of the Bill provides for the owner of every sick textile undertaking being given by the Central Government a particular amount of compensation in cash. I am astonished that the Government should make such a provision for the owners of these undertakings, who had no compunction even to misappropriate the Depreciation Reserve Fund, who had left these mills as mere bones after sucking the marrow, to get compensation even for taking over their management? Is such a provision necessary? If the Government are going to be so munificent towards these exploiters, if the Government are going to have such a statutory provision for giving bounties to these owners who had been so callous to the maintenance of these mills, I wonder whether the Government will ever think of implementing the proposition of nationalising the entire textile trade. Even

at the time of nationalising the General Insurance companies, an amount of Rs. 38 crores was provided as compensation. At every stage of nationalisation of industries which are vital for the economic development of the nation, crores of rupees are being paid as compensation. I do not know whether the Government want to ensure the economic development of the nation on an even keel or they want to benefit a particular section of our society by giving them huge amounts of compensation. I am at a loss to understand the processes of thoughts on the part of the Government in this important matter.

Sir, the requirement on account of modernisation of these sick mills has been estimated at about Rs. 1706 lakhs and the requirement of margin money for working capital for these mills has been estimated at about Rs. 1055 lakhs. The Government require about 2761 lakhs of rupees for putting these undertakings on their feet. I would request the hon. Minister to clarify whether it is at all necessary and whether he is justifiable in making the provision of compensation at the time of taking over of the management in view of the staggering sum required for re-vitalising these units.

Out of the 46 undertakings whose management is being taken over, there are seven mills in Tamil Nadu—Balarama Varma Textile Mills, Kaleeswarar Mills—A Unit, Kaleeswarar Mills—B Unit, Pankaja Mills, Pioneer Spinners, Sri Kothandram Spinning Mills, Madurai, Sri Sarada Mills. The number of textile mills becoming sick in Tamil Nadu was so fast that many thousands of workers were on the verge of losing their livelihood. In fact it was an explosive situation. On many occasions, repeatedly, the Members of Parliament from Tamil Nadu belonging to Dravida Munnetra Kazhagam, and our dynamic Chief Minister Dr. Kalaignar Karunanidhi used to make fervent appeals to the Central Government that they should save the situation from going out of hands by taking over the

*The original speech was delivered in Tamil.

(Shri P A Swaminathan)

sick textile mills. As there was unconscionable delay on the part of the Central Government in arriving at a decision, the Tamil Nadu Government set up the Tamil Nadu Textile Corporation and in the interest of thousands of textile workers the State Government strained its every nerve in finding resources for taking over the sick textile mills. The Mills like Murgan Mills, C S & W Mills, Coimbatore Cotton Mill, Om Parasakthi Mill, Somasundara Mills were handed over to the Tamil Nadu Textile Corporation. Thousands of textile workers were saved from the serious and tragic consequence of being thrown out in the streets. The arrangement agreed to was that the Central Government would bear 15 per cent of the expenditure involved in running these sick undertakings and the remaining 49 per cent would be borne by the State Government. The slender resources of the State Government are being fully utilised in reviving these sick units. I would like to take this opportunity to inform you, Sir, that the Centre's share of 51 per cent has not yet been disbursed to the State Government. I would urge upon the hon. Minister that the Centre's share of 51 per cent should be made available immediately to the State Government as the responsibilities undertaken by the State Government are bursting to their seams.

I would now refer to Clause 5(1) in Chapter II of the Bill which reads

"The Central Government may as soon as it is convenient administrative-ly so to do, appoint an individual or a Government company as the Custodian of a sick textile undertaking for the purpose of taking over the management of such undertaking and the Custodian so appointed shall carry on the management of such undertaking for and on behalf of the Central Government."

I can welcome the provision of appointing a Government company as the custodian of a sick textile undertaking. But, I strongly and vehemently oppose the provision that an individual can also be appointed as the custodian of a sick textile mill. This provision may also mean

that the old management which had exploited these units for such a long period can again be appointed as the custodian. What I am saying is that there is a statutory provision according to which there is no bar for appointing the same individual who has so long been responsible for mismanagement for malpractices and for misappropriation as the custodian of the mill after the management has been taken over by the Government. This provision goes against the very purpose for which these sick units are being taken over. Wherever there is the State Textile Corporation these Mills should be handed over to them. If it is not there, then with the consent of the State Government, these sick mills should be administered by the National Textile Corporation. I would like to say that this provision that an individual can also be appointed as the custodian will lead to fresh irregularities and malpractices. If the Government want to save the sick mills from certain death, then this provision about the individual being appointed as the custodian should be deleted from the Bill. I hope that the hon. Minister will ensure that the Government company alone is entrusted with the management of these sick units.

It has also been stated in the Financial Memorandum that certain amounts will have to be paid to the owners at the time of nationalisation and the amounts to be so paid have yet to be assessed. This provision ensures payment of compensation twice to the owners of these sick undertakings. I would only say that the objective of maximization of production and distribution at fair prices of cheaper varieties of cloth would never become a reality if the Government are obsessed with the notion of compensating the owners responsible for creating chaos in the textile industry.

Before I conclude, I would stress that the deficiencies which I have referred to in the Bill should be removed. No individual should be appointed as the custodian of a sick mill. If the Government of India are really determined to establish an egalitarian society in the country, if the government want to implement the

promises given to the people during the recent Elections, then they must com- forward with the proposal to nationalise the entire textile trade, sugar industry, cement industry, iron and steel industry, which should be the public means of production for achieving the goal of economic equality in the country. These are the vital sectors of our economy, the profits of which go to fatten a few at the cost of entire population of the country. I suggest that these industries and their earnings must be made to serve the public interest. If this is not done, the people of the country will decide what to do to achieve this.

With these words, I conclude

श्री नटवरलाल पटेल (मैहसाना)

सभापति महोदय, आज इस सदन में मुझे इस बिल पर बोलने का मौका मिला है, इस से मुझे बड़ी खुशी होती है और मैं मंत्री महोदय को डम के लिए धन्यवाद देता हूँ। धन्यवाद इस लिए दे रहा हूँ कि इस माननीय सदन में एक बड़ा क्रान्तिकारी बिल आया है। वह इस लिये क्रान्तिकारी है कि उस से हमारे देश में मजदूरों को काफी सिक्योरिटी मिलने वाली है और बड़ा फायदा होने वाला है।

इस सदन में जो बहस हुई उस से मुझे ऐसा महसूस होता है कि कई माननीय सदस्यों का विचार है कि इस टेक ओवर से कोई फायदा नहीं होगा। मैं कहना चाहता हूँ कि वास्तव में जिस का फायदा होने वाला है उस से जा कर पूछिये कि फायदा होने वाला है या नहीं। जिन लोगों को फायदा महसूस नहीं हो रहा है उन से मेरी प्रार्थना है कि वह मजदूरों से जा कर पूछें कि इस सदन में जो बिल आया है उस से हिन्दुस्तान के मजदूरों का कोई फायदा होने वाला है या नहीं।

आप जानते हैं कि हमारे देश में टेक्स्टाइल इंडस्ट्रीज सब से बड़ी इंडस्ट्री है और इस सबसे बड़ी इंडस्ट्री में काफी बड़ी तादाद में मजदूर लोग अपनी रोजी कमाते हैं। पिछले पांच सात वर्षों में हमारे यहाँ कितनी ही मिले बन्द हो गईं। आप को पता है कि किसी भी धन्धे को करने में मुनाफा भी होता है और नुकसान भी होता है। आज हमारे देश में यह प्रक्रिया चल रही है कि जब तक धन्धा करने वाले को मुनाफा मिलता रहता है तब तक वह धन्धे को चालू रखता है और जब मुनाफा नहीं मिलता घाटा आना शुरू हो जाता है तब वह मशीनों को बन्द कर देता है और ऐसा कर के मजदूरों को बाहर निकाल देता है।

मैं मंत्री महोदय से निवेदन करना चाहता हूँ कि हम अपने देश में सोशलज्म की ओर बढ़ रहे हैं और तेजी से आगे बढ़ रहे हैं। यहाँ पर जो मजदूरों का सवाल है अगर हम उस के उपर तेजी से विचार नहीं करेंगे तो उन की परिस्थिति काफी खराब होने वाली है। मेरी ऐसी मान्यता है कि पिछले पांच वर्षों में जो परिस्थिति पैदा हुई है उस को ठीक करने के लिए यह बिल लाया गया है। मैं अपने गांव का एक उदाहरण देना चाहता हूँ। गुजरात राज्य के मैहसाना डिस्ट्रिक्ट में मेरा एक छोटा सा गांव है। वहाँ की टेक्स्टाइल इंडस्ट्री काफी प्रसिद्ध है और इंडस्ट्री थी भी काफी अच्छी। वहाँ पर 1500 मजदूर काम करते थे, आठ वर्ष हुए मिल बन्द हो गई। जब मिल बन्द हुई थी तब मैं मिल के अन्दर से मिलने गया और उस से पूछा कि आप ने मिल को बन्द क्यों कर दिया आप जानते हैं कि यहाँ पर 1500 मजदूर काम करते हैं,

[श्री नटवरलाल वर्दल]

श्रीर अग्रर मिल ने प्रोडक्शन बन्द कर दिया तो जो मजदूर उन की रोजी बन्द हो जाएगी। अग्रर आप एक मजदूर के यहा चार या पाच आदमी ही मान ले तो मेरे जिले की इन टैकस्टाइल मिल को बन्द होने से कम से कम 6,000 मजदूरों पर उसका असर पड़ेगा। इस लिये गरीब लोग इस काम से सन्तुष्ट नहीं हैं। मैंने मिल मालिक से यह भी कहा कि अग्रर आप मिल न चला सके तो हमारी कोई जबरदस्ती नहीं है, लेकिन इस को समझ लीजिए कि मिल बन्द होने से यहा 1500 कारीगर बेकार हो जाएंगे। मैं आप को बतलाऊ कि इन मजदूरों में से काफी लोग हरिजन कम्युनिटी के हैं और हरिजन कम्युनिटी के लोगों के पास जमीन तो अधिक होती नहीं, इस लिये उन के पास दूसरा कोई धन्धा भी नहीं है जो लोग बेकार हो जाते हैं आखिर वह अपने घर को कैसे मेंटेन करेंगे। उन के सामने समस्या यह है कि वह अपनी रोजी कैसे कमाये। जो आदमी बेकार हो जाते है उन की परिस्थिति को सोच कर मुझे बड़ा दुःख होता है जब मिल बन्द हो गई तब मैंने बार बार उस के मालिको से प्रार्थना की, लेकिन उन्होंने मेरी प्रार्थना को नहीं सुना। इस के बाद मैंने स्टेट गवर्नमेंट को अपना रिप्रेजेंटेशन दिया। स्टेट गवर्नमेंट ने मुझे ऐसा बतलाया कि वह इस मिल को टैक्स्टाइल कारपोरेशन के जरिये नहीं चलायेंगे। मैंने कहा कि अग्रर आप नहीं चलायेंगे और मिल मालिक भी नहीं चलायेगा तो इन 1500 मजदूरों का सवाल पैदा होता है। मेरे गांव में एक ही इडस्ट्री है इस लिए गवर्नमेंट इस को चलाये जो इडस्ट्री घाटे में चलती है उस को गवर्नमेंट अपने हाथ में ले सकती है और चला सकती

है तो इस को क्यों नहीं चला सकती है। उन्होंने कहा कि हम यह इडस्ट्री नहीं चला सकेंगे, हा अग्रर तुम्हारे पास कोई वायर हो जो मिल को ले ले तो उस को ले आओ हम उस को हर तरह की मदद देगे। मैंने कहा कि मैं तो एक छोटा सा आदमी हू कोई इंडस्ट्रीयलिस्ट तो हू नहीं, मैं कोई ट्रेडर भी नहीं हू, इस लिये वायर ढूढने क्या मैं बम्बई जाऊंगा। वायर ढूढना मेरी काम नहीं है, लेकिन गवर्नमेंट ने मेरी बात नहीं सुनी।

मुझे कहते हुए दुःख होता है कि जब हमारे देश में अग्रएम्पलायमेंट के सवाल को हल करने की कोशिश हो रही है तब इस की और ध्यान नहीं दिया जा रहा है। यहा पर अग्रएम्पलायमेंट को हल करने का सवाल तो दूसरा है, जिन को पहले एम्पलायमेंट मिल चुका है वह अग्रएम्पलायमेंट हो गया है यह बहुत बड़ा सवाल मानने है। उनमें बड़े देश में अग्र बेरोजगारी के सवाल को हल करना है तो अग्रर उसको हम पूरी तरह से हल नहीं कर सकते हैं तो इतना तो हम कर ही सकते है कि जो रोजगार में लगे हुए हैं वे बेरोजगार न हो। अग्रर आप यह कहते है कि रोजगार के अवसर बढ़ रहे है तो उसके साथ साथ इडस्ट्री भी बढ़ती जा रही है। इडस्ट्री को बड़ा कर हम बेरोजगारी के सवाल को भी धीरे धीरे हल करते जा सकते हैं। लेकिन जो कई सालों में एम्पलायड थे, काम घरे में लगे हुए थे और जो केवल इस लिए बेकार हो जाते हैं कि मिल या इडस्ट्री चलाने वाले अपने बिज्ज से इडस्ट्री या फॅक्टरी को बन्द कर देते हैं, और मजदूरों को कह देते है कि आप बाहर चले जाओ, हम मिल नहीं चला

सकेंगे, तो इसको किसी भी अवस्था में बरदाशत नहीं किया जा सकता है। हमारे यहां आठ बरस से मिल बन्द पड़ी है। यह हमारे गांव का बनिंग प्रोबलम है। हमारे यहां के मजदूर आपकी ओर देख रहे हैं। भगवान से प्रार्थना कर चुक हैं लेकिन अभी तक उनकी प्रार्थना स्वीकृत नहीं हुई है। मिश्र जी सुन रहे हैं। मैं चाहता हूँ कि वह इस ओर ध्यान दे। मैंने एक एमेंडमेंट भी सूच किया है। आप 46 मिलों को ले रहे हैं। आप मजदूरों के सवाल में बहुत दिलचस्पी लेते हैं। जहां आप 46 मिलों को लेते हैं वहां आप कहीं दुर्गा काटन मिल को भी लें और इसको भी चालू करे। आपने ऐसा किया तो मजदूर आपके बड़े आभारी होंगे। हमारे गांव वाले आपको सदा याद करते रहेंगे।

सभापति महोदय, मैं बहम में भाग लेना पसन्द नहीं करता। सदन में बार बार मैं बोलता भी नहीं हूँ। लेकिन जब मिलों का सवाल आया तो मुझे ऐसा महसूस हुआ कि यह मेरा कर्तव्य है कि मैं इस मिल के बारे में बोलूँ जोकि वहां का बनिंग प्रोबलम है। यह मेरी कंस्टिट्यूएन्सी का सवाल है। मैंने सोचा कि इसे मुझे सदन में उठाना चाहिए। इस बास्ते मैं बहस में भाग ले रहा हूँ।

मैं मिल चलाने वालों को भी कह चाहता हूँ कि जमाना बदल गया है, जो कोई भी किसी चीज को करना चाहता है वह इस बात को सोच ले कि वह उसको बन्द नहीं कर सकेगा और अगर वह गरीबों से टकराया तो बुर बुर हो जाएगा, मिट्टी में मिल जाएगा। इस बास्ते यह काम किसी के लिए भी करना ठीक नहीं है। इस मिल वालों की हालत क्या

हुई हममें मैं जाना नहीं चाहता। कांटेक्ट में काम या दूसरे में वे पड़ गए और वहा पैसा सफा हो गया। जो हालत हुई वह मैं बताने को तैयार नहीं हूँ। जो मजदूरों से टकराते हैं वे कभी सुखी नहीं होते। भगवान का प्रोटैक्शन भी उनको नहीं मिलता। अन्त में मैं कहगा कि मेहरबानी करके मेरी एमेंडमेंट को आप स्वीकार करे और मजदूरों की समस्या वहां हल करने में मदद दें।

इस क्रान्तिकारी बिल को पेश करने के लिए मैं फिर से मंत्री जी को धन्यवाद देता हूँ।

PROF. MADHU DANDAVATE (Rajapur): There exists a very clear case for a comprehensive scheme of nationalisation of their entire textile industry. But even then as a short term measure, as a socialist I welcome this Bill. It is no doubt a Bill with very good features which if implemented properly will go a long way in ultimately making the final scheme of nationalisation a success. The objective of this Bill is quite laudable. We want to rationalise industries and managements and we want commercial production and most of all, we want to bring about equitable distribution through providing cloth to the consumers at a fair price. I am not sure whether in its present form the Bill will be able to achieve all these objectives. If amended suitably, probably it will be able to produce good results. It is a fact that even before the promulgation of the Ordinance there existed a certain situation in the textile mill industry. Certain sick mills were taken over by the Government. What was the attitude of the mill-owners? They considered the Government merely as a health centre or sanatorium, to which the sick mills were transferred. You spend on the administration of the mills and on rationalising and modernising the industry and increase the profitability of the mills. When the sick patient becomes hale and hearty, the millowners said the recouped patient should be returned back to them. In the past this was

[Prof. Madhu Dandavate]

being done with the result that the profitability of the private entrepreneurs increased. Now I am happy that the minister has given the assurance that in the implementation of this Bill, this tragedy will not be repeated and the mill-owners will not be permitted to treat the Government as a sanatorium and health centre. We spend from the public exchequer a lot of money on rationalising the industry. We do not want to increase the profitability only for the private entrepreneurs. We want to increase the profitability for public good. From that point of view, the step being proposed now is quit welcome.

About the definition of sickness, a number of items have been put down in the Bill. I would like to add one significant symptom which is clear to those who are associated with the trade union movement and the running of the industry. We have come across a certain type of sickness developing in the industry because of the crisis perpetrated by the textile magnates, namely, artificial scarcity. Very often when they want to increase their profitability, they create an artificial scarcity of cotton and yarn with the basic objective of pressurising the Government, so that disproportionately more import of cotton from outside is made resulting in the prices of indigenous cotton going down and thereby their margin of profit is increased. The mills of those textile magnates who indulge in this should also be taken over under this scheme.

No doubt the list of 47 mills given here is quite justified. But we know there are a number of additional mills which are badly in need of take-over. To make only a sample survey, in the Lakshmi Rattan Mills, Kanpur, lakhs of rupees of provident fund have not been deposited. When the trade union leaders met the Labour Minister, he also accepted that there have been such fraudulent practices. Provident fund has been deducted from the wages of the workers, but the corresponding amount has not been deposited in the bank. About bonus amount also, there are fraudulent practices. I submit that the mills indulging in such malpractices should also be taken over. If

there is coordination between Mr. Mishra's ministry and the Labour Ministry, they would be able to get all the available data about mills indulging in such malpractices and those mills should also be taken over.

According to the Bill, in the interim period, the present management will be allowed to continue, if the very same management which was responsible for the fraudulent practices are allowed to continue, they will perpetuate the fraud. When they find that ultimately the industry is going to be taken over by Government and it is not going to be returned back to them as in the past, they may derive a vicarious satisfaction in destroying the industry, in seeing that the management is put in the reverse gear and creating as much difficulties as possible in the path of ultimate nationalisation.

Therefore, taking note of these fraudulent practices and the dangers, I would very much suggest that the very same management which is responsible for creating dislocation of the textile industry should not be allowed to continue their management even in the intermediate period. Not only that, even when the custodians take charge of the textile industry, the trade union organisations must be associated with them in an advisory capacity in the intermediate stage.

MR. CHAIRMAN: Have you put in any amendment to clause 5?

PROF. MADHU DANDAVATE: Unfortunately, I came late and I could not give notice of them. But other hon. Members have done it. Further, it is always open to the mover to make modifications in his own draft.

I am sure that a number of trade unionists have sent memoranda to the Labour Ministry and the Foreign Trade Ministry, and I am sure that the hon. Minister is quite conscious of the fact that the trade union organisations in this country have a desire, not merely to persist in

making just demands, but also in seeing to it that the public sector undertakings taken over by the government make a grand success because ultimately on the success of these undertakings depends the pattern of distribution. Therefore the trade union organisations in these units must be associated with the conduct of management of the industry.

श्रीलालजी भाई (उदयपुर) : सभापति महोदय सदन में गणपूर्ति नहीं है।

MR CHAIRMAN The hon Member may resume his seat The quorum is being challenged The bill is being rung Now there is quorum

PROF MADHU DANDAVATH In my concluding remarks on the Bill I would like to refer to a very relevant document on the subject a study made by the professors of the Allahabad University on the working of public corporations in India. Though it is only a study on the working of public corporations in India I think that would also be relevant in the management and conduct of the sick textile mills which will be taken up by the government. That team of professors went round the country and tried to meet the managers of the various public corporations and they have drawn the inference that the paradox of our public corporation is that the corporations are run with the private sector mentality and unless that mentality is eliminated they cannot work. The same thing can be said about the management and conduct of the textile units which will be taken over by the administrators and custodians. If they are guided by the philosophy of the private sector, the norms and ideology of the private sector, it will be very difficult for them to make these undertakings quite efficient and it will not be possible for them to rationalise the management. Therefore, do not leave the management merely to the custodians and administrators; try to make it broad-based and try to associate organised trade unions with the conduct and management of the industry, even in an advisory capacity, so that the proclaimed objectives of this Bill,

with which I am hundred per cent in agreement will be implemented effectively.

श्री राम सहाय पाण्डे (राजनबगॉंव) सभापति महोदय मैं अपनी आदत में मुताबिक मंत्री महाशय का बघाई नहीं देता हूँ जो इम बिल को इम आशा के साथ लाये है कि इम के द्वारा इम उद्योग का रूल्याण होगा, मजदूरों का भला होगा और इन पिटी-पिटाई बीमार मिला का कुछ आधुनिकता के स्तर पर ला कर इन का उद्धार किया जायगा। मैंने कहा है कि मैं बघाई नहीं देना चाहता था, लेकिन मैं उन्हें बघाई देना हूँ। मगर मुझे दुःख है कि मिनिस्टर साहब इम बागें में अभी तक सात बघाई रह जाय बिल आज से पाच दस बरस पहल आना चाहिए था वह इतनी देर में क्या आया है। क्या सरकार का यह एहसास नहीं था कि टेक्स्टाइल इंडस्ट्री में लूट खसूट और ब्लैक मार्केटिंग वगैरह सब कुछ हो रहा था। उम न स्वराज्य-प्राप्ति के तुरन्त बाद एक हार्ड पावर कमिशन बिठा कर इस के बारे में जांच क्यो नहीं कराई। और जब अशोक मेहता कमेटी न इनवेस्टीगेशन करने के बाद अपनी रिपोर्ट दी ता सरकार ने उस का इम्प्लीमेंटेशन क्या नहीं किया।

यह उद्योग हमारी एक परम्परा के साथ जुड़ा हुआ है। लेकिन बीच में ट्रेडिनिंग पीरिड में, वह कलकत्ता के सटोरियों के हाथों में चला गया जिन को टेक्स्टाइल इंडस्ट्री या किसी भी इंडस्ट्री के बारे में ज्ञान या अनुभव नहीं था, जो सटूटे से पैदा किए गए पैसे की फोर्स से इस इंडस्ट्री में आये, जिन्होंने शेयर्स कार्नर किये और मैनजमट को अपने हाथ में ले लिया। उन्होंने ब्लैक मार्केटिंग किया, प्राफिट को इंडस्ट्री में प्लो बैंक नहीं किया, प्राबिडेट फंड के पैसे नहीं दिये और लक्सरी की जिन्दगी में खूब पैसा खर्च किया। जब उन मिलों के शरीर में खून नहीं रहा और केवल स्केलेटन रह गया तो, जैसा कि श्री मधु दंडवते ने कहा है, उन को सिक मिलों की तरह सैनेटोरियम में बाड़ा कर दिया गया है।

[श्री रामसहाय पाण्डे]

यह ठीक है। यह सरकार का दायित्व है। इस का सब से बड़ा कारण यह है कि सरकार चाहती है कि कहीं मजदूर बेकार न हो जाये। सरकार के सामने सबसे पहले मजदूरों का चिन्तन आता है, फिर उत्पादन का चिन्तन आता है और यह खयाल भी आता है कि इन सिक मिलों को किसी प्रकार रेशनलाइज और माडर्नाइज कर के ठीक हालत में लाया जाये। इस उद्देश्य से इन 46 मिलों के बारे में प्रकटूर में एक आर्डिनेंस जारी किया गया अब विधेयक लाया गया है। इस के लिए मैं मंत्री महोदय को बधाई देता हूँ

इन 46 मिलों का इतिहास हमारे पास सामने है लेकिन इन के अलावा पचास साठ और ऐसी मिलें हैं जो सिक हैं और शायद बहुत सिक हैं। माननीय सदस्य, श्री वीरेन्द्र अग्रवाल ने कहा है कि वे चल रही हैं, कभी बन्द नहीं हुई हैं। वे कैसे चल रही हैं, इस का भी एक इतिहास है। उन मिलों ने प्राविडेंट फंड के पैसे जमा नहीं किये, उन की तरफ इनकम टैक्स की लायाविलिटीज पडी हुई है, वे कन्ट्रोल क्लाय का प्रोमिसिंग कर के ब्लॉक मार्केट से पैसा पैदा करती हैं। एक हाई-पावर कमीशन बिठा कर इन मिलों के बारे में इन-वेस्टीगेशन किया जाना चाहिए और इन को भी हाथ में ले लेना चाहिए।

मैं यह पूछना चाहता हूँ कि इन मिलों को टेक ओवर करने के बाद उन का प्राफिट क्या वापिस किया गया। जब सरकार ने उन को सिक मिल मान कर को लिया, उन को ठीक बना दिया, उन को प्राफिटिबिलिटी के स्तर पर ला दिया, तो फिर प्राफिट को

वापिस करने की क्या जरूरत है क्या सरकार ने यह प्रावधान किया है कि वह रेशनलाइजेशन की दिशा में बढ़ेगी और मिसों को वापिस नहीं करेगी ?

मैं अपने क्षेत्र की एक मिल का जिक्र करना चाहता हूँ। राजनदगाव की बी० एन० सी० मिल में लेबर की कानसालिडेटिड वेजिज 85 रुपये थी।

जब मैं वहां से चुन कर आया और वहां गया तो सबसे पहले मैंने इस बात को पूछा कि कसालिडेटिड वेजेज एकाडिंग टू नागपुर इन्डेक्स 136 रुपये जो मिलना चाहिए वह उन्हे मिलता है या नहीं? डी ए होता है वह मिलना चाहिए, बाकी उनकी वेजेज मिलनी चाहिए। सब मिला कर सवा दो मी रुपये मिलना चाहिए। लेकिन पता लगा कि 85 रुपये कन्सालिडेटेड वेजेज के मिलते हैं। आपने एक कस्टोडियन अप्वाइंट किया। तीन चार लाख रुपया उमने इन्वेस्ट किया। 47 लाख रुपये का प्राफिट किया तीन वर्ष में। हमने पूछा कि 47 लाख रुपये का प्राफिट किया, मिल में कोई नई मशीनरी लगाई, वेजेज बढ़ाए, बोनस दिया, डी ए दिया? सारी बातों का उत्तर या जीरो अर्थात् कुछ नहीं किया। मैंने कहा कि अच्छी बात है फार वी सेक आफ टोकेन इन्कीमेंट दस रुपये बढ़ाइये। उन्होंने कहा कि आप हमारे चार्टर्ड एकाउण्टेंट से बात कीजिए। अगर वह कहेगा और हमारी फाइनेन्शियल कंडीशन परमिट करेगी तो हम बढ़ा देंगे। 47 लाख रुपये का प्राफिट कर चुके थे और यह तो बुक प्राफिट था, स्टोर

मे कितना ब्लैक किया, सेल मे कितना ब्लैक किया, मशीन तोड़ फोड़कर कितनी बेची, उस ब्लैक मनी से कितनी एग्जीक्यूटिव जमीन खरीदी, वह सब तो एक तरफ है और दस रुपये नही बढ़ाए। हमने इसी सदन में माननीय मिश्र जी से प्रार्थना की कि उसको नेशनल टेक्सटाइल्स कारपोरेशन के मातहत लिया जाए और मध्य प्रदेश द्वारा संचालित टेक्सटाइल्स कारपोरेशन के मातहत उसको लिया जाए। आज 85 रुपये पाने वाले लेबर को 50 रुपये बढ़ जाने के बाद 135 रुपये महीने मिल रहे हैं और 7 लाख रुपये का प्राफिट हर महीने हो रहा है। 7 लाख रुपये का प्राफिट हो रहा है 50 रुपये बेजेज बढ़ाए गए चार पाच महीने के अन्दर। हमारे क्षेत्र से पंडित किशोरी लाल शुक्ला जो टेक्सटाइल कारपोरेशन के चेयरमैन हैं उन्होंने अभी भोपाल विधान सभा में बताया भाई राम सिंह वर्मा का पता होगा शायद पाच छ मिनट है टेक्सटाइल्स कारपोरेशन के अन्दर जिनका नेतृत्व शुक्ला जी कर रहे हैं और एक करोड़ दस लाख रुपये का प्राफिट हो चुका है। यह उन सिक् मिलों की हालत है जिनका खून चूस लिया था इन उद्योगपतियों ने और मजदूर बेकार हो गये थे। अगर बेकार नहीं हुए तो उनको बड़ी आर्थिक कठिनाई का सामना करना पडा। मैं एक बात बड़े दावे के साथ कहता हू कि अगर इमानदारी के साथ या रीजनेबल आनेस्टी के साथ भी उद्योगपति टेक्सटाइल मिलों का संचालन करते और जो हेराफेरी हुई, उस प्राफिट को प्लाऊ बैंक किए होते, वह जो ब्लैक का पैसा जब मे भरा और रियाशी मे खर्च किया वह न किया होता

तो एक मिल भी सिक न होती क्योंकि बेजेज हमारे बहुत कम है। दुनिया को देखते हुये हमारे बेजेज बहुत कम है। मशीन कितनी भी पुरानी हो लेकिन कन्ज्यूमर को हम 18 क्राउन, 14 क्राउन और 10 क्राउन का कपडा देते हैं। मसिंगइज्ड और सुपर फाइन् 40-45 क्राउन की बान में नहीं करता हूँ जैसा कि अहमदाबाद की कुछ मिले बनाती हैं और प्राफिट करती हैं। लेकिन यह जो सिक मिटम है यह कोर्स क्लाय, मीडियम क्लाय तैयार करती है। तो क्या कारण है घाटे का? बेजेज कम कोर्स क्लाय का प्रोडक्शन एम्पोर्डे मार्केट और पैसा गवर्नमेंट से मिलता है। ये मारी मुविधाये होने के बाद भी जिम प्रकार की लूट हुई जिस प्रकार घोखा घडी हुई जिस प्रकार मार्केट का एक्स्पनाइजेशन हुआ कन्ज्यूमर का एक्स्पनाइजेशन हुआ और प्राफिट बक एकाउन्ट मे गो नहीं किया गया इनके कारण ऐसा हुआ।

मे समझता हूँ कि आज यह एकत्रैसिक इंडस्ट्री है, यह टेक्सटाइल इंडस्ट्री हमारी बहुत महत्वपूर्ण इंडस्ट्री है। आपका यह जान कर प्रसन्नता होगी कि माडर्न टाइम मे टेक्टाइल मे सिर्फ काटन टेक्सटाइल नहीं रहा, टेक्टाइल से टेरिन भी आ गया टेरिकाट भी आ गया और बहुत सारी चीजे आज यह इंडस्ट्री बनाती है। लेकिन हमारा जो एक्सपोर्ट होता है, मैनचेस्टर मे काटन की जगह पर हमारा कोर्स क्लाय रा मेटेरियल के रूप मे वह लेते हैं और 12 आने गज का कपडा 18 क्राउन का जो यहा से जाता है वह तीन रुपये गज मे उसे री-प्रोसेसिंग करके बेचते हैं। पहली नवम्बर से कन्ज्यूमर दुकानों

[श्री रामसहाय पाण्डे]

के मार्केट कंट्रोल प्राइम में आने वपडे को बेचने का प्रावधान किया उसके लिये आपको बधाई लेकिन हर मिल ने जो कंट्रोल प्राइस रखी है श्री उसको बँक में बेचा और शत प्रतिशत में ज्यादा पैसा चार्ज करके मार्केट में उभे फिर से उन्होंने बेचा है। आप एक नीति कन्ज्यूमर के हित में बनाते हैं लेकिन आपको यह देखना होगा कि इसका एडवाण्टेज कोई दूरमा तो नहीं ले रहा है। आपका डेमण्ड बड़ा अच्छा था कि कंट्रोल रेट का वपडा कन्ज्यूमर को दिया जाए। लेकिन कन्ज्यूमर के हाथ में पहुँचने के पहले ही री-प्रोसेसर के हाथ में वह पहुँच गया और उमने री-प्रोसेसिंग करके ज्यादा पैसे में उभे बेचकर उसका प्राफिट कमाया। इसलिए आपका हर चैनल को देखना होगा। आपने कन्ट्रोल बढ़ाया ठीक किया। आपने टेक ओवर किया बहुत अच्छा किया। लेकिन यह आपका देखना होगा कि ये कौन लोग हैं जिनको आपने कन्ट्रोल बनाया। बड़ी आसानी से पैसे खारे जा सकते हैं स्टोर में, सेल में, काटन में, केमिकल्स में, जितने ने कम्पोनेन्ट्स, जितने रा भैटिरियल्स हैं, जितनी भी ऐसी चीजे हैं उनमें अच्छी तरह से पैसे भ्राज भी खारे जा सकते हैं। इसलिए आपको देखना पड़ेगा कि जो बातें इन प्राइवेट उद्योगपतियों के माध्यम से हथको बढ़ाईत करनी पड़ी कहीं आप के माध्यम से भी, ऐसा न हो कि जो कन्ट्रोल आपने बनाये वह भी ऐसा ही करने लगे। क्योंकि बहुत से ऐसे बड़े बड़े मगरमच्छ बैठे हैं जो मार्केट को कन्ट्रोल करते हैं और वह आपकी मशीनरी को कहीं करंट

न करे, इसका आपको ध्यान रखना होगा। आप इन्डस्ट्री को आगे बढ़ाए। पसा लगाए और मैन, मैटीरियल, मार्केट, मशीन, मैनेजमेन्ट ये सारे के सारे जितने चैनेल्स हैं इनका सबको अच्छी तरह से देखिए ताकि कोई ला हाल न रहे और जिस उद्देश्य से, जिस भावना से, जिम दायित्व से इन मिलों का टेक ओवर किया है उममें सफलता मिले। वही ऐसा न हो कि आगे चलकर यह खराब हो आर हमारा पैसा जो इनमें इन्वेस्ट हुआ है उसका पूरा पूरा रिटर्न न मिले। क्योंकि धीरे धीरे कन्ज्यूमर गुड्स जितने भी हैं उनकी तरफ आपको बढ़ना है और राष्ट्रीयकरण करना है। ऐसी तमाम मिलें आपका लेनी पड़ेगी। केवल 46 तो क्या पचास साठ और भी जितनी हो सब आपको लेनी पड़ेगी। आपकी आबादी बढ़ रही है। 56 कराट की आबादी है। अनाज और वपडे की गारन्टी आपको देनी होगी। स्वाम्भ्य, शिक्षा, वपडा, भोजन इनकी सबकी गारन्टी आपको देनी होगी और इस मार्ग में समाजवाद की बात तो आप छोड़ दीजिए, वह तो बहुत अच्छी बात है, लेकिन दायित्व के साथ सरकार का जो कर्तव्य है उसकी पूर्ति के लिए आपको यह करना होगा, संश्रम उपभोक्ताओं को जो भ्राज लूटा जाता है, जिनको भ्राज ठका जाता है, उनकी बंध लूट खालोट बन्द ही, और साथ साथ उमको यह सारी सामग्री प्राप्त हो, इस दिशा में जितना भी अच्छा कदम आप बढ़ाएँ राष्ट्रीयकरण की तरफ बढ़ें, जितने भी प्रयत्न इस दिशा में करेंगे उसके लिए आप बधाई का पात्र बनेंगे।

श्री मुखबन्द डागा (पाली) : सभापति जी, मन्दिर, मस्जिद और गिरजाघर बन्द हो जाने चाहिए लेकिन जो मिलें हैं वह बन्द नहीं होनी चाहिए। हमें कुछ एतराज नहीं है अगर कुछ टूटे फूटे मन्दिर या मस्जिद या गिरजाघर बन्द हो जाए लेकिन जब देश के अन्दर कारखाने बन्द हो जाते हैं ..

सभापति महोदय : डागा जी, यह मज्जिक प्रीटिंग नहीं है। आप जग चोग की ओर देखकर भाषण कीजिए।

श्री मुखबन्द डागा : मैं चेंबर को ही ऐड्रेस कर रहा हूँ। मैंने कहा कि जब कारखाने बन्द हो जाते हैं तो उसके अन्दर दरिद्र-नारायण अपनी रोजी से महकम हो जाते हैं। तो मे गवने अच्छा इम बिल का समझता हूँ और मेरे ख्याल में सारे समाचारपत्रों ने और सब तरफ से सबने इस बिल की तारीफ की है कि हमारा कदम ठीक जगह जा रहा है। माननीय वीरेश्वर अग्रवाल जी बोल गये कि आप इन्हे खत्म कर रहे हैं लेकिन आपके प्रबन्ध करने वाले प्रबन्ध ठीक तरह नहीं कर पाएंगे। जान्डेय जी ने भी चेतावनी दिलाई। लेकिन मैं यह कहना चाहता हूँ कि आखिर में जो एक कदम हम उठा रहे हैं तो हमें अपने लोगों पर विश्वास करना होगा और विश्वास करके चलना होगा। जब देश एक विश्वास करके चल रहा है और देश में एक अवस्था ऐसी बन रही है कि हम मोरग का खत्म करना चाहते हैं तो मोरग को खत्म करने का यही तरीका है, ये 47 कन्सर्न्स जो ले रहे हैं इनके स्थान पर अगर नये कारखाने लगाए जाएं तो कितनी पूंजी चाहिए? कुछ माननीय सदस्यों ने यह एतराज उठाया कि इसके लिए बड़ी पूंजी की आवश्यकता होगी। मैं समझता हूँ कि अगर इसको नये सिरे से लगाया जाए तो तब कितनी पूंजी चाहिए थी। याब वह उसे भी कारखाने हैं, अमीन हैं, कुछ भंजीमें हैं वहाँ बैसी भी हैं, यह सब

थोड़ी पूंजी में मिल जाते हैं तो हमने हर्ज क्या है? यह जो उनका कहना था कि हमको इन कारखानों को नहीं लेना चाहिए, हमें नये कारखाने लगाने चाहिए, तो मैं कहता हूँ कि हमारे पास जो कारखाने अलारेडी मौजद हैं और जिनमें थोड़ी पूंजी लगाकर ज्यादा लाभ उठा सकते हैं, उन्हें क्यों न लिया जाए?

दूसरा एतराज इसके साथ वे यह उठाने हैं कि हमने देखा है कि पब्लिक सेक्टर में बड़ा घाटा होता है और प्रबन्ध व्यवस्था अच्छी नहीं होती है। मैं कहना हूँ कि आखिर हम लोगों ने एक निर्णय लिया है तो हमें अपने लोगों की इमानदारी पर और उनकी मेहनत पर भरोसा करना होगा। बार-बार जब हम लोग इस बात की ओर ध्यान दिलाएंगे तो हमारे लोगों में जो काम करने की शक्ति है वह बढ़ेगी और उनकी इमानदारी बढ़ेगी। यह बात नहीं होनी चाहिए कि हम हमेशा हर बार अविश्वास करें कि हमारे कर्मचारी और सरकारी कर्मचारी उन कामों को कर नहीं पाएंगे। आखिर हमारी सारी योजनाएँ चलती हैं, देश का सब काम चलता है, रेल इण्डस्ट्री चलती है, दूसरी इण्डस्ट्रीज चलती हैं, तो हमें लोगों पर विश्वास करना होगा, लेकिन कुछ वर्षों पर हमला भी करना होगा। जो लोग गलत काम करते हैं उनकी निन्दा भी करनी होगी, लेकिन जो हमारा रास्ता है, जिसको हमने तय किया है, 46 मिलों को लेने जा रहे हैं, उनको नया जीवन दिया जाएगा, यह एक अच्छा कदम है। मेरे ख्याल से किनी ने भी इस बिल का विरोध नहीं किया है, सबने एक स्वर में कहा है कि यह कदम बड़े साहस का कदम है, अच्छा कदम है, भागों की ओर ले जाने वाला कदम है।

17 hrs.

लेकिन मैं दो तीन बातों की तरफ आप का ध्यान दिलाना चाहता हूँ—अभी मेरे साथी नटवरलास जी ने कहीं दुर्गा काटन

[श्री मूल बन्द डाला]

कि०, डिस्ट्रिक्ट मेहसाना का चिक्र किया है। आप इस मिल को भी लीजिये, 46 की जगह 47 कर लीजिये। इस मिल में 1500 भादमी बेकार हो गये हैं।

इस बिल में जो रीजल्यू दिये गये हैं—
में उनको दोहराना नहीं चाहता हूँ, लेकिन मैं आपका ध्यान क्लाज 10 की तरफ़ दिखाना चाहता हूँ। इस क्लाज में कहा गया है—

He may, by giving to the employee one month's notice in writing or the salary or wage for one month in lieu thereof, terminate such contract of employment

यह मुनासिब नहीं है। हम मजदूरों की बेरोजगारी हटाने के लिए इस बिल को लाये हैं लेकिन दूसरी तरफ़ आप ऐसा क्लाज डालें कि एक महीने का नोटिस देकर उनको हटा सकते हैं, इससे तो बेरोजगारी बढ़ेगी। भय है हमने उनको रख लिया है और बाद में यह महसूस करते हैं कि उनकी जरूरत नहीं है तो आप काम को बढाइये, लेकिन मजदूरों को नहीं हटाइये। आप ने कहा है—

MR CHAIRMAN You have already explained, you need not say this again

श्री मूल बन्द डाला दूसरी बात—
आपने इसमें एक क्लाज दी है—

Every person in charge of the management of a sick textile undertaking immediately before the appointed day shall, within 10 days from that day or within such further period as the Central Government may allow in this behalf.

आपने इसमें 10 दिन का टाइम दिया है। मैं अर्ज करना चाहता हूँ कि जब आप को कस्टडी में कोई शीज लेनी है तो फौरन लीजिये। वरना कई तरफ़ देखे हुए हैं कि वे लोय कांफ़्रेंस, दूसरी चीजें मिश-एप्रोप्रियेट कर लेते हैं, वहाँ से हटाने के लिए इसलिये कोई टाइम लिमिट मत दीजिये

जो काम करना है वह फौरन लीजिये। 10 दिन का टाइम बहुत ज्यादा है—इस टाइम के अन्दर मशीनें हट जाती हैं, जितना कम टाइम दिया जाय, उतना अच्छा है। जब आप यह तय कर लें कि हमें फना मिल को लेना है तो तुरन्त ले लीजिये, इस के लिए टाइम मुकर्रर नहीं होना चाहिये।

आप ने क्लाज 4(B) में कहा है—

No Resolution passed at any meeting of the shareholders of any textile company on or after the appointed day regarding the business of the textile company in so far as it relates to the sick textile undertaking shall be given effect to unless approved by the Central Government

अगर कोई रेजोल्यूशन पास कर दे और सेट्रल गवर्नमेंट उसको एप्रूव कर दे तो उसको इफ़ेक्ट दिया जा सकता है—ऐसा क्यों किया जाय। इसमें ऐसा होता है कि वे मीटिंग करे और उसमें अपनी व्हाइस दे दें और सेट्रल गवर्नमेंट उसको एप्रूव कर दे तो

सभापति श्रीबबू आप इसके मायने नहीं समझ पाये हैं। ठीक है अब आप समाप्त करें।

श्री मूल बन्द डाला मैं यही निवेदन करना चाहता हूँ कि इस क्लाज को नहीं रखना चाहिए।

श्री राम सहाय धार्षिक (राजनदगांव) सभापति महोदय, मैं अपने भाषण में एक बात और जोड़ना चाहता था—आप रूपा कर की 0 एच० सी० मिल, राजनदगांव को भी इस लिंक-मिलों की तालिका में जोड़ दें।

श्री मूल बन्द डाला (निजामद-बाद) : सभापति महोदय, मैं मुहूर्तविराम-भाषण देना चाहता हूँ। जो बिजे लीट नहीं है—

उन को लिये मैं मंज़ी जी को बचाई देना चाहता हूँ। जो मिलें ली गई हैं, अगर उनको कामयाबी से चलाना है तो सिर्फ़ ले लेना ही काफ़ी नहीं है, उन में जो मजदूर काम करते हैं, उनके ऊपर भी बड़ी जिम्मेदारी है। क्योंकि जिस दिन से सिक-मिल ली जाय, अगर उसी दिन से मांगी की भरमार चलनी शुरू हो गई तो सिक-मिल फिर बन्द हो जायेगी और उससे बदनामी होगी और सरकार आइन्दा दूसरी मिल लेने का साहस ही नहीं करेगी। इस वास्ते मैं यह चाहता हूँ कि फिलहाल मजदूर बोनस मांगना छोड़ दें। जब तक वह मिल कामयाब तरीके से न चले, अगर दूसरी सुविधायें कम भी हैं तो भी थोड़े दिन के वास्ते उस को बरदाश्त करें।

दूसरी बात—हमारे यहां मजदूरों की प्रोडक्टिविटी बहुत कम है। जापान में 198 प्वाइन्ट्स है, जर्मनी में 160 वाइन्ट्स है, यूरोपियन कन्ट्रीज़ में 140 प्वाइन्ट्स हैं, जब कि हमारे यहां 40 प्वाइन्ट्स है.....

श्री एस० एम० बनर्जी (कानपुर) : तनख्वाह कितनी है ?

श्री एम० रामगोपाल रेड्डी: इर्रीम बनर्जी साहब से दरख्वास्त करता हूँ कि मैं कानपुर जा कर आया हूँ—मेहरबानी करके ज्यादा काम करके ज्यादा तनख्वाह हासिल करने के लिये कहा जाये।

मोर्नाइजेशन आफ मशीन्स के लिये कहा गया है कि इस पर 600 करोड़ रुपया लगेगा। जो मिलें जल्दी खराब होने वाली हैं उनके लिये एक प्रोग्राम बनाया गया है। मिनिस्टर साहब ने कहा है कि हर साल 60 से 65 करोड़ रुपया खर्च करके मशीनें मोडेनाइज़ कर दें। आज सारी दुनिया में मशीनें मोडेनाइज़ हो गई हैं—लेकिन

हम इस मामले में धीमी पीछे हैं। अगर हर साल 60 करोड़ रुपया मशीनरी के मोडेनाइजेशन पर लगायें तो 10 साल में तमाम मशीनरी नई हो सकेगी। इसलिये मैं चाहता हूँ कि जहाँ कहीं भी मिलों को मोडेनाइज़ करने के लिये पैसे की जरूरत है, फाइनेन्शियल कार्पोरेशन से पैसे का इन्तजाम किया जाय ताकि मशीनों को मोडेनाइज़ करके दुनिया की दूसरी मिलों के साथ अच्छी तरह से कम्पिटेशन कर सकें।

THE MINISTER OF FOREIGN TRADE (SHRI L. N. MISHRA): I am indeed very much grateful to the House for the support that it has given to the Bill. Fourteen Members have participated in the debate, and out of these fourteen, eleven have strongly supported the principles for which the Bill stands, and only three colleagues of ours have not supported the principle for which this Bill stands.

Before I go into the general principles which have been raised by hon. Members, I would like to take some of the points raised by hon. Members one by one and try to allay their misgivings.

First, I shall take the point raised by Shri Dinen Bhattacharyya. He asked 'Why are you paying compensation to the owners under clause 6(2)?'. Till the units are actually nationalised, some compensation has to be paid to the owners; otherwise, it will amount to expropriation. This point was raised by Shri Indrajit Gupta also and he asked why we were proposing to pay Rs. 30,000 for each mill and he calculated that something like Rs. 1.46 crores would be paid to the mills. I would point out that this Rs. 30,000 is meant for all the 46 mills. This is just nominal compensation and we are doing this in order to respect the provisions of the Constitution, for otherwise it would amount to expropriation. So, Shri Indrajit Gupta and Shri Dinen Bhattacharyya need not have this apprehension that we are

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going to make payments of such amounts to these mills or to those mills which do not have much utility.

The hon. Member also raised the question about the freezing of past liabilities and said that workers' dues should not be frozen. As far as possible, workers' dues will be paid after the mills are restarted. But our concern will be to restart the sick mills.

17.09 hrs.

(SHRI K. N. TIWARY *in the Chair*).

Shri Dinen Bhattacharyya also pointed out that in the mills already working under Government control, arrears of workers' wages and bonus were not being paid. Government are making serious efforts to pay arrears and will fully safeguard the workers' interests. However, this will be possible only after the mills start working.

I must say that I do not agree with Shri M. Ram Gopal Reddy when he says that no bonus should be paid to the workers.

Bonus has to be paid to the workers, no matter in what condition the mills are. There is the Bonus Act and we should not raise the question of productivity etc, once the question of bonus comes.

About the equalisation of cotton price, this is a question which has been raised a number of times by the Chief Minister, West Bengal, Shri Siddhartha Shankar Ray, that there should be equalisation of price of cotton as in regard to coal and steel. I agree with it in principle. I addressed a letter to all the Chief Ministers of cotton growing States in this regard. Unfortunately, they did not agree to this principle. I am thinking of convening a meeting of all the Chief Ministers of cotton growing States and of those States where there are textile mills to discuss this problem. The difficulty is genuine. The States which do not grow cotton have to incur a higher cost of production than those States where cotton

grows. Some solution has to be found. I assure Shri Gupta and Shri Dinen Bhattacharyya that we are serious about this question.

Shri Ramsinghbai Verma raised the question of huge arrears in respect of one particular mill the Indore Malwa United Mills. This mill has been taken over under the Ordinance and the dues are being gradually liquidated.

Shri Indrajit Gupta made the point that the mills taken over should not be returned to their owners. I had stated earlier, and I reiterate, that not only these 46 mills but even these 57 mills which are under NTC, the return of which is to be considered after 15 years, will not be handed back to the owners. We are not going to waste public money repairing and modernising these mills of private owners and returning them to them after putting them in proper order.

As Shri Indrajit Gupta said, this is for the first time that we are entering the consumers' industry on a large scale. These 46 mills are going to be nationalised. Pending that, we have come forward with this Bill. I cannot set a time limit for nationalisation, but it will be very soon.

The point was made that we gave 10 and 15 days notice and in the meanwhile valuable properties of the mills might have been removed from their premises. Here I want to share a secret with the House. This question of taking over these mills has been with us for a long time. We had a Cabinet meeting and we were to announce the promulgation of the Ordinance the same evening. But then some difficulty arose. We could not do it the same day. Immediately I came to my office, round about 7 O'clock, I requested all the Chief Ministers of the concerned States to put police guard in the mills so that no property was removed. I am thankful to all the Chief Ministers for their quick action for the same night before 12 O'clock all these mills were put under police guard and, according to our information, no property has been removed.

The general question of nationalisation of the entire textile industry was raised. This is not before us at the moment. We do not want to do it; we want to take over these mills which are not remunerative, which are not economic. We want to take over such units after paying compensation according to the amended Constitution on a mill-wise basis.

Whatever may be the faults of individual millowners, I must pay a compliment to the textile industry which has not done a bad job. A visit to the Textile pavilion of Asia 1972 will convince one about the progress made by the Indian textile industry.

In export also, it has done a good job. But anyway, we are not satisfied with export performance, and that is why we are setting up the Textile Export Corporation and we are going to enter the field of textile export also. But I must say that at the moment we have no proposal to take over the textile mills, and I do not think that stage has yet been reached.

PROF. MADHU DANDAVATE: Many speakers have referred to the Laxmiratan Cotton Mills

SHRI L. N. MISHRA: I will come to the individual mills later. But that mill and also one mill at Kanpur—perhaps Shri Indrajit Gupta referred to it.....

SHRI S. M. BANERJEE: The Laxmiratan Cotton Mills has not been taken over yet in a spite of the fact that this man has not paid bonus for three years and is not remitting the amounts to the provident fund. Non-payment of Government dues is his capital.

SHRI L. N. MISHRA: Shri Banerjee knows it. He had discussed it with me and I had set up an investigation team which had gone into it and also recommended the taking over of a part of the mill. We wrote to the State Government because 49 per cent of the finance has to be found from the State Government and 51 per cent of the finance has to come from the Central Government. We had

some difficulty in that, and we could not take it over, but I assure hon. Members that efforts will be made to take over this mill also.

About fair price shops, the question was raised by Shri Patnaik. Under the revised scheme, into which I do not want to go in detail, we have stopped private trading in the controlled varieties of cloth, and we want to give it to the State Government and the national consumers co-operatives, super markets, etc.

Next, I come to the points made by Shri Virendra Agarwal. It is very difficult to answer the points raised by him. We are at two different poles. He is against nationalisation and he is against any State activity in the economic field. We know his philosophy and we know the philosophy of his party. I will only tell him that the public sector has not done as badly as he has tried to paint. He has raised the question of the National Textile Corporation. I may tell him a word about it. We had 57 mills under the National Textile Corporation and these mills have had an annual production of over Rs. 200 crores of yarn and cloth, and they have provided employment to one lakh workers. The mills under the management of these corporations exported textile goods worth over Rs. 8 crores last year. In respect of 45 mills, detailed modernisation programmes have been framed involving an investment of Rs. 17 crores. The major portion of the outlay has been spent on the mills which are being modernised. In short, the Government is very serious about it and is acting in a phased manner to rehabilitate the undertakings which have come under its control so that the production of textile which is essential for the community is augmented. Therefore, the allegation or charge against the National Textile Corporation is not fair.

Shri Prabodh Chandra is not also happy about the provisions of the Bill. He thinks that we are putting additional power in the hands of the Government which may not be used for the good of the people. But this is the only solution to the conditions under which the sick

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mills in this industry have fallen, and this Bill is going to help us in restoring the health of the textile industry, and I would request Shri Prabodh Chandra to wait for a little while and see how things move. I may assure him that the textile industry would improve as a result of the provisions of this Bill and there will be less cause for worries in the future. He said that all the mills which are not efficient should be taken over. Of course, there can hardly be any two opinions on this.

Mr Saminathan said that the Government is not serious about nationalisation. But, as I said, we are not going to take over the entire industry at present.

About compensation, I have explained it and I have said that the compensation of Rs. 30,000 is for the 46 mills. It was said by another hon Member that the Central Government should try to pay 51 per cent to the Tamil Nadu Government. This will be done. So far as the 51 per cent to the State Government is concerned, it will be done, and if the Tamil Nadu Government wants to run any of the mills we will hand it over to the Tamil Nadu Government as we have done in the case of Maharashtra, Gujarat, West Bengal and Uttar Pradesh also. If the State Government wants to run the mill, and if they set up a State Textile Corporation, we will have no objection and we will be happy to hand it over to them and help them by giving them 51 per cent of the capital required.

SHRI INDRAJIT GUPTA: Why not have one agency?

SHRI L. N. MISHRA: Shri Natwarlal Patel said that the Durga Cotton Mills in Gujarat should be taken over. The State Government has also recommended the taking over of this mill, and necessary action is being taken in that direction and I will be able to take over this mill also.

Prof. Dandavate said that an artificial scarcity of yarn is being created.

SHRI K. BALADHAND AYUTHAM: Coimbatore): There are two mills which have been closed for ten years Raj Mill of Madura and Seethalakshmi Mill of North Arcot. These sick mills have not been included.

SHRI L. N. MISHRA: I did not know. They might have missed my attention. There is no difference of opinion on principle. I am prepared to take them over if they are closed for ten years. There might have been some slip and they might have missed my attention. If the hon. Member writes to me, he has brought it to our notice in fact, we shall set up an investigation team and we shall take them over. A closure of even three months is enough and so ten years is good enough and it is a good case.

SHRI DINEN BHATTACHARYYA: It is already a dead mill. You must take it as dead if it remained closed for ten years.

SHRI L. N. MISHRA: I said that I would take them over after getting them investigated. I have already taken 57 mills and today this covers 46 mills. I shall have to take those two mills also provided they come within the formula which the Bill envisages, if it has been closed and if they are uneconomic etc. we shall take over those mills.

Prof. Dandavate has raised the question of scarcity of yarn, synthetic and cotton yarn. There is no scarcity. As a matter of fact only yesterday I had written to two Chief Ministers that they have not lifted the quota. The difficulty lies in the distribution stage. We have fixed the quota for each state in the case of cotton fibre and synthetic fibre. If the State Governments do not lift their quota, what can I do? The Textile Commissioner has visited most of the States and discussed with them the system of distribution. I must say categorically that there is no scarcity of yarn in the country. Only a proper distribution machinery should be evolved by the State Governments.

We also said something about clause 11 of the Bill, I agree with him. That provision was meant for only a day or two after the Ordinance was promulgated. The Government has appointed now custodians for all the 46 mills. We were not in a position to have custodians for all the 46 mills overnight and therefore this provision was there. It is now infructuous because custodians have been appointed.

SHRI DINEN BHATTACHARYYA: May I have one information? Some mill owners of these 46 mills have already gone to the Court and have obtained injunctions and stay orders. For these six mills what is the Government contemplating to do? I know one Kanodia mills have gone to the court and the court has given an injunction.

SHRI L. N. MISHRA: I shall look into it. If there is a case I shall try to help you and your union if you have a case there.

SHRI DINEN BHATTACHARYYA: I said some mills have obtained injunctions from the court.

SHRI L. N. MISHRA: I do not think so. You are not correct.

It has been suggested that workers and business experts should be associated with management. While considering the constitution of the Advisory Committee this point will be kept in mind. Though workers' participation in management has been our policy we have not made much headway in these 57 plus 46 mills. It will be my endeavour to see that the workers are also represented on the board of management

There was one question about holding company and Shri Indrajit Gupta referred to it. We have appointed the Textile Corporation as the custodian-general of all the mills. We shall see its working. We believe that with the nationalised textile corporation as the custodian-general all these mills will be able to do much better. If we feel that it is not working properly we shall consider something else. I agree with Shri Indrajit Gupta that there has to be some

body which should co-ordinate the working of all the mills.

SHRI INDRAJIT GUPTA: Where is it provided that the Custodian-General will be the Textile Corporation of India? It is not there in the Bill.

SHRI L. N. MISHRA: It will be done under the rules. In the ordinance, we mentioned it. When we frame rules, we will take care of that.

MR. CHAIRMAN: The question is:

"That the Bill to provide for taking over, in the public interest, of the management of the sick textile undertakings, pending nationalisation of such undertakings, for the expeditious rehabilitation of such undertakings so that such rehabilitation may subserve the interests of the general public by the augmentation of the production and distribution, at fair prices, of cheaper varieties of cloth, and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We will take up clause by clause consideration. Clause 2. There is an amendment by Mr Ramsingh Bhai, but he is not here. The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 3 to 5 were added to the Bill.

MR. CHAIRMAN: To clause 6, there are amendments Nos. 2 to 5 but Mr. Ramsingh Bhai is not here.

The question is:

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

SHRI DINEN BHATTACHARYYA: 4 hours have been allotted. Why are you hurrying it up?

MR CHAIRMAN To clause 7 there are so many amendments in the name of Mr Ramsingh Bhai, but he is not here

The question is

"That clause 7 stand part of the Bill"

The motion was adopted

Clause 7 was added to the Bill

Clause 8 was added to the Bill

Clause 9—(Contracts etc in bad faith may be cancelled or varied)

Amendment made

Page 7, line 1, for "and" substitute "or" (17)

(Shri L. N Mishra)

MR CHAIRMAN The question is

"That clause 9, as amended, stand part of the Bill"

The motion was adopted

Clause 9, as amended was added to the Bill.

Clauses 10 to 13 were added to the Bill

Clause 14—(Debts incurred for the purposes of Textile Undertaking to have priority)

Amendment made

Page 8, lines 23 and 24,—

for "obtained by an owner of a sick textile undertaking from the Central Government or State Government"

substitute "advanced to a sick textile undertaking by the Central Government or a State Government" (18)

(Shri L N Mishra)

MR CHAIRMAN The question is

"That clause 14, as amended, stand part of the Bill."

The motion was adopted

Clause 14, as amended, was added to the Bill

Clauses 15 to 18 were added to the Bill

The First Schedule

SHRI NATWARLAL PATEL I beg to move

Page 12,—

after line 48, add—

Kadi Durga Cotton Mills Limited, (Kadi, Mahasana)" (1) "47 Kadi Durga Cotton Mills Limited, Kadi, District, Mahasana

SHRI DINEN BHATTACHARYYA Sir we want to speak on this

SHRI SHYAMNANDAN MISHRA (Begusarai) Four hours have been allotted for this Why should it be rushed through?

MR CHAIRMAN What is the sense of the House?

SOME HON MEMBERS It should be taken up tomorrow

MR CHAIRMAN I find that there is no unanimity on this question We will take it up tomorrow

17.32 hrs.

BUSINESS ADVISORY COMMITTEE

Twenty-first Report

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) I beg to present the Twenty-first Report of the Business Advisory Committee.