

that in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and Communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee

The motion was adopted.

13.10 hrs.

INDIAN COPPER CORPORATION
(ACQUISITION OF UNDERTAKING)
BILL

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMAR-MANGALAM) : Mr. Speaker, I beg to move* :

"That the Bill to provide for the acquisition of the undertaking of the Indian Copper Corporation Limited, for the purpose of enabling the Central Government, to conserve and exploit, in a scientific and rational manner, to the maximum advantage of the nation, the copper deposits in the Singhbhum belt in the State of Bihar, to utilise the copper deposits in such manner as to subserve

the common good, in the context of the requirements of copper in the country, and for matters connected therewith or incidental thereto, be taken into consideration".

The House will remember that on 4 April 1972, a Bill for the taking over of the management of the Indian Copper Corporation following an Ordinance that was promulgated in March 1972 was passed by this House and later in the Rajya Sabha, and then it became law. At that time, we had an elaborate discussion in this House on the position so far as copper production is concerned and I put before the House the various considerations which justified the take-over of the Indian Copper Corporation. I do not think it is necessary for me to repeat all the matters that were put before the House at that time. If there are any matters which hon. members wish me to clarify, I shall certainly be happy to do so when I reply to the discussion. What I propose to do while moving this motion is to cover points really new.

The Bill, hon members will appreciate, really provides for the take-over not merely of the management but of the ownership. Since March 1972, the management of the Indian Copper Corporation has been in the hands of Hindustan Copper acting as the custodian on behalf of the Government of India, that is since the 10th March, 1972. All the various provisions of the Act which provided for the takeover of the management really covered questions so far as the conduct of the working of the Corporation is concerned. Here what we are more concerned with is the takeover of the ownership and a decision regarding what will be done to achieve that takeover.

Even on the last occasion when the matter came up for discussion, hon. members asked why it was that we were not going in for straight acquisition. I explained the reason

*Moved with the recommendation of the President.

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was that we had still to determine what was the exact position so far as the worth of the company was concerned, and on what basis we could finally decide the compensation to be paid. Under sec 11, we have decided that the compensation that is reasonable in terms of the circumstances would be Rs 7½ crores. This is a figure which taken by itself really has no relevance and I think it my duty to put before the House the considerations that moved us. What we have done in this case is to take into account a different valuation so far as the company is concerned the worth of the paid up capital of the shares in terms of the present market value of shares, the nett worth of the company itself, that is to say assets minus liabilities, and on the basis of taking these different matters looking at the valuation of the assets of the company and coming to a conclusion regarding the figure which is appropriate and reasonable from the point of view of takeover of the Corporation.

For the payment of Rs 7½ crores, what we are getting in the hands of the state is a copper smelter and refinery on the one hand and equipment and all that goes with it for mining on the other that will enable us to produce around 10,000 tonnes of copper. We can actually increase the number of tonnes of copper that we are producing on the basis of bringing back into operation and old reverberatory furnace that had virtually been closed down by the previous management, enabling us to go possibly even upto 25,000 tonnes of copper, but in order to do so we will have to increase mining facilities requiring substantial additional investment. Therefore, I am proceeding for the moment on the basis that really speaking, Rs 7½ crores brings us both mining and smelting facilities enabling us to produce a minimum of somewhere around 10,000 tonnes of copper. If we take the present level of investment that would be

necessary in order to produce 10,000 tonnes of copper, it will be many times Rs 7½ crores. The 7-crore valuation related to what I would call the market value of the shares, the nett worth of the company and so on this amount is really a comparatively far smaller figure than what would at present be necessary to invest if we want to produce 10,000 tonnes of copper. Because the Indian Copper Corporation is quite an old company having been founded some 30 odd years ago. Therefore, much of the investment that has been put in, practically the facilities for mining, apart from the flash smelter that have been set up at the end of the last year, has been put in with a comparatively far less expenditure because the prices were low at that time. Therefore, we get this 10,000 tonnes of copper, or rather, the equipment for mining, smelting, etc for the production of 10,000 tonnes of copper, at Rs 7½ crores. If we compare it to present day investment, for example Khetri figures the position in Khetri is that after the final revised estimate, it will be Rs 115 crores of investment, which will bring us 31,000 tonnes of copper as well as fertilisers and so on. Deducting Rs 18 crores, that is, the cost of the fertiliser plant, and Rs 6 crores to Rs 7 crores, that is, the cost of putting up housing and such other facilities,—the township in Khetri itself—we can take it as an expenditure of something like Rs 90 crores, in order to get 31,000 tonnes of copper. Looked at from that point of view, it is a reasonably—I am using a mild expression—fair deal from the point of view of the country. I am justified in telling hon Members that it is not an unreasonable compensation that we are paying.

I know that there will be certain objections, particularly from having a look at the amendments that have been proposed by various hon Members on the other side. So, let me make some points which will enable them also to make their points much more frankly and openly, because by

not keeping everything up my sleeves at the end, you need not have to comment upon at that stage. Now, where are the Rs. 7½ crores going? We had a number of difficulties. We thought, for instance, why we should not think in terms of a slab system so far as the payment of compensation to the shareholders is concerned. Let us give a little more to the small shareholder and a little less to the bigger shareholder. It is quite a sensible approach. I am sure many will agree, the vast majority of the House, knowing the general trend of this House and the people in our country. We did approach this from this point of view really, because the shares of Indian copper are very widely distributed. They are not held by a very small number of persons. About 16,000 persons hold shares which are worth somewhere from Rs. 2 to Rs. 1,000. Another 5,000 hold shares from Rs. 1,001 to Rs. 2,000; that is another 5,000. Then, 1,600 shareholders hold shares from Rs. 2,001 to Rs. 4,000 and so it goes on, the total number of shareholders being 23,620; quite a large number.

Hon. Members may also be interested to know that the figures given by the previous management would indicate that 40 per cent of the total value of shares is held by 22,600 shareholders holding up to 2,000 stock units per share, that is to say, holding of shares of Rs. 2,000 and less. About 20 per cent is held by financial institutions like the LIC, Unit Trust, general insurance companies, banks and so on. The balance is held by the previous managing agents and persons who are holding a larger amount of stock. The difficulty about providing a slab system, a higher slab for those who have got a less amount of share and a lower amount for those who have got a larger amount of share, is that Indian Copper Corporation is a sterling company. It is not a rupee company. It is a company registered in England, though the number of shares that are held by foreigners is pro-

bably not more than about four per cent or so. I think it is less 2.5 or something, speaking from memory. It is not important whether it is 3.5 or 2.5; but by and large it is a very small figure. If it is a sterling company and if we attempt to buy the shares, only acquiring the shares and not the company, if the basis on which we pay compensation is *qua* share rather than *compensation qua* taking over the undertaking, then the sterling company will continue in existence and we, that is, the Government of India, the President of India, will own all the shares in this sterling company.

What does that mean so far as the future is concerned? It means that the sterling company will be subject to the companies act in England and therefore we shall have to make returns in terms of their companies Act; if we wanted to change anything in the memorandum or articles of association we shall have to go the High Court in London which may or may not be sympathetic to whatever proposals we have. If we give a slab system of compensation, some sterling shareholder in England may go and file a petition in the High Court there challenging even the validity of this Act and involve us in all sorts of litigation. That is why on legal advice, on my own advice even—because I really went into this question with considerable interest and anxiety—we came to the conclusion that it would be too risky a project to do so. It is possible to put in such a thing; it is not that it is impossible. So that is the conclusion that we were driven to because it is a sterling company and there is no alternative except to take over the undertaking as a whole.

Once we take over the undertaking as a whole, there is no alternative except to give what may be called a block amount in payment of compensation for the taking over of the undertaking. There are of course hon.

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Members in this House, who say—from the amendments tabled by my friend Mr Chatterjee he obviously belongs to that school of thought—why pay any compensation at all? Why not take it over without any compensation?

I think we are at the present moment, in terms of the level of economic development and the type of economy we are building, committed to payment of some compensation, not compensation that may be entirely market value but something which in a sense is compensation for what we are taking away particularly—I would emphasise—from a company where there is wide distribution of share holding among a number of small people. This is the real justification of the policy that we have followed.

Before I actually move the Bill, perhaps hon. Members may like to know what has happened to Indian Copper Corporation we took over. There are always people both inside and outside this House who have the conviction rooted in their minds that no sooner the Government takes over any concern than it is bound to go to rack and ruin. Perhaps it is good to satisfy them that at least in this case that has not happened. I see my friend H. M. Patel smiling, he might—I do not say he does—belong to that school of thought. Let us see what has actually happened. The figures of production of blister copper monthwise is this January 1972—111 tonnes, February—273 tonnes, the take-over was on 10th March 1972, March 1972—624 tonnes, April 1972—614 tonnes, May—753 tonnes, June—1114 tonnes, July—1146 tonnes, a steady improvement.

I do not want to mislead the House or hon. Members. January and February were bad months for the company, not because of any mismanagement but because a new flash smelter was being brought into operation and we had certain teething troubles which were inevitable. It is also

a fact that the previous management had decided to give up the reverberatory smelter and we want to bring it into operation. There are some difficulties and we hope if we could get over them, almost certainly production will be around 13 000 tonnes in a year.

Now, so far as production of ore is concerned, hon. Members will be interested to know that copper ore production from January to July 1971 was 3,40,340 tonnes, and in the period January to July 1972 it has been 3,81,123 tonnes. There is an increase of something like 40,000 tonnes. I do not say it is very significant. But undoubtedly we kept up the level of production and there has been a slight improvement.

One other matter that I want to mention is the production of wire bars in July 1972 was 810 tonnes which is the highest that has ever been done by Indian Copper at any stage in its life. But let us not pitch our claims too high. Government should never do it. I prefer to understate my case as a matter of principle. But the point I wish to impress is that the take-over has not led to any set-back. It has been very smooth. We have received the cooperation of all the officers who continue working in Indian Copper. The workers given of their best. By and large, we can say we are happy about the way things are developing there. This does give us an assurance that so far as the future is concerned, that we will be able to implement the plans we have put before us about the production of copper.

I think there are no other matters which I need deal with in detail now. Hon. members will appreciate that the other clauses in the Bill by and large follow the clauses you find in almost every Bill providing for take-over of an organisation. If there are any special points raised in the course of the discussion, I shall attempt to clarify them. With these words, I move

MR. SPEAKER : Motion moved : jee ; he is probably not so much in their good books.

"That the Bill to provide for the acquisition of the undertaking of the Indian Copper Corporation Limited, for the purpose of enabling the Central Government, to conserve and exploit, in a scientific and rational manner, to the maximum advantage of the nation, the copper deposits in the Singhbhum belt in the State of Bihar, to utilise the copper deposits in such manner as to subserve the common good, in the context of the requirements of copper in the country, and for matters connected therewith or incidental thereto, be taken into consideration."

13.28 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

SHRI SOMNATH CHATTLRJEE (Burdwan) : Sir, we are happy that within a period of six months from the take-over of management, this nationalisation Bill has been brought. The Minister has anticipated correctly the two or three matters which we would like to be clarified. Over one of these, we have got a fundamental objection, that is, with regard to the computation of the amount that is to be paid. Under the previous legislation providing for the take-over of management, we have paid Rs. 75,000 per month. Over these six months, they have received Rs. 4.5 lakhs already for doing nothing. When I pointed out at that time that if the management was taken over for a limited period you could have avoided payment of compensation, the minister, who is an eminent lawyer, said that would not be proper since we are going to nationalise it. But precisely what I suggested has been followed in the case of IISCO. You have taken over for a particular period and you have said categorically that you are not going to give it back to the old management. I do not know why this distinction was made in the case of Sir Biren Mukher-

There is one significant change. We find a difference in approach in this Bill which is not there in other Bills. Here the entire liabilities of the company are also being taken over by the Government. Only the other day we have been discussing the Coking Coal Mines Nationalisation Bill and we had given amendments to the effect that at least the liabilities to the labourers and employees should be the charge on the part of Government. But the minister said it could not be done ; the valuation was on the basis of the assets that were taken over and the liabilities should be discharged by the old companies. But so far as the foreign company is concerned, we are surprised to find that the Government of India is going to pay out of the public exchequer Rs. 75 crores and taking over the assets as well as the liabilities. Why this distinction between coal companies and Indian Copper ? Why can't this company pay the liabilities out of the amount they are going to receive ? We do not know what is the nature of the liability. We have not been told what is the quantum of the assets. The minister gave a very simple formula that they have taken the net worth of the assets, after deducting the liabilities from the assets and the notional market value has been ascertained. They are also supposed to have taken into consideration the amount that would have been necessary to be invested to erect an undertaking like this. There we have got our fundamental objection. Prior to its amendment, the Constitution provided for giving the market value or adequate compensation, which was treated to be market value, for acquisition of undertakings or properties. It was rightly felt that the market value should not be the basis for quantifying the amount that has to be paid for

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acquisition of undertakings or property. That is why this Parliament asserted itself after the Supreme Court struck down certain previous amendments, and introduced article 31C and amended 31 to make the quantum non-justiciable.

I quite understand that we should not allow the courts to go into the criterion or adequacy or find out on what basis this is done. But at least the Parliament should be told on what basis you have calculated this amount. Merely saying that we have taken the notional market value for the purpose of arriving at the figure is only to say that we are following the old provisions in the Constitution which we have got rid of. That is why we are objecting to this. Is this going to be the approach for the take-over of undertakings, especially foreign undertakings? We do not know how much they have re-invested in this country, what profits they have repatriated to their countries. Let at least the Parliament of this country, which is the representatives of the people, be told as to how you arrived at these figures. What is the break-up? If article 31C makes the provision with regard to amount non-justiciable, merely giving the break-up to the people will not make it justiciable. That cannot be so. Since in clause 2 it is mentioned that this is for the purpose of securing one of the directive principles of the Constitution it cannot be gone into by the court. That is why we object to the payment of this huge sum by way of compensation.

In clause 11 a sum of Rs. 7.5 crores is being provided for acquisition which amounts to about one thousand months' compensation they have already got at the rate of Rs. 75,000. The hon. Minister in the course of his speech said that this is a well-managed company and so we are not going to criticise it unnecessarily. If they had done their business in the past properly, well and good. But we want to know how they utilised the

profits they earned in the past. If they had properly ploughed back the money for the purpose of development of the industry, why is it that its installed capacity has not been increased? When was the expansion last done? Therefore, this *quid pro quo* approach, we should pay equal or commensurate value for whatever we have got, that is against the principles that we have adopted while amending the Constitution.

The hon. Minister was taking great pains to explain why the shares have not been taken over and why the undertaking has been taken over. Surely, nobody was suggesting that the shares should be taken over and not the undertaking. The usual method is to take over the undertaking. In general insurance we find the shares have been taken. In the case of life insurance, the undertaking was taken over. In the case of the coal mines the undertakings were taken over and got the shares.

In the present case the hon. Minister gave certain figures of the break up of shareholding. He said that 40 per cent of the shares are held by 22,000 shareholders out of the 23,000 total number of shareholders. There is no provision in this Bill requiring this company to distribute this Rs. 7.5 crores that will be payable to them to the shareholders.

This legislation does not contemplate that. What the management will do after getting Rs. 7.5 crores is left to them. It is not like General Insurance Bill we passed the other day which requires the Company to return to the share-holders proportionate amounts in respect of their share-holdings, the value of shares. Here, we have not provided that. How are we to be sure that the interests of these small shareholders who number about 22,000 and who hold to the extent of about 40 per cent shares in the Company, the middle-class people,

the ordinary people, who have invested some of their savings in this Company which was previously giving good dividends have been protected. The Government does not make any provision in the Bill for providing return of the capital so far as these small shareholders who could not guide the destiny of this Company are concerned. Therefore, I was little surprised why the hon. Minister was taking such pains to explain the break-up of the share-holding of the Company. I would have been happy if some provision was made to return the money payable to small shareholders. We have also not provided anything in the Bill as to what this foreign-managed Company will do with regard to this huge amount. It is no good saying it is a very reasonable amount. After all, an amount of Rs. 7.5 crores is not a small amount. They have been receiving money. If you go on quantifying it on the basis of market value, that is not the proper approach.

I could have understood if they would have been obliged to invest the money into this country. There is no such provision in the Bill. I do not know whether the Reserve Bank can refuse them foreign exchange permission to take back the money, to repatriate the money, to their countries so far as foreign shareholders are concerned. That is why we are opposing this provision of compensation in the absence of a fuller disclosure, in any event.

The other matter is the question of management. The management is going to be given to the Hindustan Copper Limited. The Hindustan Copper Limited has its own troubles. We do want that all nationalised undertakings should function properly and that there should be greater efficiency, greater returns, for the betterment of the condition of the people in the country. On the last occasion, I pointed out from the report of the Hindustan Copper Limited itself that their record has not been very happy. The production in the

Khetri Copper Project was to start in July, 1972. I believe, that was also an extended date. But, now it has been extended till 1974. The estimated cost of Khetri Copper Project — the construction started in 1962, I believe and is not yet completed — has risen from Rs. 94 crores to Rs. 154 crores. There is a considerable feeling that there is laxity in financial controls and there is some sort of top-heavy management in the Project.

On the last occasion, the hon. Minister took exception to my remarks that the officers of this Company are more interested in foreign trips than looking after their jobs. I want to know from the hon. Minister one thing. Since the take-over, I find there have been increases in production. We are very happy about it. We must congratulate the labour and the employees who are employed there and the management also for the increase in production. We are not making criticism only for the sakes of criticism. We are happy about it. But I would like to know how many of the Hindustan Copper Limited officers were inducted into this Company for the purpose of management or where it is the staff of the Indian Copper Limited itself that has made improvements or whether it is under the guidance of the Hindustan Copper Limited. I have no personal animosity against any officer of the Hindustan Copper Limited. But I find from the official reports that their functioning has not been satisfactory. Why do you give the management of the well-run institution like the Indian Copper Limited to an institution whose record has not been very good in the past? Let them look after their own affairs like setting up the Khetri Project and looking after how soon they can start production in Khetri Copper Project. Instead, why are they being given an additional responsibility? I am sure that Government can find adequate trained personnel; they

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Another thing on which I would like to get some clarification from the hon. Minister is this. It is generally stated, as I find from some of the publications, that in India there are inadequate number of trained personnel so far as copper industry is concerned. If we want to develop the copper production in this country, we must, at the same time, prepare a scheme for training of adequate number of technical personnel for the purpose of looking after these projects and for getting the best out of these undertakings in future. Therefore, I would like to know whether the Government of India has any scheme for training of personnel, technical personnel, and for developing a cadre of such personnel for looking after this certainly advanced technological project.

Another point is about industrial relations. In the take-over Bill there was a provision that the Custodian, that is to say, the Hindustan Copper, could dismiss any officer or employee. We would like to know whether that power was exercised — the power that was taken in the last Bill — and how many officers and employees were dismissed from service and for what reasons. This was a drastic power that was taken by them. So far as the present Bill is concerned, you will find in Clause 9 that there is a provision that the old officers and employees will continue to be employed under the Central Government in respect of this Indian Copper. Even then, we would like to know how many of them have been discharged from employment already under the previous legislation.

This has become the usual attitude on the part of the Government that they want to take control or power to alter the terms and conditions of service of even ordinary employees. Mr. Y.B. Chavan,

the other day, was fair enough to say that, so far as Class III and Class IV employees of general insurance were concerned, their terms and conditions would not be altered in a less advantageous manner. We want an assurance from the hon. Minister, so far as the present Bill is concerned, that except high officers whose individual cases may have to be gone into on merits, the terms and conditions of ordinary employees would not be altered to their disadvantage; and at least so far as termination is concerned, such wide powers should not be given to Hindustan Copper Limited. We all know that once these employees become employees of government companies, they lose the protection of article 311 of the Constitution; the Constitution of India ceases to give them any protection and they come completely under the mercy of government companies; their services can be dispensed with by giving one month's notice or three months' notice. The Supreme Court has said : you are without a remedy, go and file a suit for some damages. The protection of article 311 is taken away as soon as they become employees of government companies. I would like the hon. Minister to give an assurance to the employees of this concern that their services would not be altered to their detriment.

The last point that I would like to make is this. There is a general feeling in this country, a justified feeling, especially in my part of the country, that so far as distribution of copper is concerned, it has not been done adequately or fairly and proportionately according to the needs of each State. I mentioned this during the last debate also, but there was no answer from the hon. Minister so far as I can recollect. West Bengal, during the period of ten years, got only 10 per cent of its requirements. I do not want to make any allegation against any State but I would like to say that a proper system of distribution

of the product which is a national asset should be evolved. Why should a particular area in this country, a particular State or a particular region, be deprived of their necessary requirements? If there has to be a curtailment of the requirements and supply then you do it proportionately and fairly, not one State getting 75% of its requirements and another State getting 10%, and in the State I come from, they are able to increase the industrial production in this country. They want the raw materials, but the Central Government is keeping control over the distribution of the raw materials and we are not receiving it. I would like to know what is the policy this Government has adopted and how the priorities are determined, who decides how much will be allotted to a particular State and who assesses the requirements and who decides the quantum of supplies to be made.

Therefore I would request the hon. Minister to keep these matters into consideration and I would like him to reply on these points. I still hope that the hon. Minister will consider about the quantum he has fixed. Let us not try to be too generous with people's, ordinary people's money, in favour of those foreign monopolists in this country and when we have got the power. Sir, we are yet to be satisfied that this is a fair amount that has been fixed.

श्री राम नारायण शर्मा (धनबाद) : उपाध्यक्ष महोदय इंडियन कापर कार्पोरेशन एक्वीजिशन आफ ग्रन्डरटेकिंग बिल 1972 का मैं समर्थन करने के लिए खड़ा हुआ हूँ। सरकार ने बहुत जल्द ही यह फैसला नेशनलाइज़ करने का किया। इस तरह से यह कंपनी जा साल में करीब 15 लाख मीनेजिंग एजेंट्स को दिया करती थी, सरकार ने 75 हजार महीने के हिमाब में 9 लाख साल का देने का निश्चय किया हुआ है के रूप में तो यह धर्मांध जल्दी-से-जल्दी समाप्त हो गई और यह समय थाया कि हम इसके एक्वीजिशन बिल के ऊपर विचार

कर रहे हैं। वास्तव में जैसा कि माननीय मंत्री जी ने बताया यह स्टेलिंग कम्पनी है इसकी कुल लागत 4 करोड़ 60 लाख की है और 4 करोड़ 60 लाख की लागत की कम्पनी को सरकार ने साढ़े सात करोड़ मुआवजा देने का मन्सूबा रखा है। जैसा कि माननीय मंत्री ने धरमी बताया दो रूप से लेकर दो हजार रूपए तक के 22 हजार शेररहोल्डर्स हैं 40 परसेन्ट शेरर ऐसे लोगों के हैं और 16 परसेन्ट शेरर ऐसे लोगों के हैं जो कि सरकारी एजेंसियाँ हैं और जो विदेशों के हैं वे केवल हाई परसेन्ट हैं। फिर भी इस भय से कि कहीं इसको चेलेन्ज न कर दिया जाए सरकार इतनी अधिक रकम मुआवजे में देना चाहती है। धरमी थोड़े दिन पहले इसी सेशन में कोकिंग कोल नेशनलाइज़ेशन बिल पास किया और उसमें 214 कोलियरीज को लेने के लिए 12 कोक शोवेन को लेने के लिए यानी 226 ग्रन्डरटेकिंग को लेने के लिए सिर्फ 16.37 करोड़ कम्प्लेन्शन के रूप में दिया। मैं चाहता हूँ कि वह स्टैंडर्ड जो कि कोकिंग कोल के लिए तय हुआ वही स्टैंडर्ड इंडियन कोपर कारपोरेशन के लिए भी होना चाहिए। चूँकि यह स्टेलिंग कम्पनी है ब्रिटिश कम्पनी है इसलिए इसके लिए हमारा दूसरा मापदंड हो और दूसरी कोलियरीज जो ली गई हैं जिसमें लगभग 100 कम्पनियाँ थी उन सारी कम्पनियों के लिए दूसरा स्टैंडर्ड हो तो यह अपने मुल्क के लोगों की नजर में अच्छा नहीं जंचता।

उपाध्यक्ष महोदय माननीय मंत्री जी ने धार्मेन्ट दिया कि हमको खेती में लगभग 110 करोड़ ६० खर्च करना पड़ रहा है जिसमें 90 करोड़ ६० केवल प्रोजेक्ट के ऊपर खर्च करेंगे। तो वह भी स्टैंडर्ड इसके विभाग में काम करता हो। लेकिन अगर वह स्टैंडर्ड है तो वहाँ पर भी जहाँ से इन्होंने कोकिंग कोल को लिया है इनके दो प्रोजेक्ट तैयार हो रहे हैं एन० सी० डी० सी० के अन्दर मोनीटीड और सुवानटीड जो कि कोकिंग कोल के ही हैं लेकिन चूँकि एम० सी० डी० सी० पहले से तैयार कर रही है और उसका एस्टीमेट धरमी 60 करोड़ का है वह प्रोजेक्ट कम्प्लीट होते-होते मेरा ब्याल है कि 70 80 करोड़ ९० का हो जाएगा तो एक तरह जब दो कोलियरीज का सौपट सिर्फिंग करते हैं, सब रोजिंग करेंगे और कितना प्रोडक्शन होगा यह तो धरने

[श्री राम नाययण शर्मा]

वाला समय बताएगा। अगर यह स्टैंडर्ड देखते हो कि प्राज कितना इन्वेस्टमेंट होता है इसी तरह के प्रोजेक्ट को तैयार करने से तो मैं यह कहना चाहता हूँ कि खेड़ी की नजर से इस इन्डियन कोपर कारपोरेशन को इनको नहीं देखना है। खेड़ी प्रोजेक्ट को तैयार करने में 10 साल लग गए और न जाने कितने साल लग जाएंगे तो जैसे योनीबीह और सुदानबीह के मातहत एन० सी० बी० सी० की नजर से जैसे कोकिंग कोल को नहीं देखा मैं निवेदन करना। चाहूंगा कि खेड़ी की नजर से राखा या अग्नि-कुशला की नजर से जा हिन्दुस्तान कोपर के प्रोजेक्ट है उस दृष्टि से इस को भी न देख कर इस कम्पेन्सेशन की इतनी बड़ी रकम को घटावें। क्योंकि 4 करोड़ 65 लाख की इन की पूरी कैपिटल है, इस कैपिटल से इन्होंने काफी मुनाफा कमाया है और जो दृष्टि प्राज हमारी सारी चीजों को लेने में है उसी दृष्टि से यहा पर भी काम होना चाहिए।

उपाध्यक्ष जी यह कम्पनी जो है हमारे मुल्क की बहुत एफोशियेट कम्पनी हो सकती है लेकिन यह कम्पनी हमारे मुल्क की कोपर वैश्य को बहुत बुरी तरह से ऐक्सप्लायट करती रही है और । 8 इस के नीचे को अपने इस्तेमाल में नहीं लाती रही है जब कि हमारी 5 तक भी काम में लाने की स्कीम है, और उसको लेने के लिए अपने मुल्क की दृष्टि से सोचना चाहिए। तो सरकार का ध्यान मैं इधर आकर्षित करना चाहता हूँ और चाहता हूँ कि सरकार के सामने जो सभोधन आए हैं उनको सरकार कबूल करे और मुभावजे की रकम को घटाए।

दूसरी बात उपाध्यक्ष महोदय जो मैं सरकार के धामना रखना चाहता हूँ यह है कि कान्ट्रैक्ट जो गुड फेब में नहीं किए गए हो उनको भी यह मौका देना चाहते हैं कि इनके फैसेले से अगर वह सतुष्ट न हो तो वह हार्ड कोर्ट में जा सकते हैं। इस तरह से लिटिगेशन का सिलसिला चलेगा। मैनेजमेंट और कान्ट्रैक्टर के बीच में कान्ट्रैक्ट होते हैं कान्ट्रैक्ट टर्मिनेट होते हैं। अगर पुराने मैनेजमेंट में कोई बंड फेब में इस तरह का कान्ट्रैक्ट किया है और उसको नई मैनेजमेंट टर्मिनेट करना चाहती है तो हम क्यों अपने कानून में इस तरह का प्रोवीजन रखें कि उसको हार्ड कोर्ट जाने का मौका दे ?

तीसरी बात यह है कि क्लॉज 16 (1) में रिपीट किया गया है और उसी बात को (2) में कहा गया है। एक से कहा गया है कि अगर गुड फेब में कोई डैमेज कर दिया हो तो उसके खिलाफ कोई कार्यवाही नहीं होगी और दूसरे से कहा गया है कि अगर भविष्य में भी करेगा तो कोई उसके खिलाफ कार्यवाही नहीं होगी। तो इस तरह से भविष्य में भी अगर डैमेज करे उसके लिए भी हम यह प्रोवीजन रखें यह अच्छा नहीं जचता।

तीसरी बात है मुलाजिमों के लिए नौकरियों की सुरक्षा खास करके मजदूर वर्ग के लिए जो इंडस्ट्रियल डिस्पट्स ऐक्ट में मजदूर वर्ग के है उनको कोई मालिक फेवर करके कही पर नहीं बैठा देता है। तो यह जो स्वीयिंग पावर हर नेशनलाइजेशन स्कीम में सी जा रही है उसका कभी-कभी दुरयोग भी होता है। ऐसी हालत में एच एच लेजिस्लेशन से इस तरह की पावर सरकार को नहीं लेनी चाहिए।

इन शब्दों में माय में इस बिल के कन्सीड्रेशन के प्रस्ताव का समर्थन करता हूँ।

श्री सरजू पांडे (गाजीपुर) उपाध्यक्ष जी, मैं सबसे पहले माननीय मंत्री जी को बधाई देना चाहता हूँ इस बात के लिए कि इन्होंने सदन में यह कानून ने नेशनलाइजेशन का बिल रखा है। हमारी पार्टी और हम सभी लोग सदा से इस बात के लिए लड़ते आए हैं काफी दिनों से कि इस तरह से कन्सर्न को सरकार को लेना चाहिए और प्रसन्नता की बात है कि यह बिल हमारे सामने आया है। अगर मैं चन्द सैद्धांतिक प्रश्नों को उठाना चाहता हूँ।

हमारे देश में कुछ ऐसे लोग हैं कि जो सरकारी क्षेत्र में जो कन्सर्न आए हैं उनको बदनाम करने का पूरा प्रयास कर रहे हैं। ऐसे लोग सरकार में भी हैं और बाहर भी हैं और पूरी इस बात की कांशिस कर रहे हैं कि हम हिन्दुस्तान के सामने यह सिद्ध करे कि जो प्राइवेट क्षेत्र में कारखाने हैं वे ज्यादा अच्छे हैं उनका प्रोडक्शन भी अच्छा है मैनेजमेंट भी अच्छा है और सेबर को सुविधाएँ भी ज्यादा हैं और जो सरकारी क्षेत्र में कारखाने हैं उनकी हालत खराब है और बार-बार सिद्ध करने की

कोशिश करते हैं और दुर्भाग्य की बात है कि सरकार भी इस मामले में यौन है और इस बिल में भी इसकी कोई व्यवस्था नहीं की गई है।

यह जो हम से रहे हैं उसमें हम क्या-क्या करेंगे ? भिखाल के लिए खेती की बात कहना चाहता हूँ, जहाँ मैं स्वयं गया हुआ था और वहाँ मैंने देखा कि सारे का सारा काम प्राइवेट हाथों में है और कान्ट्रैक्ट बेसिस पर हो रहा है। यही नहीं ठेकेदार लोग तमाम जगह से लेकर को साकर वहाँ पर लाते हैं और उनकी भारी लूट करते हैं। न उनके रहने की जगह है, उनके लिए छप्पर भी नहीं है, न उनकी मजदूरी का कोई ठिकाना है, न दवा-दारू की व्यवस्था है। यहाँ तक कि कोई लेबर अग्न बीमार पड़ जाए तो जब तक 200 रु० देकर रजिस्ट्रेशन नहीं कराता है कोई दवा उमको नहीं मिल सकती है। दूसरी तरफ जो साधारण ट्रेड यूनियन राइट्स हैं वह भी वहाँ लोगों को प्राप्त नहीं हैं।

जब हम सरकारी खेतों में समाजवाद की बात करते हैं तो लाइमि तीर पर हिन्दुस्तान के मजदूर वर्ग के उत्थान की बात सबसे पहले आती है। मुझे यह देख कर आश्चर्य हुआ कि वहाँ पर यूनियनों को साधारण तौर पर जो अधिकार प्राप्त हैं वह भी नहीं हैं। मैं मंत्री महोदय का इस धार ध्यान दिखाना चाहता हूँ और चाहता हूँ कि वह इस बारे में यह बात स्पष्ट करे कि जो इस तरह के सरकारी क्षेत्र हैं उनमें काम करने वाले मजदूरों के बारे में उनकी क्या पालिसी है।

, 14 hrs

बहुत दिन से चर्चा होती है कि मीनेजमेन्ट में मजदूरों को स्थान दिया जाना चाहिए। लेकिन इस बिल में भी बिखानाई पड़ना है कि मीनेजमेन्ट में मजदूरों का कोई स्थान नहीं है। वही पुरानी म्यूरोन्नेसी वाली था रही है जिसका जनता से कोई सम्बन्ध नहीं है, जिनको अनन्त काल से देश के गरीब लोगों से नफरत है और जो गरीब जनता के साथ बात करने में अपनी ठेकी समझते हैं। आपको जान कर आश्चर्य होगा कि वहाँ अभी तक कोई प्रोडक्शन नहीं हो रहा है, और सबसे बड़े टाचुब की बात यह है कि जो वहाँ पर एसेमिड्रिस्टी और दूसरे कामों को जानने वाले हैं उनसे कोई काम नहीं लिया जा रहा है, उन्हें बेकार बैठा कर

तन्बाई दी जा रही है। जो भी कन्ट्रिबूशन का काम हो रहा है उसमें उनसे कोई सहयोग नहीं लिया जाता, हाशकि वह काम करना चाहते हैं। सारा का सारा काम कान्ट्रैक्ट बेसिस पर होता है और जो ठेकेदार लोग हैं वह लूट रहे हैं।

इन सिलसिले में मैं कहना चाहता हूँ कि अगर आप कोई भी बिल इस तरह का लाते हैं तो दरअसल जो हमारे सरकारी क्षेत्र हैं उनको सुपीरिअर होना चाहिए। उनके मीनेजमेन्ट, उनकी व्यवस्था, उनके कारोबार मजदूरों के सम्बन्ध में, मीनेजमेन्ट के सम्बन्ध में कुछ सुपीरिअर होना चाहिए ताकि हम जो प्राइवेट कारखाने है या जा प्राइवेट कन्सर्स है उनके मुकाबले में एक प्रावर्ष प्रस्तुत कर सकें और लोगों के दिल में यह भावना उत्पन्न हो कि दग्भसन सरकारी खेतों में चीखों को रखने से हमारे देश का ज्यादा उत्थान होगा और काम ज्यादा अच्छा चलेगा। लेकिन मुझे यह जान कर आश्चर्य हुआ कि जहाँ और सब बातों में मंत्री महोदय अपनी पालिसी माफ करने के लिए तैयार हैं, इस बारे में उन्होंने कोई बात नहीं बोलनाई है कि यूनियनों को वहाँ पर वह मुविद्याए प्राप्त होगी या नहीं जो उनको प्राइवेट हाथों में चलने वाले उद्योगों में प्राप्त हैं। इसका स्पष्टीकरण मंत्री महोदय को करना चाहिए।

मुभावले के बारे में कई माननीय सदस्यों ने कहा है कि जिस कम्पनी की लागत 4 करोड़ रुपया है उसे 7 या 7½ करोड़ रुपया दिया जा रहा है। कहा जा रहा है कि उसका मीनेजमेन्ट ज्यादा था। हमारे मुल्क में फारेन कम्पनी थी। माननीय सदस्यों ने कहा कि हमें मासूम नहीं कि उसने यहाँ से कितना पैसा लूटा और उसकी क्या लायबिलिटी हमको बहन करनी पड़ेगी। लेकिन हमने 7½ करोड़ रुपये मुभावले की व्यवस्था कर दी। कम-से-कम इन मंत्री जी से मुझे यह आशा नहीं थी। इनमें और दूसरे मन्त्रियों में फर्क है। कम-से-कम इनको तो सदन की मर्यादा का पालन करना चाहिए और बतसाना चाहिए कि जिसकी लागत 4 करोड़ रुपया है उसको 7½ करोड़ रुपया मुभावला देने का आधार क्या है। मैं चाहता हूँ कि इस बारे में वह अपनी नीति स्पष्ट करें। जब कोकिंग कोल का नेशनलाइजेशन हुआ तब उसके लिए कुछ और मुभावला तय किया गया था और इसके लिए और तय किया था रहा है। इसके

[श्री सरजू पांडे]

पीछे क्या रहस्य है यह हम लोगों को माझूम होना चाहिए। आखिर ऐसा क्यों हो रहा है ?

श्राय विधियोगन के सम्बन्ध में कहा गया कि जो लोग सतुष्ट नहीं हैं वह कोर्ट में जाएंगे। लेकिन साथ गुड फेस की बात कही गई। आखिर गुड फेस का फैसला कौन करेगा ? वहा पर जो आफिसर बैठे है, जिनका जनता से कोई ताल्लुक नहीं, जो जनता के धादमी नहीं हैं, उनको तय करना है। मैं कहना चाहता हू कि यह बुरी बात है। मंत्री महोदय को चाहिए कि वह इस बारे में अपनी पालिसी ठिकनेयर करे कि हमने मजदूरों और दूसरे लोगों पर धसर नहीं होगा। साथ ही साथ बाहर की कम्पनी को इतना मुधावजा न दिया जाए। उन लोगों ने बैसे ही इस देश को बहुत ज्यादा सूटा है और आप और भी पैसा इन कम्पनी वालों को दिला रहे हैं। यह जो गरीब देश है, जहा लोगों को रोटी खाने को नहीं मिलती है, वहा की जनता पर और ज्यादा भार डालना बाजिब नहीं है। जा सिद्धात हमने अपनाया है और जिसके लिए जनता ने हमको वोट देकर भेजा है, यह बिल्कुल उमके विरुद्ध है। इसलिय मैं बर्बान्स्त कहगा कि यह जो कारपोरेशन आप बना रहे हैं वह बहुत अच्छा है। कम-से-कम हमने एक धादशे उपस्थित कीजिए ताकि मारे देश में पूजीपति जो भार मचाते हैं और हमको बदनाम करने की कांशिन करत हैं उसका ठीक जबाब दिया जा सके। इसके लिए आपको धाने धाना चाहिए।

अत में मैं कहना चाहता हू कि जो मुधावजे की राशि है उसको आप बटाए और मामनीय सदस्यों न जो सशोधन दिए हैं उन पर बिचार करके उन्हें स्वीकार करें।

SHRI CHAPALENDU BHATTACHARYYA (Gurdih) Mr. Deputy-Speaker, Sir, while welcoming and supporting this Bill, and in spite of the fact that Mr. Kumarmangalam has been very alert in taking over the management of this company before bringing this acquisition Bill today, I must say that we have gone through the locust years during the last 25 years, and the richer portion the Mosabani mines has been slaughtered off through

intensive long-wall mining processes and not a bit has been left behind.

I am told, and this is a matter for verification that although your copper percentage varies between 0.5 and 2.5—that is the range of the copper fields all over India the Ore-strate that has been slaughtered away during last 20 years has copper content is going up to eight per cent. Copper has been called fool's gold, and because of this delay, in take-over we have been fooled in the process.

Sir, our proved reserves of copper ore are about 130 million tonnes, with about 2.56 million tonnes of copper metal. The estimated reserve is about 160 million tonnes, with copper metal to the extent of 2.66 million tonnes. The probable reserve are roughly 240 million tonnes with an estimated copper metal of the order of 3.75 million tonnes. Now, although our production has been marking time at a level of about 9,000 tonnes, our imports have been of the order of 45,000 tonnes, and the estimated projected demand for copper metal by 1973-74 will be of the order of 1,27,000 tonnes if our planning goes through. Now, for importing this 45,000 tonnes, we are spending Rs. 40 crores. I leave out the question of nickel. So, there is the fullest economic justification for immediate stepping up of the output and our production capacity. I therefore do not agree with my hon. friend who made the point about the amount of money spent on Khetri and the probable amount of investment which would be required in the Mosabani mines, because, whatever investment is made, provided there is no leakage in the investment, will be repaid more than twice over in a matter of a few years.

In the context of India's balance of payment position, we have to make good the deficiency by increasing the production.

Our demand for electrical refrigeration is increasing and dozens of other industries require that. We have been literally starved in many regions because of the shortage of copper. To an extent, aluminium has displaced copper, but we are worried about the extreme shortage of nickel which we have to import practically every week. In the coming years, aluminium, copper and nickel, will save the day for India, when we are hearing talks of a new fibre which is going to displace steel. Therefore, any effort that we make today is a part of a bigger effort, bigger policy and objective of saving India's future.

Before I come to some technicalities before that, I should say that they want power over the terms and conditions of service of the employees by clauses 9(2) and 10(1). They take away the workers' rights, to which we are opposed. The biggest thereof has been dust pathology. You know that copper occurs in ore-bodies having hardness in the MOH's scale of about five; it is almost as hard as quartz. In spite of wet compressed air drilling, the TB hospital at Mosaboni had to be expanded substantially. The dust which is produced in the mining operation gets into the lungs and brings about silicosis which ultimately develops into TB and leads to death. The method of work-incentive was at the back of it. The company introduced a dangerous provision and they paid bonus on footage, and the workers in order to get that bonus on footage literally worked themselves to death all these years. That is one way in which this company amassed enormous profits. I suggest therefore that after every compressed air drilling dust samples should be taken in microns to find whether it is substantial in order to combat effectively dust pathology. The footage bonus is a devilish feature by which the workers were driven to death and it should be replaced by wider coverage bonus and the workers

should be rotated so that none of the compressed air drillers should be exposed continuously to these dust hazards.

In conclusion I must say that the Ministry should not rest on their oars; they cannot afford to do so. There is need for more intensive geological survey, geophysical method including Gamma ray spectrometer for copper deposits. We have to have beneficiation of low grade ores, now that we are going to have an integrated policy of conservation and development. We have to have reasonably long range plans between development and depilloring. The workers must be given a fair deal.

A ring of international brokers have been controlling the metals market and they are subjecting the price to series of fluctuations. In order to make these units economically viable, Government will have to take a long range view and if need be even take to stockpiling to prevent price fluctuations so that the consumers get copper that they require and the import of copper is eliminated during the next two or three years.

SHRI MOHANRAJ KALINGARAYAR (Pollachi) : Sir, while I support this Bill, I would like to say that the main purpose of taking over this Indian Copper Corporation by the Central Government by a Presidential ordinance six months ago was to step up the scientific and rational exploitation of copper resources in the Singbhum belt. But even after the take-over, there is acute shortage of copper due to the meagre indigenous production of non-ferrous metals. Copper is widely used for industry and has technological uses. There is a vast demand for domestic purposes also. Ultimately, the price has gone up and people have started robbing copper wires from public places and copper coils from private pump-sets and motors. Such unwanted things happen due to acute shortage of copper.

[Shri Mohanraj Kalingarayar]

The demand for copper is expected to reach 128,000 tonnes by 1973-74. At the same time, the deficit in supply is estimated at 81,000 tonnes. Still 65 per cent of the demand is met by import. This is not a happy situation for a country like ours where we have vast mineral resources and a large industrial programmes. So, I request the minister to insist on the Geological Survey of India to evolve a firm programme to uncover the hidden non ferrous metal resources in different parts of the country.

While supporting this Bill, I cannot agree to one thing. After taking over the management since the last 6 months we have been paying management compensation of Rs. 75,000 per month. As our lawyer friend, Mr. Somnath Chatterjee explained so ably after take-over, Government takes the responsibility for meeting the liabilities and assets of the company and there is no point in giving management compensation. There are so many other foreign monopolies and one day or other they are all going to be nationalised. Don't tell me that Government is going to follow suit by paying management compensation to all those companies as and when they are nationalised.

Is it a fact that the Centre is examining the representation of ICC to raise the capital cost by 50 per cent? There could be some increase in the cost of machinery or material but not any easy to justify 50 per cent. It is felt that the increase in cost of this metal is mainly due to laxity in financial control and proliferation of technical and managerial staff.

The Fourth Plan envisages increase in the capacity of copper from the current level of 9,600 tonnes to 47,000 tonnes by 1973-74 through the expansion of ICC and the smelter in the Khetri project. The Khetri Project in Rajasthan is estimated to cost approximately Rs. 100 crores and it is

estimated to produce 31,000 tonnes of copper. The Schedule of production is not being maintained. According to the revised plan the production of copper in 1973-74 would be 14,000 tonnes as against the original plan of 31,000 tonnes. I hope the hon. Minister would clarify this?

The survey by the Geological Survey recently revealed a big deposit of copper in Meghaganj, in Belaghar district of Madhya Pradesh. The expert's report says that it is the biggest copper deposit in India and the second biggest in the world. What is the progress in the case of this project?

Two more deposits have been found, one at Dariba in Alwar and another at Chandmar. These two deposits adjoin the Khetri project. What steps have been taken for extracting copper from these two deposits and the progress?

It was reported in the press that Britain is allotting £830,000 which would come to about Rs. 158 crores for the Khetri Project. If so, how much money has been received by the Government for this project?

I would conclude by saying that we fully support this Bill except the provision for payment of management compensation even after the takeover of the ICC Private Ltd., Company by the Government.

श्री शिवनाथ सिंह (मुम्बई) उपाध्यक्ष महोदय, इस बिल के द्वारा इंडियन कॉपर कॉर्पोरेशन को लाने की व्यवस्था की जा रही है, इसलिए मैं इनका स्वागत करता हूँ। हमारे देश में कॉपर की शार्टेज है और बिनाइ प्राधिक है, इसको देखते हुए केन्द्रीय सरकार ने यह विनिश्चय लिया है। उसने पहले इसका मीनेजमेन्ट लिया और अब वह इसको टेक ओवर कर रही है, यह स्वागत-योग्य बात है।

सबसे पहले मैं निवेदन कर देना चाहता हूँ कि मैं पब्लिक सेक्टर के बिल्कुल पक्ष में हूँ और मैं चाहता हूँ कि हमारे देश में सब बेसिक इंडस्ट्रीयें पब्लिक सेक्टर में आत्मनिर्भर हों। एक स्ट्रेज भी, जब कि पब्लिक सेक्टर के क्रेडिट और डीबिटिट को नहीं देना जाता था,

बल्कि एक ही धारावाक उठाई जाती थी कि पब्लिक सेक्टर बढ़ना चाहिए। लेकिन आज वह स्थिति नहीं रही है। आज हमको पब्लिक सेक्टर के रेगिस्ट्रार और डीपैरिट्स की देखना पड़ेगा। आज हमको पब्लिक सेक्टर से होने वाले रेगुलेशन को, चाहे वह डायरेक्टर्स और इजीनियर्स जैसे हार्ड आफिसर्स का हो और चाहे लेबर का हो, और उनके प्राप्ति के रिलेशन्स को देखना पड़ेगा।

MR. DEPUTY-SPEAKER That is a bigger question.

SHRI SHIVNATH SINGH I am coming to the point Here, a mention has been made about the Hindustan Copper Limited and all that The management is being given to the Hindustan Copper Limited As to how the Hindustan Copper Limited is functioning and what results they will give, I am coming to those points

सरकार उसका मैनेजमेंट हिन्दुस्तान कापर लिमिटेड को देने जा रही है। हिन्दुस्तान कापर लिमिटेड कई और यानिस्ट को भी रन कर रहा है। खेती प्राजेक्ट का बार-बार जिन आया है। मैं उस बान्डीवर्सी से नहीं जाना चाहता हूँ। मैं जानता हूँ कि मिनिस्टर साहब इस मामले में बहुत टची हैं। वही वह नागज न हो जाए और खेती प्राजेक्ट को नुकसान न पहुँच जाए, इसलिए मैं उस पार्लट में नहीं जाना चाहता हूँ। लेकिन मैं मिनिस्टर साहब से निवेदन करना चाहता हूँ कि वह हिन्दुस्तान कापर लिमिटेड और इडियन कापर कार्पोरेशन जैसी पब्लिक सेक्टर अडवर्टेकिंग के आफिसर्स को इतना डिफेंड न करे कि उनका मिर सूज जाए। आलोचना करना हमारा फर्ज है। हम आलोचना करते और सही आलोचना करेंगे। अगर हमें बताया जाए कि हम कोई गलत बात करते हैं, तो हम उसको मानने के लिए तैयार हैं।

खेती प्राजेक्ट कई साल से बर्बाद हो रहा था। पिछले साल, डेढ़ साल से उसने थोमेटम पकड़ा है और प्राक्वशन की आशा हुई है। मैनेजमेंट ने अच्छा काम किया है और उसके लिए हम उसकी सराहना करते हैं। लेकिन अभी महोदय मैनेजमेंट और अफसरों को साउट डाक थि वे वाकर प्रोटेक्ट न करें, वह केवल

कांस्टीट्यूशन के अंतर्गत ही उनको प्रोटेक्ट करें। मुझे अभी महोदय के वे अडव वाद हैं, जो उन्होंने पिछली बार कहे थे। उन्होंने कहा था कि खेती प्राजेक्ट के मेरे आफिसर्स बहुत आमेत हैं, मैं उनको पब्लिक सेक्टर से लाया हूँ। लेकिन हमने देखा कि वहाँ का बीफ इजीनियर दिल्ली के एक बड़े होटल में पाँच हजार रुपये रिश्वत लेते हुए पकड़ा गया। इसलिए अभी महोदय को उन लोगों को ज्यादा प्रोटेक्शन नहीं देना चाहिए।

उन लोगों की प्रजीब पोबीशन है। सरकारी अफसरों की कुछ जिम्मेदारी होती है। लेकिन जो अफसर हिन्दुस्तान कापर लिमिटेड जैसी पब्लिक सेक्टर अडवर्टेकिंग में काम करते हैं, उनकी कोई जिम्मेदारी नहीं है। हम सरकार की आलोचना करते हैं, लेकिन हम किसी बम्पनी या अडवर्टेकिंग की आलोचना नहीं कर पाते। इस तरह वे लोग बच जाते हैं। वे अपनी जिम्मेदारी को निभा नहीं पाते हैं।

SHRI JAGDISH BHATTACHARYYA (Ghatal) Sir, there is no quorum in the House

MR DEPUTY-SPEAKER Let the Quorum Bell be rung now there is quorum. The hon Member may continue his speech.

श्री शिवनाथ सिंह मैं निवेदन करना चाहता हूँ कि सरकार इडियन कापर कार्पोरेशन का न और ताबे के प्राक्वशन का बड़ाए, लेकिन यह इस तरह भी ध्यान दे कि पब्लिक सेक्टर का इन्तजाम किस तरह से करना है। हम बार-बार कहते हैं कि मैनेजमेंट में लेबर का हाथ हो। लेकिन सरकार को अपनी इडस्ट्रीज में भी, पब्लिक सेक्टर इडस्ट्रीज में भी, लेबर को पूरा अधिकार या महत्व नहीं दिया जा रहा है। आज वे कई प्रकार की माँगें करने हैं, लेकिन जब उन पर मैनेजमेंट की जिम्मेदारी डाली जाएगी, तो माँगें करने के बजाए वे अपने कर्तव्यों को समझेंगे, और उसके साथ-साथ अधिक काम करेंगे। इसलिए इस प्रकार का लेजिस्लेशन हो ताकि लेबर और मैनेजमेंट में फर्क न हो। आज जिनने भी पब्लिक सेक्टर हैं उनके अन्दर लेबर और मैनेजमेंट में बहुत बड़ी खाई है। मैनेजमेंट अपने को सुपर-स्ट्रुमन मनसता है और वहाँ के बर्कर से बात करना भी पसंद नहीं करता। वहाँ पर 40 दिन तक स्ट्राइक चली है खेतरी कापर प्राजेक्ट के अन्दर और उसके बाद बड़े प्रयत्न से प्राप्ति के

[श्री निवेदन सिंह]

एक सजावना का वातावरण बना है, इसलिए उसकी मैं विगाड़ना नहीं चाहता। लेकिन मैं आपसे निवेदन करना चाहता हूँ कि इस हड़ताल के आखिर कारण क्या थे? हमने बार-बार निवेदन किया मैनजमेंट के और सरकार से भी निवेदन किया लेकिन क्योंकि वह एक कारपोरेशन है उसमें सरकार दखल नहीं देना चाहती और कारपोरेशन है इसलिए उसकी कोई जिम्मेदारी नहीं है और वह कुछ सुनना नहीं चाहते। एक छोटी-सी चीज के लिए आज करोड़ों की सम्पत्ति बर्बाद हुई और 40 दिन के बाद वह स्ट्राइक टूटी काफी प्रयत्न के बाद में। तो इस प्रकार का वातावरण नहीं बने, इसलिए पब्लिक सेक्टर में जिन आफिसर्स को आप ने जावें वह टेस्टेड होने चाहिए और टेस्टेड होने के बाद में उनकी कोई सेक्योरिटी होनी चाहिए, उनके ऊपर जिम्मेदारी होनी चाहिए कि तुम्हारा जो ऐकशन है उस ऐकशन के लिए तुम लाइबल हो सकते हो।

हिन्दुस्तान कापर लिमिटेड द्वारा रत किए जा रहे खेतरी कापर प्रोजेक्ट के संबंध में मैं निवेदन करना चाहता हूँ कि जो टारगेट डेट थी उससे बहुत पीछे जा रहे हैं। यह सभी सदस्यों ने कहा है। आज भी इस तरह की रिपोर्ट मिली है कि हम उसमें बिलेटिड हैं। इसके कई कारण हैं। शुरू का जो सर्वे हुआ वही गलत हुआ, उसके बाद अमेरिकन फर्म को काम करने और सर्वे करने का मोका दिया, उन लोगों ने जो पब्लिक सेक्टर के जिम्मेदार खिलाफ थे, इस तरह काम किया और फिर उनमें उन लोगों को भर्ती किया जो पब्लिक सेक्टर के खिलाफ थे, उन लोगों ने मिल कर उस पब्लिक सेक्टर को, खेतरी प्रोजेक्ट को बरबाद कर दिया और आज भी जो शुरू का प्लानिंग था उसको बेंच करना पड़ रहा है। कई करोड़ की ऐसी मशीनरी को हमने बर्बाद लाकर रख दिया है लेकिन वह बर्बाद फिट नहीं हो पा रही है और जो जड़ती मशीनरी थी, वह आज तक नहीं गयी पड़ती है क्योंकि उन सब की एक ही मंशा थी कि यह खेतरी प्रोजेक्ट डिबेलप न हो। इसलिए मेरा निवेदन है कि जितने पब्लिक सेक्टर हों, चाहे वह कापर का हो या कोई और हो उनमें मैनजमेंट ठीक रखा जाए और लेबर मैनजमेंट के रिश्तोंस ठीक रहें। साथ ही उसकी बराबर बैकिंग भी पहर हो। हमें उस पोलीशन को रोकने का अवसर आज आ गया है कि

हमारा मैनजमेंट क्या कर रहा है? बार-बार यह कहा जा रहा है कि लेबर ट्रबल है पब्लिक सेक्टर में और प्राइवेट सेक्टर में भी है। लेकिन प्राइवेट सेक्टर वाले अपने यहाँ लेबर ट्रबल को एवायड करने की कोशिश करते हैं किन्तु पब्लिक सेक्टर वाले चूँकि उनकी जेब से कुछ नहीं जाता है वह एडाप्ट होकर चलते हैं और लेबर के साथ ठीक तरह से व्यवहार नहीं करते हैं। उनका ऐटीट्यूड लेबर के साथ ठीक नहीं है। उस ऐटीट्यूड को बदलना पड़ेगा। लेबर के साथ ठीक ऐटीट्यूड होना चाहिए। इन्हीं मामलों के साथ मैं इस बिल का समर्थन करता हूँ क्योंकि यह हमारे पब्लिक सेक्टर को बढ़ाने में और उसमें भी हमारी जो एक बहुत आवश्यक चीज है, वांछा उसके उत्पादन में वृद्धि करेगा, इसलिए इसका मैं समर्थन करता हूँ।

श्री रामरतन शर्मा (बांधा) : माननीय उपाध्यक्ष महोदय, इंडियन कापर कारपोरेशन (एक्यूजीशन ऑफ ग्रंडरटेकिंग) बिल, 1972 में इंडियन कापर कारपोरेशन को नेशनलाइज करने का प्रावधान है और इस बिल का मैं स्वागत करता हूँ। लेकिन कुछ मूलभूत प्रश्न हैं जिनको मैं सरकार के सामने रखना चाहता हूँ। किसी संस्थान का लोक-हित में लेकर उसको मुख्यस्थित रूप से चलाना अच्छी बात है लेकिन उसके सरकारी करण और राष्ट्रीय करण, इसके अंदर अंतर होना चाहिए। हर संस्थान का सरकारीकरण करके और उसकी व्यवस्था को अस्त-व्यस्त कर देने से सरकार को कुछ प्राप्ति नहीं होगी। अगर इसका राष्ट्रीय करण किया जाता तो उसकी व्यवस्था अच्छी होती। अभी मेरे पूर्व बक्ता महोदय लेबर और मैनजमेंट की समस्याओं के बारे में बात कर रहे थे। मैं भी उसी बात को कहना चाहता हूँ। अगर इसका राष्ट्रीयकरण करते समय सम्पूर्ण लेबर को इसका भागीदार बना दिया जाता तो कोई समस्या सामने न आती और वह राष्ट्रीयकरण वास्तव में ऐसा राष्ट्रीयकरण होता जिसको हम अपने देश में लाना चाहते हैं। मेरा विरोध विधेयक पर नहीं है, केवल कार्य-प्रणाली पर है और जो सरकार की कार्य-प्रणाली बल रही है उसके विरोध को यहाँ व्यक्त करना आवश्यक भी है। हमको प्रति बंधें ताबे के आयात पर 60 करोड़ की विदेशी मुद्रा खर्च करनी पड़ती है और हमें यह सब तक खर्च करते रहेंगे जब तक कि हम ताबे के उत्पादन में सक्षम नहीं हो जाते। आपको ध्यान होना चाहिए

कि मध्य प्रदेश में महाकोशल और बालाघाट क्षेत्र में तांबे की बहुत बड़ी खान है, मीनों लम्बी जिसमें से करीबों टन तांबा प्राप्त हो सकता है। परन्तु केन्द्रीय सरकार ने उस तरफ ध्यान नहीं दिया। अगर केन्द्रीय सरकार उस तरफ ध्यान देती तो यह निश्चित था कि हम जो भाज यह तमाम विदेशी मुद्रा खर्च करते हैं वह खर्च नहीं करनी पड़ती और अपने देश में तांबे की काफी समस्या हल हो सकती थी। अनेक मध्य प्रदेश ही पूरे देश की आवश्यकता को पूरा कर सकता था और वहाँ का तांबा जो मध्य प्रदेश का है वह बिहार और भाद्र में प्राप्त होने वाले तांबे से कहीं अच्छा है।

दूसरा मूलभूत प्रश्न यह है कि क्या आपके पास ऐसे वैज्ञानिक हैं, ऐसे जानकार हैं, टेक्नोलॉजिस्ट हैं जो तांबे का पता लगा सकें ? मेरी जानकारी में अभी तक हमारे पास इनकी सफिष्येट मात्रा में ऐसे जानकार नहीं हैं जो सम्पूर्ण देश में कहा-कहा तांबे का खजाना क्रिया हुआ है, इसका पता लगा सकें और सरकार के सम्मुख एक प्रावधान प्रस्तुत कर सकें कि कहा-कहा पर खुदाई की जाए देश के अन्दर जहाँ से तांबा प्राप्त हो सके। मेरा अनुमान है कि आप इन तरफ भी जग्रा अच्छे तरीके से देखें और अपने यहां ऐसे वैज्ञानिक और जानकार पैदा करे ताकि वह इस क्षेत्र में काम कर सकें। खेनरी और का बार-बार हम सदन में रेफरेंस आया। मैं इन बारे में ज्यादा डीटेल में नहीं जाना चाहता कि वहाँ पर मीनेजमेंट में और सबहुगे में क्या समस्याएँ थी। अभी मंत्री महोदय ने कहा है कि वहाँ पर हमने काफी प्रोग्रेस की है। उनके लिए अगर हमने प्रोग्रेस की है तो वहाँ के मजदूर और वहाँ काम करने वाले बच्चाई के पास है। लेकिन इन तमाम समस्याओं में उलझें रहने के कारण हमें जो प्रोग्रेस वहाँ पर करनी चाहिए, थी वह नहीं कर पाए।

इस बिल के सेक्शन 11(1) में कम्प्लेक्सन जो रखा गया है उसके ऊपर मेरा बहुत बड़ा विरोध है। इसमें साइडे भात करीड़ खपया ऐसी कम्पनी को देने की बात कही गई है जो यहाँ पर 30-40 वर्ष पहले लगाई गई थी। 30-40 वर्ष में उन कम्पनी ने अपने देश से कितना पैसा पैदा कर के कितना तांबे के रूप में और कितना दूसरी चीजों के रूप में विदेश भेजा है उसका कोई हिसाब उपलब्ध नहीं है। फिर 4 करोड़ की लागत

की कम्पनी को साइडे भात करीड़ खपया कम्प्लेक्सन देने का कोई प्रीचिन्स समझ से नहीं आता है और न मंत्री महोदय ने ही कोई ऐसी बात कही है कि साइडे भात करीड़ खपया उनकी खो विद्या जा रहा है ? इसलिए उसका कोई प्रीचिन्स नहीं है। अगर यह कम्प्लेक्सन मशीन का है और जो वहाँ पर दूसरी चीजें लगी हैं, उनका है तो यह पुरानी हो गई होगी। अपने आप उनके भाव में कमी आ गई होगी और जमीन अपनी है, तांबा अपना है, वह क्षेत्र जहाँ पर वह फैक्ट्री लगी हुई है वह अपना है, फिर कम्प्लेक्सन इनका हम किस बात का दे रहे हैं ? दूसरी बात यह है कि हमको एक सर्वमान्य मिट्टान लेकर चलना पड़ेगा। किसी देशी कम्पनी का हम अधिग्रहण करने हैं ता उसको हम कुछ कम्प्लेक्सन दे जिसके लिए हमन अभी सविधान म सञ्चोधन भी किया है और मार्केट वैल्यू को जहाँ कुछ एमाउंट देने की बात कही है, एक तरफ तो हम एक एमाउंट की बात कहे और दूसरी तरफ विदेशी कम्पनी है इसलिए इसका ज्यादा दे दा, देशी कम्पनी को जितना चाहे उतना रख ला, यह ठीक नहीं है। हमने कोई सैक्टिटी नहीं रहेगी। इसलिए मैं आपसे कहता कि कम्प्लेक्सन के मामले पर आप अच्छी तरह से सोचें और इसका इतना कम्प्लेक्सन कदापि न दें।

दूसरी बात मैं यह कहता कि जो तीमरे और चौथे वर्ग के एम्पलाई हैं— मैं सेक्शन 9 की बात कह रहा हूँ— उनके वेतन के बारे में, मॉबिल कन्डीशन्स के बारे में, जो उनके लिए अनफेवरेबिल है उनको छोड़ दें, लेकिन जो चीज कम्पनी में वेंचर गवर्नमेंट देती है, उसको जार्न, यह बात ध्यान में रखनी चाहिए।

SHRI SHYAM SUNDER MOHA-PATRA (Balasore) : I will not take much time of the House. I have to impress upon the Minister one fact that he is going to take over one of the most efficiently run companies in our country. His responsibility is much more than what it would have been if he is asked to take over a badly-run company. The point that I will impress upon him is this. The Hindustan Copper has got a wide range of activities in the country. The reserves in Andhra

[Shri Shyam Sunder Mohapatra]

Pradesh and Orissa and Bihar can be exploited to the maximum extent by the formation of this company. If they take up such a responsibility and if it proves fruitful it will be for the good of the whole country. But if it does not prove well, it will bring a very bad name to all the public undertakings in the country.

The hon. Minister had been to Orissa and when he visited my State he promised that he will forge ahead with a lead smelter and nickel plant in Orissa. That will be a Rs. 60 crores project. The smelter will be at Sargipalli and nickel at Sukinda. I hope the hon. Minister will not go back on his word.

I would like to express my feelings before the Minister that the management of public sector undertakings in the country is far from satisfactory. This is due to one specific reason. The executives in the public sector undertakings are not committed executives. They have no policy of their own. There are no policies evolved so far as management policy of the public sector undertakings is concerned.

AN HON. MEMBER: How is the Minister concerned?

SHRI SHYAM SUNDER MOHAPATRA: The hon. Minister is taking upon himself the responsibility of the good functioning of the public sector undertaking. Being in charge of steel, he is in charge of Hindustan Steel Limited which is one of the biggest industries in our country. In the world it holds the twenty-seventh position. If we take all steel-producing industries in the world in priority, Hindustan Steel's position is only twenty-seventh. Japan, a small country, gets iron ore from other countries but it occupies one of the topmost positions in the world. I want to impress one point for the attention of the hon. Minister. He is a dynamic person and he is going to shape the public under-

takings in the country. The Hindustan Steel Limited has no personnel management policy of their own. Of late, in a recent circular they have stated that no degree or diploma will be required for the post of Personnel Managers which is really very fantastic. In all public undertakings, for such posts, personnel management diploma is a must. If it is not required at all, why should we send our people to various places to undergo training in business management institutions? Therefore, the Minister should take upon himself the responsibility of seeing that there are well-established personnel management policies in the public sector undertakings. If, after nationalisation, this Copper Corporation runs well, then, it will bring a good name to the Government as also to the management of public sector undertakings, but its failure will bring disrepute.

श्रीमती सहोबरा बाई राय (सागर): उपाध्यक्ष महोदय मे मध्य प्रदेश से आती हूँ। अभी एक भाई यहाँ पर महाकौशल की बात कह रहे थे। हमारा यहाँ महाकौशल, बालाघाट, छतरपुर और नबधा के विनारे-विनारे बहुत-सा तांबा छिया हुआ है जिसका आप निबलवा सकते हैं। इसी तरह से .

MR. DEPUTY-SPEAKER: She wants that Government should exploit it.

श्रीमती सहोबरा बाई राय: विध्य प्रदेश के छतरपुर, रोधा तथा झाली, ललितपुर और पन्ना में बहुत-सा लोहा छिया पड़ा है, तांबा भी वहाँ पर है. . . .

एक माननीय सचिव्य पन्ना में हीरा भी है।

श्रीमती सहोबरा बाई राय: लेकिन हीरे की क्या जरूरत है, हमें ताम्बे की जरूरत है .

MR. DEPUTY-SPEAKER: We are now talking about copper.

श्रीमती सहोबरा बाई राय: मैं यहाँ प्रणीत करता चाहती हूँ कि सागर जिले की बन्धा तहसील और छतरपुर में बहुत लोहा है। अगर उसको निकलवाने की व्यवस्था की जाए तो ग्राम पब्लिक को बधा मिलेगा और हमारे क्षेत्र में बेकारी दूर होगी।

SHRI S. MOHAN KUMARAMANGALAM : I am grateful to all the hon. Members who have supported this decision of Government to take over the Indian Copper Corporation. I shall deal briefly with the important points that have been raised in the course of the discussion.

Shri Somnath Chatterjee in a very useful contribution, if I may say so, had asked certain question, particularly why there was a difference between IISCO and Hindustan Copper. His question was : why did we in the case of IISCO take over in terms of article 31A and why did we not follow the same policy in the case of the Indian Copper Corporation ? We have been advised by very high legal authorities as the hon. Member, I think, would appreciate that if we want to rely on the defence available to us under article 31A, we have to fix a specific and that specific period must be not for the purpose of working out how we are going to nationalise an organisation, but only for a temporary period when we have it in our hands and then hand it back to the management. In the case of IISCO, what I had told this House, and what I would repeat here again is that we have no intention to hand it back to the previous management, but we may still, we have not yet decided, run it with our own management in the same company, depending on what we do about the shares. I do not go into that further, but that is the point of distinction. That was all that I wanted to place before you.

SHRI SOMNATH CHATTERJEE :
Does it convince you, Sir ?

SHRI S. MOHAN KUMARAMANGALAM : We can discuss this later. It is an elaborate legal matter, which my hon. friend probably knows more about than I do, but it can well be discussed in detail outside.

Now, so far as question of compensation for a foreign concern is concerned, this is not a foreign concern in that sense of term. Actually, the total number of shares that are owned, or the foreign shareholding is 2.51 per cent, and indirect foreign shareholding would be as follows; that is to say, if Gillanders hold something like 4.1 per cent of the shares, and if we take the foreign shareholding in Gillanders, the total shareholding in the ICC will be about 1.9 per cent. Therefore, 4.41 per cent of the shares alone is foreign shareholding. It is not a foreign company in that sense of the term. I am not seeking to justify, but I am only stating facts at the moment. Therefore, as regards the compensation that is paid, only 4.41 per cent will be going out of the country and not more. I would like the hon. Members to appreciate that, for Shri Sarjoo Pandey was also apprehensive that we were going to have vast foreign remittances. It is not going to be on a vast scale. In fact, if one sees it, it is less than 1/20th of the total compensation that will go out of the country.

SHRI SOMNATH CHATTERJEE :
Is it the hon. Minister's contention that only the share value will be remitted in respect of this 4.41 per cent of shares? Suppose, the company decides to take the entire money back without payment to the shareholders ? Where is the guarantee in regard to that ?

SHRI S. MOHAN KUMARAMANGALAM : The hon. Member may rest assured that the entire money cannot go out of the country like that, and the company will not be allowed to do it.

SHRI SOMNATH CHATTERJEE :
That will be the Reserve Bank's function, and not his.

SHRI S. MOHAN KUMARAMANGALAM : There is no question about it. He

[Shri S. Mohan Kumaramagalam]

need have no doubts, and he can sleep well in his bed. The money will be retained in our country. If they decide to pay all the shareholders, if they do, it is another thing that he is urging, which is slightly contrary to his line of argument, to which I shall come a little later; then, of course, we shall probably, and we shall find it difficult to refuse and I think that it will be unfair also to refuse that 4.1 per cent or something going abroad. But he may rest assured that the money is not going abroad and will be kept in our country for use in our country.

Shri B. N. Sharma raised the question : how have you arrived at this figure when the paid up capital is Rs. 4.88 crores ? A relevant question. I would like him to appreciate also that while paid up share capital is Rs. 4.88 crores, the value of the shares in the market is Rs. 9.50 crores. That is one of the figures taken into consideration in arriving at the figure of Rs. 7.50 crores. Then he asked: you did not follow the same method in the coking coal nationalisation. Shri Somnath Chatterjee also said the same thing; you have taken the assets and you leave the liabilities to be paid out of the compensation whereas here you are making it calculating it differently, assets minus liabilities. I made it clear when I participated in the discussion on the coking coal takeover in this House that we had perforce, though we did not like it, to come to this conclusion, to leave the liabilities to be taken out of the amount of compensation, because we had no reliable information about the quantum of liability, because 214 mines with a large number of accounts, accounts not being kept properly, accounts not being dependable and so on and so forth were all there. Therefore, in assessing the compensation which we have deposited with the commissioner for payment in the coking coal nationalisation Act, we have not taken into consideration the liabilities. Therefore, the compensation is comparatively more because liabilities are not taken into account,

Here, however, in assessing the compensation, we have taken as the starting point assets minus liabilities. Therefore, we have taken the burden of liability because the value of compensation that we have inserted into the Bill is one which already takes into consideration the fact that liabilities are going to be borne by Government. I think I have made myself clear that it is A minus B here whereas it is only A there. We have not minused B. B minused after the compensation has been paid, will be taken out of the compensation from the amount deposited with the Commissioner for payment.

SHRI SOMNATH CHATTERJEE :
What are the assets and liabilities ?

SHRI S. MOHAN KUMARAMAGALAM : Let him hear me patiently; I do my best to cover all points with whatever ability I have. He may ask a question at the end.

As for the basis on which we arrived at the figure, Shri Chatterjee is certainly justified in asking me to explain it. Why should it not be Rs. 75 crores or Rs. 750 crores—I would put it even more picturesquely than he has done. Why have we or how have we arrived at this figure of Rs. 71/2 crores? As I said, we took a number of considerations into account : the nett worth of the company, that is assets minus liabilities; including the worth of machinery etc. we took the market value of the shares; we took the capitalisation and dividend returns. All this took us to a figure somewhere around between Rs. 10-12 crores, a little more than Rs. 12 crores. This was lower than the figure in relation to coking coal. We averaged it out to what we considered to be a fair return, not market value but something less than that market value—in fact a lot less than, that but not something which will be entirely illusory. That was how we arrived at this figure of Rs. 71/2 crores. I think it is not unreasonable. It is well below what I would call the market

value of shares which any body can work out on the basis of the figures available. Even my hon. friend, Shri H. M. Patel, will not be too angry because we have not been unseasonable. That is so far as the question of payment of compensation is concerned.

Though this was the main point discussed, there were one or two others. Shri Chatterjee asked about the question of officers who we have sent out and whom we have not. We have sent out just two officers, that is all two highly paid officers—I do not want to mention the names or the posts—who according to us were too highly paid and were not really useful. They have been discharged after giving notice in terms of their contracts. The services of the Security officer in the kayamite mines who was a British citizen have been terminated. The former British General Manager, who was actually a member of the staff of Gillanders and was seconded to ICC, has also left the service of the company I believe he has returned to England. Nobody else's services have been terminated.

Shri S S Mohapatra was eulogistic about the working of the company, as though it was one of the finest companies that had seen the light of day. I am not prepared to underwrite everything he said; let us say it was managed reasonably efficiently. We have not, naturally, tampered with the management here and there. We are not foolish people running in where angels fear to tread. We are quite sober in our management also. No new person has been put inside India Copper Corporation. Officers who are already there are working. The workers who are already there are working; both of them were working and are working and I hope will continue to work well. Nobody need feel afraid that we are going to introduce any kind of anarchist thing or that we are stepp-

ing into this organisation or that organisation for anybody's sake or everybody's sake.

The hon. Member Shri Chatterjee wanted an assurance that the terms and conditions of service of the workers and ordinary staff will not be changed to their detriment. It will not be. We have said so, repeatedly. In every Bill this is a section we have, in case certain problems arise I do not want to use the word challenge I am sure hon. Members will be vigilant and will bring it to the notice of the Government if this clause is ever misused against the interest of any ordinary worker, employee or even an officer, because we do not want to use it to create injustice; we want to use it only for the purpose of justice.

Shri Chatterjee asked me about distribution. I was under the impression that I had spoken something about it on the last occasion. But that does not matter. Out of about 9600 to 10,000 tonnes of production per annum, 6,000 tonnes goes straight to the Government departments, to the Directorate General of Supplies and Disposals, quite a lot to defence. Therefore the question whether this goes to this State or that State is not very relevant. About 2,000 tonnes of copper is used by the ICC for rolling purposes for industrial brass in Ghatsila, in the ICC itself. Brass is then sold in the usual way and the balance is sold to the nominees of the DGTD. This distribution policy was enforced through directions given to the company by the Government in 1971. After the take-over we have permitted Hindustan Copper the custodians managing it 4,000 tonnes in 1972 for rolling into industrial brass in view of the fact that the production of copper is expected to be slightly higher than before. I do not think Bengal is at a disadvantage if the hon. friend would give me the detailed breakup I shall certainly see if there is any injustice and if there

[Shri S. Mohan Kumaramangalam] is any injustice it will be removed. It is not our desire to do harm to any State, most of all for reasons that my friend Mr. Chatterjee will appreciate.

SHRI SARJOO PANDEY : I referred to some questions about the labour working in Khetri project. Can you say something about them ?

SHRI S. MOHAN KUMARAMANGALAM : Hon. Members will excuse me if I do not go into details of Khetri. I am not afraid of doing it but it will involve covering very much more ground. If the hon. Members would kindly inflict upon themselves the trouble of reading what I said when I introduced the Bill on the last occasion, they will find that I dealt with Khetri elaborately. My friend Mr. Shivanath Singh has spoken with some amount of feeling in a matter which I can entirely appreciate but I would request my friend Mr. Pandey also : kindly do not insist on my going over the entire area of Khetri because Khetri is not directly the subject matter of the Bill. There are times when we can debate the entire matter about Khetri and I am ready to do so but on this occasion let us not spend our time on that. We are busy now in Ghatsila which is some thousand miles or so away. I shall like to say to my friend Shivanath Singh : the strike that took place, I certainly was not happy about it; he was also not happy about it naturally because it does represent loss of production. I am grateful to him and other hon. Members in this House who have helped to see that the strike was settled. I am sure he will also see that the bitterness of the strike—there is always bitterness after a strike—goes and does not remain and that we are able to get back to normal production as early as possible. I know he will take a positive attitude towards this. Let him not think that we want to shield officers. I have stated even in my speech on the last occasion

—which I have kept here because I thought that I might have to quote something out of it that my request is not that you should not criticise the officers. That was not my request at all. My request, was, "Please do not make allegations against any officer without first of all verifying with me. And then if you are not satisfied with the facts I gave you, not only you have the right but it is your duty to raise it in the House. I do not object to that, but allow me first of all to have my say privately with you. I assure you that in many cases I will be able to satisfy you.

15 hrs.

Then, I am not sure who was the hon. Member who mentioned the fact that one of the engineers was caught accepting a bribe. But it would also be of interest to this House to know that the engineer who was caught accepting a bribe was caught after the senior management had taken action and brought the police to catch this gentleman. Unless the information come it is very difficult to catch people. But as soon as we got the opportunity, we caught him. I do not say that everybody in the public sector is a saint. I do not say that all officers are the most honest officers in the world. But I say, give credit where credit is due. When people do badly, satisfy yourself that they are doing badly. I beg of you not to make a general allegation because we want to get the best out of them.

Yesterday, they were in the private sector. Today they are in the public sector. The whole of the ICC was in the private sector. Now, tomorrow, after this House and the Rajya Sabha have adopted this Bill, they will all become public sector employees. The mere fact that somebody was in the private sector does not mean that he is disqualified to be an honest public servant in the country, in building up production in the public sector. This is what

I request hon. Members to remember when they make criticism of the public sector officers.

I think two hon. Members, my friend Shri R. R. Sharma on the one hand and Shrimati Sahodrabai Rai on the other mentioned the question of copper in Mahakshal, that is to say in the Balaghat district. We are taking it up very seriously and we have decided to put up a concentrate there. Almost certainly we will put up a smelter there also. We are waiting for the prospecting licence to be given by the Madhya Pradesh Government. It is expected at any time, and that will lead to a quicker speed up of our work.

My hon. friend Shri Mohanraj Kalingaray also raised some point about the working of the public sector. I would ask him only to appreciate that we are trying to improve the position there.

I was a little surprised that Shri Mohapatra should be so enthusiastic about the Indian Copper Corporation and show such lack of enthusiasm about the public sector. I think the public sector is improving and I am confident that in future we will improve more.

Sir, I commend the Bill to the House.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill to provide for the acquisition of the undertaking of the Indian Copper Corporation Limited, for the purpose of enabling the Central Government, to conserve and exploit, in a scientific and rational manner, to the maximum advantage of the nation, the copper deposits in the Singhbhum belt in the State of Bihar, to utilise the copper deposits in such manner as to subserve the common good, in the context of the requirements

of copper in the country, and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER : We take up clause-by-clause consideration. For clause 2, there is no amendment. I shall put the question. The question is :

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 (Definitions)

SHRI R. N. SHARMA : I move :
Page 2, lines 7 and 8, for "Khetri Nagar in the State of Rajasthan"
substitute—

"Industry House, 10 Camac Street, Calcutta 17" (13)

Has Government any objection to that ?

SHRI S. MOHAN KUMARAMANGALAM : That is based on a misconception. The registered office of the organisation remains in Khetri Nagar in the State of Rajasthan. Though the head office is now in Calcutta, the registered office is what is mentioned here. I do not accept it.

MR. DEPUTY-SPEAKER : The question is :

Page 2, lines 7 and 8, for "Khetri Nagar in the State of Rajasthan"
substitute—

"Industry House, 10 Camac Street, Calcutta 17" (13)

The motion was negatived.

MR. DEPUTY-SPEAKER : The question is :

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 was added to the Bill.

MR DEPUTY SPEAKER There are two amendments by Mr Sokhi, but he is not present. The question is

"That clause 5 stand part of the Bill"

The motion was adopted

Clause 5 was added to the Bill

Clause 6—(Power of Central Government to Direct vesting of the undertaking in Hindustan Copper)

SHRI SOMNATH CHATTERJEE
beg to move

Page 3, line 18 after 'Central Government' insert—"under this Act," (3)

In clause 5(4), it has been specifically provided that suits or proceedings pending at the time or before the appointed day would be continued against the Central Government. There should have been a similar provision after the management is vested in Hindustan Copper. I do not know if it is the intention that even after vesting the management in Hindustan Copper proceedings should be continued against the Central Government or not. Therefore, I am suggesting this amendment seeking to add the words "under this Act" after the words 'Central Government' in page 3, line 18. If it is done, sub-clause (4) of clause 5 will be immediately attracted and proceedings against the Central Government could be continued against Hindustan Copper. It is more a drafting matter than anything else.

SHRI S MOHAN KUMARAMAN-GALAM So far as clause 5(4) is concerned, it is an ordinary provision which we put it whenever we take assets and liabilities, because pending proceedings can be a liability—I do not say they are. So far as clause 6(2) is concerned, it says 'all the rights, liabilities and obligations of the Central Government in relation to the undertaking of the company'—that is all I do not think it is necessary to introduce the words "under this Act" because they are obligations in relation to the undertaking. That is all.

SHRI SOMNATH CHATTERJEE
But clause 5(4) begins with the words "Subject to the other provisions contained in this Act" So, I thought there would be some difficulty.

SHRI S MOHAN KUMARAMAN-GALAM I am no draftsman myself, I have consulted the draftsmen on this very point. They say it is not necessary. After all, it is drafting matter.

MR DEPUTY-SPEAKER I will now put amendment No 3 of Mr Somnath Chatterjee to the House.

Amendment No 3 was put and negatived

MR DEPUTY-SPEAKER The question is

"That clause 6 stand part of the Bill"

The motion was adopted

Clause 6 was added to the Bill

Clauses 7 and 8 were added to the Bill

MR DEPUTY-SPEAKER Mr Chatterjee are your moving your amendments to clause 9?

SHRI SOMNATH CHATTERJEE
No Sir

MR DEPUTY-SPEAKER Mr Sharma is not here.

The question is

"That clause 9 stand part of the Bill"

The motion was adopted

Clause 9 was added to the Bill

Clause 10 was added to the Bill

Clause 11—(Amount to be paid for transfer and vesting of the undertaking of the Company)

SHRI SOMNATH CHATTERJEE
I beg to move

Page 5, line 8, for "crores" substitute "lakhs" (6)

Page 5, omit lines 10 and 11 (7)

Please put them to vote separately.

MR. DEPUTY-SPEAKER : The question is :

Page 5, line 8, for "crores" substitute—
"lakhs" (6)

The Lok Sabha divided :

Division No 9.

15.13 hours.

AYES

Bade, Shri R. V.
Bhagirath Bhanwar, Shri
Bhattacharyya, Shri Dinen
Bhattacharyya, Shri Jagadish
Bhattacharyya, Shri S. P.
Chatterjee, Shri Somnath
Chavda, Shri K. S.
Chittibabu, Shri C.
Chowhan, Shri Bharat Singh
Dutta, Shri Biren
Guha, Shri Samar
Haldar, Shri Madhuryya
Janardhanan, Shri C.
Joshi, Shri Jagannathrao
Kalingarayar, Shri Mohanraj
Krishan, Shri F. R.
Mehta, Shri P. M.
Mukherjee, Shri Saroj
Parmar, Shri Bhaljibhai
Pillai, Shri R. Balakrishna
Ramkanwar, Shri
Reddy, Shri Y. Eswara
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sambhali, Shri Ishaque
Shakya, Shri Maha Deepak Singh
Singh, Shri D. N.
Viswanathan, Shri G.

NOES

Afzalpurkar, Shri Dharamrao
Appalanaidu, Shri
Barua, Shri Bedabrata
Barupal, Shri Panna Lal
Bhandare, Shri R. D.
Bhattacharyya, Shri Chapalendu
Bist, Shri Narendra Singh

Chandra Gowda, Shri D. B.
Chandrika Prasad, Shri
Chavan, Shri Yeshwantrao
Chhotey Lal, Shri
Daga, Shri M. C.
Dalbir Singh, Shri
Darbara Singh, Shri
Das, Shri Anadi Charan
Daschowdhury, Shri B. K.
Deo, Shri S. N. Singh
Dharamgai Singh, Shri
Doda, Shri Hirajal
Engti, Shri Biren
Gogoi, Shri Tarun
Gohain, Shri C. C.
Gomango, Shri Giridhar
Gopal Shri K.
Gowda, Shri Pampan
Ishaque, Shri A. K. M.
Jeyalakshmi, Shrimati V.
Jitendra Prasad, Shri
Joshi, Shrimati Subhadra
Kadam, Shri Dattajirao
Kailas, Dr.
Kamakshaiah, Shri D.
Kamble, Shri T. D.
Kapur, Shri Sat Pal
Kasture, Shri A. S.
Kedar Nath Singh, Shri
Kinder Lal, Shri
Kotoki, Shri Liladhar
Kumaramangalam, Shri S. Mohan
Kushok Bakula, Shri
Lakshmikanthamma, Shrimati T.
Lutfal Haque, Shri
Mahajan, Shri Vikram
Mahajan, Shri Y. S.
Maharaj Singh, Shri
Majhi, Shri Gajadhar
Majhi, Shri Kumar
Mallanna, Shri K.
Mandal, Shri Jagdish Narain
Mehta, Dr. Mahipatray
Modi, Shri Shrikishan
Muhammed Khuda Buksh, Shri
Negi, Shri Pratap Singh
Orson, Shri Tuna
Palodkar, Shri Manikrao

Pandey, Shri Krishna Chandra
 Pandey, Shri Narsingh Narain
 Pandey, Shri Sudhakar
 Pratap Singh, Shri
 Paswan, Shri Ram Bhagat
 Patel, Shri Arvind M.
 Patil, Shri Anantrao
 Patil, Shri Krishnarao
 Patnaik, Shri Banamali
 Peje, Shri S. L.
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Rajdeo Singh, Shri
 Ram Dhan, Shri
 Ramji Ram, Shri
 Rao, Shrimati B. Radhabai A.
 Rao, Shri P. Ankinedu Prasada
 Ray, Shrimati Maya
 Reddy, Shri P. Ganga
 Reddy, Shri P. Narasimha
 Richhariya, Dr. Govind Das
 Roy, Shri Bishwanath
 Rudra Pratap Singh, Shri
 Sadhu Ram, Shri
 Samanta, Shri S. C.
 Sankata Prasad, Dr.
 Satish Chandra, Shri
 Savitri Shyam, Shrimati
 Sayeed, Shri P. M.
 Shailani, Shri Chandra
 Shambhu Nath, Shri
 Shankar Dayal Singh, Shri
 Shankaranand, Shri B.
 Sharma, Shri A. P.
 Sharma, Shri R. N.
 Shastri, Shri Sheopujan
 Sher Singh, Prof.
 Shivachandika, Shri
 Shivnath Singh, Shri
 Sudarsanam, Shri M.
 Suryanarayana, Shri K.
 Swamy, Shri Sidrameshwar
 Tiwari, Shri Chandra Bhal Mani
 Tula Ram, Shri
 Unnikrishnan, Shri K. P.
 Venkatswamy, Shri G.

Verma, Shri Balgovind
 Verma, Shri Sukhdeo Prasad

MR. DEPUTY-SPEAKER : The result* of the Division is : Ayes 28; Noes 103.
The motion was negatived.

SHRI SOMNATH CHATTERJEE : Amendment No. 7 is for the deletion of two lines from clause 11, namely, sub-clause (2), which provides for the payment of interest on these Rs. 7.5 crores. This has now become a standard form of legislation to pay interest in addition to the huge sums that are being paid. How long will they take to pay this amount of Rs. 7.5 crores and why is this interest being paid ? The hon. Minister said that this Rs. 7.5 crores is a "fair amount." Then why provision for interest at the rate of four per cent ?

SHRI S. MOHAN KUMARAMAN-GALAM : I am not able to follow exactly the objection raised by the hon. Member. I think, it is on the question of payment of interest from a particular date. This is a usual provision that we place in any Bill like this that after the amount has been deposited, the payment of interest will be there.

MR. DEPUTY-SPEAKER : Now, I put amendment No. 7 moved by Shri Somnath Chatterjee to clause 11 to the vote of the House.

Amendment No. 7 was Put and Negatived

MR. DEPUTY-SPEAKER : The question is:

"That clause 11 stand part of the Bill"

The motion was adopted.

Clause 11 was added to the Bill.

Clauses 12 to 15 were added to the Bill.

MR. DEPUTY-SPEAKER : There is an amendment to clause 16 by Shri R.N. Sharma. He is not here; that is not moved.

*Shri Sarjoo Pandey also recorded his vote for 'AYES.'

So, I put clause 16 to the vote of the House.

The question is :

"That clause 16 stand part of the Bill".

The motion was adopted.

Clause 16 was added to the Bill.

Clause 17—(Contract in bad faith may be cancelled or varied)

SHRI SOMNATH CHATTERJEE :

I beg to move :

Page 6, line 32,—

after "agreement" insert—

"or working arrangement" (8)

Page 6, line 35,—

after "agreement" insert—

"or arrangement" (9)

Page 6, line 40—

after "agreement" insert "or arrangement" (10)

Page 6, line 42,—

after "agreement" insert

"or working arrangement" (11)

Page 7, line 5,—

add at the end—

"and the same as confirmed, modified or reversed shall be binding on all concerned with effect from the date on which the order was made under sub-section (1)" (12)

MR. DEPUTY-SPEAKER : There is an amendment by Shri R.N. Sharma. He is not here; that is not moved.

SHRI SOMNATH CHATTERJEE : Sir, this is of a drafting nature. I would like to draw the attention of the hon. Minister to clause 5(3). It says :

"Subject to the other provisions contained in this Act, all contracts and working arrangements which are subsisting immediately before the appointed day."

These will remain in force and can be enforced against the Central Government. But if you see clause 17 to which these amendments have been proposed, it says :

"If the Central Government is satisfied, after such inquiry as it may think fit, that any contract or agreement entered into at any time within twelve months...."

It says that this onerous provision may be put an end to. I do not quite understand why a distinction has been made. In clause 5(3), it says, contract and working arrangements and, therefore, working arrangements are treated to be some sort of a binding obligation apart from what is described as contract. But under clause 17, the Central Government wants to have power to put an end to any contract or agreement. But the words "working arrangements" which are contemplated in clause 5(3) are not brought in clause 17. If there is a working arrangement which is onerous or which is entered into *mala fide* that should also be cancelled. The Central Government should take that power. That is why I have suggested that in view of clause 5(3), the words "working arrangements" should come in clause 17 also.

SHRI S. MOHAN KUMARAMAN-GALAM : The hon. Member would have noted that the words used in clause 5(3) are "contracts and working arrangements" and the words used in clause 17 are "contract or agreement". I have been advised that the word "agreement" is wide enough to cover all the working arrangements. Therefore, there is no need to mention the words "working arrangements" here. This is the advice given to me. I think, it is quite reasonable.

SHRI SOMNATH CHATTERJEE : Why don't you put the words "working arrangements" in clause 17 also ?

SHRI S. MOHAN KUMARAMAN-GALAM : Kindly read it again. You are used to listening in court; kindly listen here also. In clause 5(3), the words are "contract and working arrangements." There is no word "agreement" in clause 5(3) where as in clause 17, the words used are "contract or agreement". The advice given to me is that the word "agreement" used in clause 17 is wide enough to include the words "working arrangements".

MR. DEPUTY-SPEAKER : Now, I put all the amendments moved by Shri Somnath Chatterjee to clause 17 to the vote of the House.

Amendment Nos. 8 to 12 were put and negatived.

MR. DEPUTY-SPEAKER : The question is :

"That clause 17 stand part of the Bill"

The motion was adopted.

Clause 17 was added to the Bill.

MR. DEPUTY-SPEAKER : There are no other amendments. I will put rest of the Bill and clauses to the vote of the House.

The question is :

"Clauses 18, 19 and 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 18, 19, and 1, the Enacting Formula and the Title were added to the Bill.

SHRI S. MOHAN KUMARAMAN-GALAM : I move :

"That the Bill be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

15.20 Hrs

INSECTICIDES (AMENDMENT) BILL

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (PROF. SHER SINGH) : On behalf of Shri F.A. Ahmed, I beg to move :

"That the Bill to amend the Insecticides Act, 1968, as passed by Rajya Sabha, be taken into consideration."

This amending Bill seeks to amend sections 9(1) and 13(1) of the Insecticides Act, 1968, for extending the time limit upto 31st December, 1972, to enable large number of manufacturers, formulators, importers, sellers of insecticides who could not apply in time, to apply for the registration of their products to the Registration Committee, Government of India and for securing licences from the state authorities.

This has been necessitated because of the proviso of the above two sections wherein persons engaged in the business of import or manufacture of any insecticide immediately before the commencement of those sections, were to make an application to the Registration Committee within a period of six months i.e. upto 31st January, 1972, and those engaged in the manufacture or selling, stocking or exhibiting for sale or distributing, were to apply to the licencing officers appointed/notified by the States within a period of three months i.e. 31st October, 1971.

The bringing in of the manufacturers/formulators/importers/sellers who could not apply in time, under the purview of the Act would enable the States to continue to procure insecticides from these units and avoid dislocation and blockade of supplies of such an essential input for increasing production in the wake of all round drought situation resulting into substantial loss of foodgrains and other essential agricultural commodities.

The delay in setting up of the licencing agency in the States, lack of publicity,