

[Shri Abid Ali]

central organisations. If they say so, we are prepared to act according to their suggestion that as soon as an employer defaults within such and such a period, action should be taken. That action means that we attach the property. The moment we attach the property, his credit in the market is gone. He will not get any credit in the market. Then, the establishment will close and the workers will be rendered unemployed. Whenever such a situation has arisen, in a number of cases, I have personally contacted the representatives of the Unions concerned and they have been very much advising us, please go slow. That is the advice given by the representatives of the local workers. An establishment was discussed—Talcher. The workers there worked without wages. Where is the question of provident fund? They worked without wages for months together even after the mine was closed. The employer himself ran away. Even after that, the workers, without receiving payment, were looking after the mines, taking out the water from the mines and safeguarding the property, so that when another employer came it would be possible for him to start working the mine without much work. That is how the workers themselves are behaving. It has to be appreciated.

**Dr. Melkote:** It is not merely the employer's contribution that is involved. The employer collects the employees' contribution also. That money should not be allowed to go into his hands for misappropriation.

**Shri Abid Ali:** For the first month he does not pay his own contribution. The second month he collects the contribution of the workers and does not pay. That goes on. How to check it? The employer not only does not pay his own contribution, but he collects the contribution from the workers and does not pay that to the bank on our behalf. I have repeatedly asked hon. Member connected with the central trade

union organisations of all sides to make up their minds and inform me as to the period after which we should take action, so that it may not result in closure and render the workers unemployed. That is our difficulty. We do not want to give any quarter to the employers or show latitude to them as has been suggested. Our only anxiety is that the workers should not be rendered unemployed. It is for you to suggest when we should take action. You may take your own time and give us your suggestion.

**Mr. Deputy-Speaker:** The question is:

"That the Bill be passed."

*The motion was adopted.*

15.32 hrs.

**BILASPUR COMMERCIAL CORPORATION (REPEAL) BILL**

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** I beg to move:

"That the Bill to repeal the Bilaspur Commercial Corporation Act, 2005 Bikrami and to provide for certain matters incidental thereto, be taken into consideration."

This is a simple Bill brought forward for the purpose of repealing an Act which is no longer of any use. I shall state a few facts for the proper appreciation of the purpose of this Bill.

You are aware that formerly Bilaspur was a small State in the Himalayan area, and it was merged in the Indian Union round about 1948. Before that the State Ruler had an Act passed and had established a commercial corporation for the purpose of equitable distribution of the essential commodities that were required for the community. Under that Act this corporation which was established in

1945, was revived and continued as a statutory corporation, and it continued to function till the merger of the State.

You are further aware that in 1954 by an Act of Parliament Bilaspur became a part of the then Part C State of Himachal Pradesh, now a Territory. After Bilaspur State became a part of Himachal Territory, it was formed in to a district by itself, and the Himachal Administration considered that the work of such equitable distribution of essential commodities ought to be entrusted to co-operative societies instead of having such a corporation. They followed the pattern of having such co-operative federations in all the districts of the State. In Bilaspur they have established such a co-operative and the work of that co-operative is gradually increasing. It has been doing very useful work.

In view of the evolution of a common pattern of having co-operative agencies, this corporation was found to be superfluous. The Act establishing the corporation remained in force even after the merger, even after the integration of Bilaspur in Himachal, but unfortunately it was defective in certain respects. Under the provisions of that Act it was not possible to wind up the corporation at all, and therefore difficulties arose as to what should be done. The question was also considered whether this corporation could be converted into a co-operative federation, but we were advised that also was not possible as no provision had been made for that under the Act itself. Now, the work of this corporation has gradually contracted and the real work of distribution of essential commodities has been taken over and is being carried on by the Bilaspur District Co-operative Federation. All that is now to be done is to wind up this commercial corporation altogether. It has certain assets and certain liabilities, and a formal winding up can be done only after the Act of 2005 Bikrami is formally repealed. This corporation is now doing very little work, and the sooner it is wound up the better.

A little while ago Members opposite were discussing the question of co-operation in connection with my colleague's Bill. Here we have a co-operative that has been carrying on its work in a fairly satisfactory manner. So, there being no need for the corporation it has to be formally wound up. That is the only purpose of the Bill.

One of the clauses refers to the appointed date. Naturally if the Bill is passed in this and the other House, a date will be fixed by the Central Government and from that date this corporation will automatically stand dissolved. The assets and liabilities have to be transferred to the Government of India as the Central Government is in administrative control of Himachal Territory, of which Bilaspur is now a district.

**Shri Tangamani (Madurai):** Can you give us an idea of the present assets of the corporation?

**Shri Datar:** So far as the original corporation was concerned, its capital was about Rs. 5 lakhs. So far as the assets are concerned, now most of the recoveries have been made. Only about Rs. 5,000 have to be recovered. During the last three or four years it did very little work. There are also some debts. We are anxious to recover the amount of about Rs. 5,000 to Rs. 6,000 but some of the debtors of the corporation are not traceable at all. All the same we are trying our best. There will be some liability, that must be made clear, but I would assure the House that the Himachal Administration will do its best to recover all the assets to the extent possible.

This is the purpose of this simple, non-controversial Bill.

**Mr. Deputy Speaker:** Motion moved:

"That the Bill to repeal the Bilaspur Commercial Corporation Act, 2005 Bikrami and to provide for certain matters incidental

[Mr. Deputy-Speaker]

thereto, be taken into consideration."

*The motion was adopted.*

**Mr. Deputy-Speaker:** As there are no amendments to the clauses, I shall put all the clauses together to vote.

The question is:

"That clauses 1 to 4, the Enacting Formula and the Title stand part of the Bill".

*The motion was adopted.*

*Clauses 1 to 4, the Enacting Formula and the Title were added to the Bill.*

**Shri Datar:** I beg to move:

"That the Bill be passed".

**Mr. Deputy-Speaker:** The question is:

"That the Bill be passed".

*The motion was adopted.*

15.41 hrs.

#### INDIAN AIRCRAFT (AMENDMENT) BILL

**The Minister of Transport and Communications (Dr. P. Subbarayan):** I beg to move:

"That the Bill further to amend the Indian Aircraft Act, 1934, as passed by Rajya Sabha, be taken into consideration."

This is a very simple measure which has been brought forward really because we are having a lot of difficulties over goods that are being sent by air. Some of them are not properly declared, and the fine which is to be imposed under the present legislation is only Rs. 1000 and imprisonment for two months. We find that that is not enough, especially

when we are buying very costly aircraft like Viscounts and others. Besides, the courts seem to be rather lenient in delivering judgment on this. I can give instances where the courts have dealt with these cases in a lenient manner.

So, by amending section 10, we are providing for an amount of fine not fixed really but any amount, and an imprisonment upto two years. Taking advantage of this amendment, we are also accepting what has been suggested by the Law Commission, namely that the word 'Indian' need not find a place in our Acts now, because we are an independent Republic. It is not necessary to put forward 'Indian' in any legislation which he passed by this House and the other House.

Besides, we want to follow the rule that we have been following in most of the Bills, namely that all rules not merely under one section, as is provided for in the present Act, but all rules made under this Act should be placed before both Houses of Parliament, and any amendment that they wish to make in these rules could be made by them.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill further to amend the Indian Aircraft Act, 1934, as passed by Rajya Sabha, be taken into consideration."

**Shri Sadan Gupta (Calcutta-East):** I welcome this Bill. I do not think anyone in the House will have any different opinion from mine in welcoming this Bill.

It is always dangerous to put dangerous goods on any means of transport, and particularly so, in aircraft. It is unfortunate that persons should mislabel goods or that air concerns should give wrong information to conceal their transport of dangerous goods or the booking of dangerous goods by aircraft. It is obvious with what motives these things are done by the persons who book them, and the air