

8.00 P.M.

I. STATUTORY RESOLUTION SEEKING DISAPPROVAL OF INTEREST ON DELAYED PAYMENTS TO SMALL SCALE AND ANCILLARY INDUSTRIAL UNDERTAKINGS ORDINANCE, 1993.

II. THE INTEREST ON DELAYED PAYMENTS TO SMALL SCALE AND ANCILLARY INDUSTRIAL UNDERTAKINGS BILL, 1993.

THE VICE-CHAIRMAN (SHRI VIREN J. SHAH) : We shall now take up the next item which is the Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings Bill, 1993. There is a Statutory Resolution also.

SHRI MENTAY PADMANABHAM (Andhra Pradesh) : May I make a submission, Sir ?

THE VICE-CHAIRMAN (SHRI VIREN J. SHAH) : Yes, please.

SHRI MENTAY PADMANABHAM : Sir, it is already eight o'clock, and most of the Members have gone. Nobody is here.

THE VICE-CHAIRMAN (SHRI VIREN J. SHAH) : I am in the hands of the House.

SHRI MENTAY PADMANABHAM : These Bills are very important Bills. There is no point in bulldozing these Bills like this.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS WITH ADDITIONAL CHARGE OF THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI MARGARET ALVA) : Sir, please, may I say something ? . . . (Interruptions).

THE VICE-CHAIRMAN (SHRI VIREN J. SHAH) : Yes, please, Let us hear her now.

SHRIMATI MARGARET ALVA : In the Business Advisory Committee meeting the other day all the leaders agreed that they would sit late and finish the business so that Friday could be declared a holiday for Rajya Sabha. We from Government side agreed to the suggestion on the condition that they would help us complete the Government business. So, though the Lok Sabha is sitting on Friday, we agreed that Rajya Sabha would not sit on Friday

provided that they helped us finish the Government business. Everybody agreed to co-operate and sit late. Hon. Members from the Opposition were also there. That is why we presumed that they would co-operate with us. Our Members are still waiting. There is quorum. We have no problem with that. I hoped that the leaders of the Opposition and those who had agreed would also be in the House. Unfortunately, they have left the House.

SHRI MENTAY PADMANABHAM : We agreed to sit late. It is already late now, Eight O'clock is a late hour; it is not an early hour. Generally we adjourn at five O'clock. . . . (Interruptions).

Sir, may I make a submission ? Generally we adjourn at five O'clock. It is already late. Moreover, these are important Bills. . . . (Interruptions).

THE VICE-CHAIRMAN (SHRI VIREN J. SHAH) : Mr. Padmanabham,

SHRI MENTAY PADMANABHAM : May I just make another submission ? Whatever has happened in the Business Advisory Committee is a different proposition. Now we are sitting in the House. It is the will and pleasure of the House.

THE VICE-CHAIRMAN (SHRI VIREN J. SHAH) : Certainly.

SHRI MENTAY PADMANABHAM : My submission is that there is absolutely no point in bulldozing the Bills like this.

SHRIMATI MARGARET ALVA : Mr. Chairman, Sir, you put it to the House, and let the House decide about it.

SHRI MENTAY PADMANABHAM : Whether there is quorum or not is a contentious matter. Kindly decide whether there is quorum in the House or not. You exclude the Lok Sabha Members.

THE VICE-CHAIRMAN (SHRI VIREN J. SHAH) : I think there is no need of a further discussion. Mr. Padmanabham, the only thing I appeal to you is that there is a considerably heavy business, and if we finish whatever we can . . . (Interruptions).

SHRI MENTAY PADMANABHAM : They have made it such a lousy thing; they have planned it in such a lousy way. What

can anybody do about it?... (*Interruptions*).

THE VICE-CHAIRMAN (SHRI VIREN J. SHAH) : You suggested that we should take the sense of the House. So, may I just ask the desire of the hon. House, without making speeches....

SHRI VISHVIJIT P. SINGH (Maharashtra) : The Bills must be completed. (*Interruptions*).

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra) : Sir, you are aware that we had sat here throughout, till five O'clock in the morning (*Interruptions*).

THE VICE-CHAIRMAN (SHRI VIREN J. SHAH) : All right, we are continuing with the Business. (*Interruptions*).

Mr. Bhandare, I think, let us not waste more time now.

SHRI MURLIDHAR CHANDRAKANT BHANDARE : We should go ahead with these Bills.

THE VICE-CHAIRMAN (SHRI VIREN J. SHAH) : Will you please sit down?

We will go ahead with the Statutory Resolution and the Interest on Delayed Payments to Small Scale and Ancillary Undertakings Bill.

Shri Anant Ram Jaiswal. Not here.

Shri Satya Prakash Malaviya. Not here.

Dr. Jinendra Kumar Jain, do you want to move the Statutory Resolution?

DR. JINENDRA KUMAR JAIN (Madhya Pradesh) : Thank you, Sir, for calling me and allowing me to move the Resolution. I beg to move the following Resolution :—

"That this House disapproves of the Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings Ordinance, 1993 (No. 4 of 1993) promulgated by the President on the 2nd January, 1993."

.... (*Interruptions*).

THE VICE-CHAIRMAN (SHRI VIREN J. SHAH) : Please continue. I am listening.

DR. JINENDRA KUMAR JAIN : If you would kindly restore order in the House.

THE VICE-CHAIRMAN (SHRI VIREN J. SHAH) : Order, Mrs. Alva, please.

Dr. Jain, you continue.

DR. JINENDRA KUMAR JAIN : Sir, I have said it earlier today, and I must say again why I am disapproving of this. This is a routine legislation. If there is a provision on the statute book that the Central Government can use the power of ordinance, must it do it as a matter of routine?

Or should this power by the Government be used as per the assurance given by the makers of the Constitution in the Constituent Assembly? The other day I had quoted Dr. Bhim Rao Ambedkar, where he had clearly spelt out in what kind of urgency and situation the Government could issue ordinances. All those assurances are ignored and this Government has been taking recourse to this habit of bringing in every legislation through an ordinance and then asking this House to pass it. This is one of the main reasons why I am opposing this.

This is apparently a measure to help the small-scale and ancillary industrial undertakings. I welcome the spirit of the Bill. But if you are thinking of helping the small-scale and ancillary industries, you are welcome. But I may point out you have been very selective. You are trying to give an impression that the only problem that these people have is on account of the delayed payments from the larger industrial undertakings. That is not the total truth. While I have supported every measure of the Government to help the small-scale and ancillary industries, I may point out here, you are bypassing the entire issue. Today the maximum harassment that is being done to the entrepreneurs is from the apparatus of the Government. I would request this House to from a committee, which should visit the self-employed sector, listen to their problems. These small-scale entrepreneurs have to give money every week to so many agencies—the Excise Department, the Sales-Tax Depart-

ment, the Labour Department etc. With all these regulations, with the multiplicity of laws, you have shackled the Indian entrepreneurs. They need to be liberated and helped. Your effort in this direction is only symbolic. You are trying to shed crocodile tears. Despite the non-functioning and non-helpful administration that is crushing the interests of the small-scale and ancillary entrepreneurs, there is some balance which the private trade has established. They get help in some ways. There is a mutual understanding to help each other. Do you think this kind of a legislation will be able to protect their interests? On the contrary, I fear this will put them again in difficulty. A small fish cannot protect itself from a large fish. Instead of trying to save their interests, you will make these large houses hostile to them. This is my fear. The Government departments do not pay them in time. If you are concerned for the welfare of the small-scale and ancillary entrepreneurs, I would like to know what provision you have made to ensure that these Government departments pay them in time. After all the largest consumer is the Government and there is no regulation against it. They can withhold their payments for months together. I know and I would like to put it on record that the drafts issued by the Treasury of the Government are kept in the pockets of the Government officials for months together till the illegal gratification is made to them by the small-scale and ancillary entrepreneurs. How do you protect them from this? This kind of a Bill should have had a wider scope to ensure their protection from the inefficient and corrupt Government machinery.

This should have ensured payments from the Government undertakings, from the public sector undertakings and also from everybody. If you want to do justice, give them justice. Do full exercise. They are running the wheels of the economy. The largest job opportunities in the private sector are being created by the small scale sector and the ancillary industries. The largest contribution to the Indian economy comes from this sector. I am sorry to say that on the one hand you are talking of economic reforms and on the other hand you are talking of leading the Indian economy to deregulation. You are deregulating one after another, one after another.

You are bringing in a number of regulatory measures which are nothing but shedding crocodile tears which will not give any substantial help to these entrepreneurs who are mostly educated, qualified ones but not so rich. Instead of giving them the real medicine for their sickness, you are diverting the whole issue. You are trying to tell them that you have done something for them, while I see that there is hardly anything done for them.

As I said earlier, Sir, I concur, I agree with the spirit of this Bill. But once in a while you think of helping these hard-pressed, unfortunate sections of our society who are running the Indian economy. When you try to do something for them, my complaint is that you try to do so little for them. This is not the way to do it. This is the reason why I have taken your permission to move my Resolution for disapproval of the Ordinance. Thank you very much.

THE VICE-CHAIRMAN (SHRI VIREN J. SHAH) : Before I ask the hon. Minister to move the motion, may I seek the permission of the House to request my hon. friend, Mr. Jagesh Desai to take the Chair.

SOME HON. MEMBERS : Yes.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) IN THE CHAIR

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (DEPARTMENT OF SMALL SCALE INDUSTRIES AND AGRO AND RURAL INDUSTRIES) (SHRI M. ARUNACHALAM) : Mr. Vice-Chairman, Sir, I move : That the Bill to provide for and regulate the payment of interest on delayed payments to small scale and ancillary industrial undertakings and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration.

A policy statement on small scale undertakings was made by the Government in Parliament in August, 1991. It was stated in the Policy statement that a legislation would be brought to ensure prompt payments to the small scale sector as the inadequate working capital in the small scale or ancillary industrial sector hampers its growth and seriously affects its working. The Small Scale Industries

Board, an apex body with representatives from all States, Industries and Government bodies also felt the need for suitable legislation and recommended it.

Since Parliament was not in session and the circumstances warranted immediate action, an Ordinance, *The Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings Ordinance, 1992* (15 of 1992), was promulgated by the President on the 23rd September, 1992.

The Bill relating to the Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings was introduced in the House of the People on 30th November, 1992 but could not be taken up for consideration and passing in the winter session of the Parliament. Since the circumstances warranted its continuance, the said Ordinance was repromulgated by the President on 2nd January, 1993 as the *Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings Ordinance, 1993* (No. 4 of 1993).

Sir, there are nearly 20 lakhs of small-scale units providing employment to nearly 126 lakhs of people in the country. The majority problem facing these units is lack of sufficient working capital and the problem is compounded when the payments by the buyers are also inordinately delayed. This has been brought to the notice of the Government and in order to ensure an effective legal remedy for this problem this Bill has been introduced in Parliament to fulfil the long-standing and well-justified demand of the small-scale industry. This Bill would give the necessary statutory backing and provide legal framework towards ensuring timely payments of dues to the small-scale sector. This Bill is a step towards creating a climate where payments of small industries are not delayed. The primary objective of the legislation is to ensure the financial health of the industry.

Therefore, I request the House to pass the Bill unanimously without any further discussion.

The questions were proposed

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Shri Gopalsinh Solanki. Not there. Shri Murlidhar Bhandare.

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra) : Sir, I feel that I am rising not so very late in the evening. We have had longer Sessions. I remember a day when we sat up to 5 O'clock in May. I dropped some of the members of the Rajya Sabha staff and went on at 6 O'clock to play my game of golf. Now, therefore, am I really, surely, disappointed that at 8.15, which is not really a late hour by any change in modern times....

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Please go on.

SHRI MURLIDHAR CHANDRAKANT BHANDARE : I feel disappointed particularly when the Opposition has chosen really to stage some kind of an informal walk-out. (Interruptions).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : They are there.

SHRI MURLIDHAR CHANDRAKANT BHANDARE : They are out in large numbers.

DR. JINENDRA KUMAR JAIN : The real Opposition is here. The friendly Opposition is (Interruptions).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Mr. Balanandan is there.

SHRI MURLIDHAR CHANDRAKANT BHANDARE : Let me express my views. I wished we showed a greater commitment and greater dedication because primarily we are legislators and our duty is to pass the Bills.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : How many Members are there from the Treasury Benches?

SHRI MURLIDHAR CHANDRAKANT BHANDARE : If you are also going to be impatient, you call somebody else to take the Chair.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : No No. I am not saying like that.

SHRI MURLIDHAR CHANDRAKANT BHANDARE : Why are you talking....

Why are you talking to her? I am objecting to your talking to her.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : In that case, how many are present from the Treasury Benches? Mr. Bhandare, let us not.... (Interruption).

SHRI MURLIDHAR CHANDRAKANT BHANDARE : But you are talking to the Minister when I am speaking.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : I am hearing you.

SHRIMATI MARGARET ALVA : Please do not get upset, Mr. Bhandare. He has only said that there are not enough Members on this side also.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : That is all. How many are there? Please do not make this kind of a remark.

SHRI MURLIDHAR CHANDRAKANT BHANDARE : You can talk to me. Certainly, you can talk to me.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : It is very unfair on your part to have made this kind of remark. How many are there from the Treasury Benches? Please do not say like this. They are cooperating.

SHRI MURLIDHAR CHANDRAKANT BHANDARE : I have my own views which I am going to express. I am not ashamed of expressing my views. Nor do I mind if somebody else does not agree with those views.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Okay. Go ahead.

SHRI MURLIDHAR CHANDRAKANT BHANDARE : I personally believe that our main task is to legislate. Over the years, that task has become very, very subsidiary.

I want to deal with one point which has been repeatedly made by the Opposition, namely, that this Government is bringing ordinances. If Dr. Ambedkar were alive today, he would have withdrawn his words which he said when Article 123

was made for making ordinances because it was never expected at that time that year after year, we would not do much legislative business but would get bogged down by very, very insignificant things which are moments of passing passions. I personally believe that this is an opportunity which I may take to exhort Members to devote more time, more concentration and more attention to passing legislations which are waiting for a long time.

I think this is a case where the Ordinance was issued first. Then a Bill was introduced. The Bill could not be passed. A second Ordinance has been issued. And, yet, the hon. Member, Dr. Jain, has to object to this Ordinance. I think this is an objection for the sake of objection.

Coming to the merits of the Bill, I think that the Government should be congratulated because ultimately, no major industry—and my hon. friend for whom I have the highest regard and affection, Mr. Birla, is here—can thrive or survive without the small-scale and ancillary industry to back it.

What I am saying is that this is a long awaited measure to see that the small scale and ancillary industrial undertakings do not die a premature death for want of working capital and for want of gathering the necessary financial resources in time. I think the provisions are very salutary. They have been made very, very effective and even the provision for payment of compound interest is very welcome. I think this country has a great financial future. It has a great industrial future. It would be long before it becomes a major industrial country in the whole world. Let me tell you one thing. Look at Switzerland. They manufacture watches and the watch which I am wearing is made in Switzerland. All this is made by the small scale industry in Switzerland and I think the day is not far off for us to take that pride of place in the international world. With these words, I support this Bill and I exhort all the members to vote in favour of the Bill, including Dr. Jain, and I only hope that there will be more and more incentives for the small scale and ancillary industrial undertakings so that they really become

more effective and stand on their own. Thank you.

DR. YELAMANCHILI SIVAJI (Andhra Pradesh): Sir, despite whatever Mr. Bhandare said, I feel the Treasury Benches are also equally responsible for their apathetic attitude towards the Bills as well as the Government business. And when anybody from the Opposition raises the issue of quorum, it becomes infructuous. But we are not prepared to go to that extent. (Interruptions) No, No. The Members are not there. The Members from your side are not there. You can take it for certain that your Members are not there and we are not raising the quorum issue. It is not desirable to bulldoze such important Bills like the present one and the earlier one.

As you know, Sir, in the Consultative Committee meeting as well in Parliament and outside Parliament, We are demanding all these things. But we are taking up the Bill at this late hour and Mr. Bhandare says, that it is not a late hour for him. It is a prime hour for him. It may be so far him, I am not disputing it. But for those who have been sitting here since 10 O'clock or 11 O'clock and who start their work early in the morning, it may not be the prime hour as it is for Mr. Bhandare. That is a different story. I cannot blame him for this. But attendance in the House is needed to apply the mind of the Members. But Mrs. Alva is just going into the lobbies and searching for Members and then she is saying our people are here, it is not desirable. But I am not going to dispute that point.

Coming to the present Bill, with all the prophesy of the Government and more so, of Mr. Manmohan Singh, both inside and outside Parliament, we are in a stage of stagflation. Production is there but at the same time, for the manufactured goods, especially for the small scale sector, the purchasing power of the people has gone down. Mr. Bhandare was mentioning that as long as the small scale industry is there to support the big industry, people like the Birlas or the Tatas may survive. In the absence of those small scale industries, they will suffer. It is a fact. But at the

same time, in the absence of the purchasing power of the people living in the rural areas, both the small scale and heavy industries may not survive and this is the reality. What happened this year? The Finance Minister, in his jugglery of figures, transferred more than Rs. 3000 crores from the capital account to the revenue account thereby all the developmental activities are hit. So the production of cement and the consumption of cement has gone down and it is a fact that 35 per cent of the cement is consumed by the Government. So, far want of development activities, the cement production has gone down and there is a recession in the cement production.

And about a couple of days back I was in Madras where the T. V. manufacturers were telling me that their production also went down and they were suffering for want of takes, for want of bidders in the market. So what I want to say is, unless some effective measures are taken, all the Bills, all the amendments whatsoever, will not give any yield and precious little can be expected from all of them. A large number of industries are sick. Mr. Arunachalam in his wisdom mentioned the number of industries but he never mentioned the number of industries that are sick. Sir, you know pretty well that in any small town, in any district headquarters, more than three-fourths of the industries in industrial estates are sick and it is a fact. And the loans advanced by the commercial banks, the nationalised banks, are to the tune of 25,000 crores of rupees and it is reported in the *Economic Times* today that of the total overdue or sticky accounts only 111 industries account for 22 per cent of the total sticky loans. That means about a hundred people in this country have cornered more than 5,000 crores of rupees from the nationalised banks and it is a fact. And more so, the nationalised banks also indulge in various nefarious activities and their funds are being swindled in various forms, whether it is scam or something else. And thanks to the pronouncements of the Minister in his Budget Speech the accounts of the nationalised banks are going to be transparent. So I am very much afraid that with this transparency the whole

banking sector of the Government, the public sector banks are going to be in the red.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Please conclude now.

DR. YELAMANCHILI SIVAJI : I am concluding, Sir.

So what I mean to say is this. Let the treasury benches also support it and Mrs. Alva need not go and canvass for Members from bench to bench and seat to seat to sit late. Let us pass the Bill in all humility and adjourn the House today. Let us not take the Gold Bonds Bill today. Let us discuss the Gold Bonds Bill tomorrow in a more detailed manner and I am sure Mr. Birla and Mr. Bhandare are keen to discuss the Gold Bonds Bill in a more detailed way and I don't like to bulldoze the Bill of Gold Bonds. Thank you. (needs)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Shri Sunil Basu Ray—not here. Shri Jagir Singh Dard.

श्री जागीर सिंह "दर्द" (पंजाब) : उप-सभाध्यक्ष महोदय, पंजाब स्माल स्केल इन्डस्ट्रीज के मामले में एक लीडिंग स्टेट है और इसको उस वक्त बहुत धक्का लगा जिस समय ईराक और ईरान में लड़ाई शुरू हुई क्योंकि हमारा सारा माल अरब कंट्रीज में जाता था। उससे पंजाब को बहुत नुकसान हुआ। उसके बाद थोड़ी सी इंडस्ट्री संभली तो ईराक और अमरीका की जंग शुरू हो गई। उसमें फिर पंजाब मारा गया। जब ये लड़ाई बन्द हुई तो हमने अपनी लड़ाई खुद शुरू कर दी, टैरिज्म आ गया और उसका नतीजा यह हुआ कि वहाँ कोई ग्राहक जाता ही नहीं था, व्यापारी वहाँ जाता ही नहीं था और अगर जाता था तो उधार में समान लेता था। इधर वह उसको टैस्ट करता था। अगर वह खराब निकले तो कहता था इसको वापिस ले लो। ऐसी हालत में उसके पैसे हमको देने पड़ते थे। ऐसी हालत लुधियाना, बटाला, फगवाड़ा में थी। वे बिल्कुल ही कमजोर और मुर्दा से हो गए

थे। इस बिल के थू उनको बहुत बड़ा सहारा मिलेगा।

इसमें यह प्रोबिजन किया गया है कि अगर फैसला हो गया कि प्लांट डेट को पेमेंट करनी है, अगर नहीं करेगा तो सरकार ने यह कह दिया कि उसको 5 परसेंट ब्याज देना पड़ेगा। उससे इंडस्ट्री का बहुत भला होगा। मैं वजीर साहब को बहुत-बहुत मुबारकबाद देता हूँ कि उन्होंने एक ऐसा बिल लाकर, पंजाब को जो एक लीडिंग स्टेट थी, अपने पांव पर खड़े होने का मौका दिया। धन्यवाद।

श्री शिव प्रताप मिश्र (उत्तर प्रदेश) : उपसभाध्यक्ष महोदय, आपने मुझे लघु और आनुषंगिक औद्योगिक उपक्रमों को बिलम्बित संदाय पर ब्याज विधेयक, 1993 पर अपने विचार व्यक्त करने के लिए जो अवसर दिया है उसके लिए मैं आपका हृदय से आभार व्यक्त करता हूँ। मैं उत्तर प्रदेश के इलाहाबाद जिले से आता हूँ जहाँ पर मैंने देखा है कि जो बड़े औद्योगिक प्रतिष्ठान हैं उनके लघु उद्योगों को जो उनकी वितरण प्रणाली बनी हुई है उनको समान माल देने के लिए और जो वितरण प्रणाली के बाद उसका क्रय करने के एवज में जो धन देना पड़ता है, पेमेंट दी जाती है उसमें हर साल देर हो जाती है। देरी करने से हमारे लघु उद्योग एक तरह से अस्थिर होते जा रहे हैं।

ब्रिटिश साम्राज्यवाद की गुलामी की जंजीरों में जो भारत जकड़ा हुआ था उस समय दुनिया से भारत सूई तक मंगाता था। हमारे यहाँ विदेशों से कपड़े आते थे, हमारे यहाँ भी जो मानसिकता कुटोर उद्योगों की थी, जो राष्ट्रपिता महात्मा गांधी का सपना था, जो ढाँके की मलमल थी, और जो बहुत सी चीजें थीं वह लुप्त प्राय हो गई

थी। जो मानसिकता हमारे समाज की बनी हुई थी जैसे :

“प्रथमे वजित विद्या, द्वितीये वजित धनम्
तृतीये वजित धर्म, चतुर्थे कि करिष्यति”

जो पहली भारत की समाज की संरचना थी जिसमें उसके लिए हम लोगों को सकुशल विद्योपार्जन करना पड़ता था तब हमें धनोपार्जन करना पड़ता था तब हम अपने जीवन की मानसिकता को एक पथ पर ले जाने का आश सिखाया जाता था। लेकिन ये सोपान मे जीवन के किसी को बात करने का अवसर नहीं मिलता था तो उस कल्पना से जब भारत आजाद हुआ, ब्रिटिश साम्राज्यवाद की गुलामी की सांकले तोड़ दी गई उस समय जो परिकल्पना की गई थी, चाहे यहां बड़े उद्योग हों, लघु उद्योग हों, छोटे उद्योग हों, लेकिन अब ये बड़े औद्योगिक प्रतिष्ठान हमारे उत्तर प्रदेश में ही नहीं भारत में हर प्रांत में है। मैं इलाहाबाद, प्रतापगढ़, जोनपुर, लखनऊ और बनारस इन जगहों की बात कर रहा हूं क्योंकि मैं वहां से आता हूं। वहां के जो लघु उद्योग प्रतिष्ठान के नियामक हैं, जो करने वाले हैं, उनको कभी भी समय पर पेमेंट नहीं मिली। हर समय वे किकर्तव्य-विमूढ़ हुए हैं। जो भी कोई काम किया हमारी पुरानी पद्धति में, हमारे पुराने नीति शास्त्र में भी कोई काम करके उसकी भजदूरी न पाये, कोई सामान बेचकर उसकी कीमत न पाये वह किकर्तव्यविमूढ़ हो जाता है। जैसे कहा गया है :

एहि गच्छ पतौत्रिभुवद प्रौढ समार्चर ।
एवभाशा ग्रह ग्रस्तैः कीडन्ति धनिनो
डाधिभि ॥

तो इसका अर्थ यह है कि पहले दुनिया में एक ऐसी व्यवस्था थी जिसमें मस्तिष्क का शासन था। विवेकानन्द ने कहा जो बुद्धि-जीवी लोग थे उनका शासन था। बाद में यहां पर अपने बाहुबल का शासन हुआ।

उमके बाद यहां पर व्यापारियों का शासन हुआ और अब इस समय यहां पर जिसको कह सकते हैं लेबर श्रमिकों का शासन हुआ। तो इतिहास की एक परम्परा है जिसका एक बैकलैस होता है, जिसकी एक प्रतिक्रिया होती है अन्याय करने से। जब यहां ईस्ट इंडिया कम्पनी आई, पुर्तगाल कम्पनी आई, और सब आये तो वे शासन करने लगे। पहले जितने यहां आक्रमणकारी आये, चाहे सिकन्दर आया, चाहे सीरियन आये, चाहे ह्यून आया जो भी आया उसने भारत पर शासन किया। लेकिन हमारी अर्थ-व्यवस्था जो वाणिज्य की थी वह कुटीर उद्योगों की थी जिसमें ह्यूेणचांग चीनी यात्री या और जितने आदमी आये उन लोगों ने इतिहास में लिखा है कि हमारा गणित, हमारी आर्थिक व्यवस्था, हमारा कुटीर उद्योग, हमारा लघु उद्योग उस समय बहुत विकसित था। उस विकसित होने के कारण हम दूसरे देशों पर बाह्य पदार्थों पर निर्भर नहीं रह सके इसलिए कि पूर्ण स्वराज की कल्पना राष्ट्रपिता महात्मा गांधी ने की थी। कि हम अपनी कृषि पर निर्भर रहें, अपने लघु उद्योगों और कुटीर उद्योगों पर निर्भर रहें। लघु उद्योग बड़े प्रतिष्ठान हुए, अभी आर्थिक नीति में बड़े प्रतिष्ठानों का जो लिब्रेलाइजेशन हुआ है, ऐसे प्रतिष्ठान लगेंगे तो लघु उद्योग लाकर उनके वितरण में अपने सामानों और उसका मूल्य भी उनको न मिले, समय पर, तो आदमी निरुत्साहित हो जाता है और हमारी आत्म-निर्भरता भी समाप्त हो जायेगी। इस विध्वंसक के द्वारा जो लाया गया है, उसका तुरन्त, अविलम्ब, पेमेंट किया जाये, उसका मूल्य दिया जाये और अगर नहीं दिया जाता है तो उसे इजलास में या मुकदमा कोर्ट में जब दिया जाता है तो निर्णय होता है। इसमें सब से बड़ा मुद्दा यह पेश किया गया है कि अगर अपील की जाये तो पहले 75 परसेंट राशि कोर्ट में जमा करनी

पड़ेगी, तब कैसे किया जा सकता है।
इससे अनिस्तारित मामले जो न्यायालयों में पड़े रहते हैं मूल्य न देने पर, उनका भी शीघ्र निस्तारण हो सकेगा। मुकद्दमा प्रथम श्रेणी में तो, मैं कह सकता हूँ कि पेश ही नहीं होगा और अगर होगा भी तो उसका निस्तारण हो जायेगा और विवाद सदा के लिए समाप्त हो जाएगा। इसलिए मैं इस विधेयक का समर्थन करता हूँ और मैं चाहता हूँ कि जितने भी हमारे सहयोगी हैं दूसरे दलों के क्योंकि यह सामान्य व्यक्ति की बात है, लघु उद्योगों की बात है, राष्ट्र की बात है, इसका सभी समर्थन करें।

[उपसभाध्यक्ष (श्री लैंगद सिन्हा रजॉ) पंठासिन हुए]।

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): Dr. Jinendra Kumar Jain—I request you to be a little brief.

DR. JINENDRA KUMAR JAIN: Why do you want to request me to be a little brief? You have to protect my right.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): I am just requesting you. I am not ordering you. I give you five minutes.

DR. JINENDRA KUMAR JAIN: Sir, if the hon. Members wish to go home, let them go home.

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): I don't need your advice. Mr. Jain should know that this is not a school. This is Parliament.

SHRI V. NARAYANASAMY (Pondicherry): This is not a school.

DR. JINENDRA KUMAR JAIN: Sir, I am thankful to the hon. Members who took part in the debate and gave their valuable advice and suggestions on the motion that I had moved in this House. I am specially thankful to Mr. Bhandare because I expected him to oppose by motion. But what he said in a sense was totally supportive of what I said.

As I quoted Dr. Bhim Rao Ambedkar, Mr. Bhandare supported me. As he is a better lawyer and his command over the language is better than that of mine he could put it in a much better way by stating what. Dr. Bhim Rao Ambedkar would have done if he had seen the present tendency of the Government to keep not using but misusing the power of issuing ordinances. So, I am thankful to Mr. Bhandare. As other Members spoke, let me make it clear again that I would welcome any or all the effort the Government undertakes to help the small scale entrepreneurs in this country. My objection is not to what the Government is doing. My objection is and I had qualified it, that the Government is doing very little. You ought to do much more. Instead of bringing this small piece of legislation, you have to ... (Interruptions)....

SHRI V. NARAYANASAMY: Sir, we support the Bill. Dr. Jain, do you know that the small scale industrialists are suffering because of delay in payments? Don't oppose for the sake of opposing... (Interruptions)....

DR. JINENDRA KUMAR JAIN: Sir, I appreciate the advice given by my very good friend, Shri Narayanasamy. I assure the Members of the ruling party that I am not here to oppose just for the sake of opposing. I promise that, and if you think my withdrawal of this motion of disapproval would symbolically mean my support or support of my party from the Opposition, I will withdraw it... (Interruptions).... But before I withdraw, kindly appreciate the point that I am trying to make. The small scale entrepreneurs are a very important component in the Indian economy. The Government ought to do much more for them. If you are doing this, you are welcome. But don't just get stuck at this. Protect their interests. As I said earlier their main supplies are to the Government. How do you ensure payments? I am making an offer. Let the hon. Minister give me an assurance here that while formulating the guidelines he would also include Government sector and Government should also be obliged to pay to them. Then I will withdraw. I am not against them. I am for them. But what I am concerned with is that what you have done is not

enough. If the hon. Minister gives me an assurance that Government will also make its payments to the small scale entrepreneurs and the same thing will be there, I will withdraw.

SHRI M. ARUNACHALAM : I am very much thankful to the hon. Members who have participated in the debate and who are present here. I would like to remind my colleague, Dr. Jain, that the Bill is for a limited purpose. I can also assure him that it applies to all types of buyers. the buyer can be anybody, be it Government, Government undertakings, cooperative bodies, statutory bodies, industrial undertakings—small or large association of individuals or individuals. Therefore, I think I have satisfied my colleague, Dr. Jain. Coming to Dr. Sivaji, he has raised a number of questions on small scale units and other things. Sir, it is to revive the sick units, to control the sickness that we are introducing this Bill. The small scale units will be benefited by this Bill. The credit flow to the sector is not as we expected and we know it. A committee has been constituted. The committee has already submitted its report to the Finance Ministry. We are awaiting the decision of the Finance Ministry. Mr. Mishra expressed his apprehension about timely payments. The Bill provide, that within 30 days from the date of purchase the payments have to be made; otherwise, interest will accrue on them. Sir, with these words I thank the hon. Members once again and hope that the Bill is passed unanimously without any opposition.

THE VICE-CHAIRMAN (SHRI SYED SIBTEY RAZI) : Dr. Jain, are you withdrawing ?

DR. JINENDRA KUMAR JAIN : I have already withdrawn.

SHRI V. NARAYANASAMY : Sir, this is concerning lakhs of small scale industries in this country. After the security scam, most of the banks are not lending credit to small scale industries. This is concerning the Banking Ministry and also the hon. Minister who is looking after small scale industries. Not only are they suffering, but their production is also not increasing but this is a major setback to the industrial sector. Therefore, I would like

to know whether they can coordinate and do something for the small scale industries so as to help them increase their production and productivity in this country.

I need a reply from the hon. Minister to this question.

SHRI M. ARUNACHALAM : As I have said, the credit flow to this sector is not as we expected or what it wanted.

SHRI V. NARAYANASAMY : Coordinate with them.

SHRI M. ARUNACHALAM : It is being done. If you see the growth in the small scale sector, even when there was a negative growth in the large scale sector, it has shown a positive growth.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Yes, Dr. Jain, are you withdrawing it ?

DR. JINENDRA KUMAR JAIN : Just a small clarification.

THE Minister has been silent on his specific assurance....

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : So, I shall first put the Resolution moved by Dr. Jain to vote... (*Interruptions*)

DR. JINENDRA KUMAR JAIN : Sir, just a minute.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : You have to say, 'yes' or 'no'. Are you withdrawing it or not ? (*Interruptions*) If you don't withdraw, I am going to put the Resolution to vote.

DR. JINENDRA KUMAR JAIN : I have already said that I was withdrawing it.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : I shall put the Resolution moved by Dr. Jain to vote... (*Interruptions*)

DR. JINENDRA KUMAR JAIN : What do you mean by this ? I am saying, "I am withdrawing it" and you don't want me to...

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : But I won't permit you to speak. You say whether you withdraw it or not.

DR. JINENDRA KUMAR JAIN : I am saying, I am withdrawing it.

The Resolution was, by leave, withdrawn

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : I shall now put the motion moved by Shri M. Arunachalam to vote. The question is :

"That the Bill to provide for and regulate the payment of interest on delayed payments to small scale and ancillary industrial undertakings and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : We shall now take up clause by-clause consideration of the Bill.

*Clause 2 to 11 were added to the Bill
Clause 1, the Enacting Formula, and the Title were added to the Bill.*

SHRI M. ARUNACHALAM : Sir, I beg to move :

That the Bill be passed.

The motion was adopted.

I. STATUTORY RESOLUTION REFERRING DISAPPROVAL AT THE GOLD BONDS (IMMUNITIES AND EXEMPTIONS) ORDINANCE, 1993

II. THE GOLD BONDS (IMMUNITIES AND EXEMPTIONS) BILL, 1993

SHRI H. HANUMANTHAPPA (Karnataka) : Why do you move the Resolution and finally withdraw it ? Instead, don't move it.

DR. JINENDRA KUMAR JAIN (Madhya Pradesh) : If the ruling party Members are tired, you adjourn the House. But, if they sit here... (*Interruptions*)

SHRI H. HANUMANTHAPPA : We are not tired. We are prepared to sit and defeat your Resolution.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : They are prepared to sit. They are only worried about your loneliness.

SHRI H. HANUMANTHAPPA : We want to save the time of the House. If you are withdrawing it, then don't move it at all.

DR. JINENDRA KUMAR JAIN : It is a serious business and business is business.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Please let him speak.

DR. JINENDRA KUMAR JAIN : Sir, with your permission, I beg to move the following Resolution :—

"That this House disapproves of the Gold Bonds (Immunities and Exemptions) Ordinance, 1993, (No. 22 of 1993) promulgated by the President on the 31st January, 1993."

Sir, I have several reasons for moving the motion of disapproval. The first and foremost is almost the repetitive reason as to why I had to move the earlier Resolution today. This is the one Resolution, this is the one Bill, which should have come to this House during the ordinary course of legislation.

In the Statement of Objects and Reasons, it is stated that in the Budget Speech for the year 1992-93, it was indicated that the Government would introduce a Gold Bond Scheme to mobilise the idle gold resources. One complete year has passed. Just before the end of the financial year, the Government came out with this sort of an Ordinance. I would like to remind you and the hon. Members of this House... (*Interruptions*)...

DR. YELAMANCHILI SIVAJI (Andhra Pradesh) : In the 1992-93 Budget, it was not mentioned. It was not mentioned in the 1992-93 Budget Speech.

DR. JINENDRA KUMAR JAIN : Sir, Dr. Sivaji has a different viewpoint. I most humbly say that what I am stating is a fact which is given in the Statement of Objects and Reasons. I would like to know from the Minister as to what he was doing for a whole year. Suddenly, he woke up and came to this House with this Bill. This is one of the reasons why I thought I should oppose this. There are more reasons. The whole purpose of this Scheme is to mobilise the idle gold resources and to bring them into the national economy. You know that gold is held by different