

PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

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HOUSE OF THE PEOPLE

Monday, the 4th May, 1953

The House met at a Quarter Past
Eight of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

9-20 A.M.

PAPERS LAID ON THE TABLE

EVIDENCE *re* INDUSTRIES (DEVELOPMENT
AND REGULATION) AMENDMENT BILL

Shri Gadgil (Poona Central): I beg to lay on the Table a copy of the summary of the evidence tendered before the Select Committee on the Industries (Development and Regulation) Amendment Bill, 1953, on the 27th April, 1953. [See Appendix XI, annexure 56.]

INDUSTRIES (DEVELOPMENT AND
REGULATION) AMENDMENT BILL

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): I beg to move:

"That the Bill to amend the Industries (Development and Regulation) Act, 1951, as reported by the Select Committee, be taken into consideration."

I do not think I need make a long speech in regard to this motion because, after considering the Bill for four days, the Select Committee has not thought fit to make any radical changes in the shape of the Bill. The changes, Sir, briefly are as follows.

There is a new Clause 4 which has been introduced, because the consultation that was part of the scheme of the original Act—consultation with the Industries Advisory Council—

which is now sought to be relaxed in respect of cases where Government have to act quickly, is still left so far as this particular Clause is concerned, and it was felt that as the general scheme of the Act wants to give power to Government to act quickly in accordance with the provisions of Section 5 sub-section 4(b) of the original Act which says that the Government shall consult the Advisory Council in regard to the exercise by the Central Government of any other powers conferred upon it under Section 16 or sub-section (1) of Section 17, has to be duly amended, and that is the amendment that the Select Committee has undertaken.

In regard to Clause 13, the Select Committee has thought fit to make a change in respect of the duration of the time when Government can be in charge of an industrial unit which has been taken over under provisions of Section 18A. The original provision was that the Government can be in charge of a unit for a period of five years. The Select Committee felt that it was more or less leaving the matter in the hands of Providence and if, as it happens, the Government has to be in charge for a period of five years, some provision has to be made. Provision has been made here that the Central Government may continue to be in charge of a unit taken over for more than five years, but then the appropriate Notification should be laid on the Table of the House.

In regard to Section 18B sub-section (4), the amendment made is more or less in the nature of a clarification. The intentions, undoubtedly, of the scheme of Sections 18A and 18B and the following sections were to allow Government a free hand to issue directions in respect of the management of institutions that have been taken over. At the same time, it was contemplated that the Articles of Association under which a Company was incorporated should not operate to hinder Government's freedom, or the Government's agent's