

**REFERENCE TO THE NEED FOR
PAYMENT OF ADEQUATE INTERIM
RELIEF TO NEWSPAPER
EMPLOYEES**

SHRI KIRPAL VERMA (Uttar Pradesh): Sir, the entire community of journalists in the country is angry and aghast at the callous and insulting attitude of the majority in the Wage Boards for journalists and non-journalists who have shamelessly and undemocratically ignored the strong protest unanimously made by members of all parties both inside and outside the Parliament and have not made even a minor alteration in the Board's recommendations as submitted to the Government. The perversity of the reasons given as an after thought by the Wage Board in support of their recommendations of the ridiculously low 7.5 per cent interim relief is all the more shocking. The Wage Board has admitted that the value of the money has fallen by about 40 per cent during the last six years, yet it has come to the perverse conclusion that the basic pay has eroded to the extent of only two per cent at the lowest and 30 per cent at the highest level.

It is now very clear that the Government has full powers under Section 13A of the Act to amend suitably the recommendations of the Wage Board for interim relief. We earnestly hope the Government will closely examine the Board's recommendations in this respect and suitably enhance at a very early date the reprehensibly low quantum of interim relief recommended by the Board so that justice is done to them speedily and to their satisfaction.

Unfortunately the Board Chairman, Mr. U. N. Bachawat, has become very controversial because of his preoccupation with irrelevant issues like (size of his house and staff, and his idea of a world jaunt. He has thus forfeited the confidence of journalists as a whole. The journalists have demanded the appointment of a new Chairman who can foster the confi-

dence of all sections of the community. We hope the Labour Minister will look into the matter sympathetically and take steps to ensure that there remain no doubts about the impartiality and independence about personnel of the Wage Board in any section of the community and that it quickly completes its labours.

SHRI S. W. DHABE (Maharashtra): Sir, I support what he has said. The Government must immediately give the interim relief of Rs. 400 and not 7.5 per cent as recommended by Bachawat Commission.

**I. STATUTORY RESOLUTION SEEKING
DISAPPROVAL OF THE
SWADESHI COTTON MILLS
COMPANY LIMITED (ACQUISITION
AND TRANSFER OF UNDERTAKINGS)
ORDINANCE,
1986 (NO. 5 OF 1986)**

**II. THE SWADESHI COTTON
MILLS COMPANY LIMITED
(ACQUISITION AND TRANSFER OF
UNDERTAKINGS) BILL, 1986**

MR. DEPUTY CHAIRMAN: We will take up the Resolution and the Bill together.

तथा स्वदेशी काटन मिल उदयपुर (राजस्थान) का अधिग्रहण किया गया था। यह अध्यादेश 19 अप्रैल, 1986 को लागू किया गया। मान्यवर, मैं सबसे पहले यह स्पष्ट करना चाहता हूँ कि स्वदेशी काटन मिल का राष्ट्रीयकरण किया जाए यह माँग कम से कम 15 वर्ष से चली आ रही है। राष्ट्रपिता, महात्मा गांधी कहा करते थे कि साधन और साध्य किसी साध्य पर पहुँचने के लिए अगर साधन हमारा खराब हैं तो वह कोई अच्छी चीज नहीं हैं। मान्यवर, लोक सभा सत्र चल रहा था और राज्य सभा का सत्र 20 मार्च को समाप्त हो गया था और 19 अप्रैल को जब यह अध्यादेश लागू किया गया उसके ठीक दो दिन बाद 21 अप्रैल, 1986 को राज्य सभा बैठने वाली थी। मैं यह समझ नहीं पा रहा हूँ कि क्या ऐसा अर्जेज था, आवश्यकता थी जो अध्यादेश के जरिये यह विधेयक लाने का प्रयास किया गया है। पिछला सत्र राज्य सभा का 20 मार्च को समाप्त हो गया था और 19 अप्रैल के दो दिन के बाद राज्य सभा का सत्र प्रारम्भ होने वाला था। हमारे संविधान निर्माताओं ने जब संविधान अनुच्छेद बनाया और उसमें अनुच्छेद 123 में इस बात को लिखा है कि जब संसद का सत्र नहीं चल रहा होगा या दोनों सदनों में से एक का सत्र नहीं चल रहा होगा उस समय अध्यादेश लागू हो सकता है लेकिन मान्यवर उन लोगों ने कहा ऐसा अल्पना नहीं को जब राज्य सभा का सत्र बुला लिया गया और ठीक दो दिन बाद राज्य सभा का सत्र होने वाला था उस समय इस देश को कोई भी सरकार को अध्यादेश के जरिये कानून लाने का और सरकार को चलाने का हक नहीं है। मान्यवर, इस संबंध में लोक सभा के अध्यक्ष बराबर अपनी व्यवस्था दे रहे हैं और बराबर उन्होंने व्यवस्था इस बात को दो है किसी भी लोक सरकार को जब तक कि बहुत आवश्यक न हो कोई भी अध्यादेश नहीं लाना चाहिए। मान्यवर मैं इस सिलसिले में सबसे पहले जनवरी 1947 में प्रेसाइडिंग जजिसर्स के जो एक सम्मेलन हुआ था और जे.बी. मावलकर साहब ने उसकी अध्या-

Undertakings) Bill, 1986

धता की थी तो उसमें मावलकर साहब ने, जो बाद में हमारे अध्यक्ष भी हुए अपने भाषण में कहा था :

"It was obviously a wrong convention for the Executive Government to promulgate Ordinances merely because of shortage of time. That power was to be exercised only when there was an emergency and the Legislature could not meet."

Here, the Parliament was also in session. He further said:

"It was not a desirable precedent to promulgate Ordinances for want of time, as inconvenient legislation might also be promulgated in that manner."

फिर मान्यवर, इन्हीं मावलकर साहब ने 25 नवम्बर 1950 को, जो इस देश के संसदीय कार्य मंत्री थे उनको इस संबंध में एक पत्र लिखा। उस पत्र में मावलकर साहब ने लिखा :

"The procedure of the promulgation of Ordinances is inherently undemocratic. Whether an Ordinance is justifiable or not, the issue of a large number of Ordinances has psychologically a bad effect. The people carry an impression that Government is carried by Ordinances. The House carries a sense of being ignored, and, the Central Secretariat perhaps get into the habit of slackness which necessitates Ordinances, and an impression is created that it is desired to commit the House to a particular translation as the House has no alternate but to put its seal on matters that have been legislated upon by Ordinances. Such a state of thing not conducive to the development of the best Parliamentary traditions."

मान्यवर, हमने बात करने की हमारे अध्यक्ष हुए हैं उन्होंने इस परिपाटी को

[श्री सत्य प्रकाश मालवीय]

माना है जहां तक 22 नवम्बर, 1971 को तत्कालीन अध्यक्ष ने यहां तक कह दिया कि :

"All I can say is that I do not approve an Ordinance just at the time when the House is about to meet."

तो मान्यवर, मेरा यह निवेदन है कि जो स्पष्टीकरण गृह मंत्री जी ने आर्डिनंस के साथ दिया है उससे इस बात की व्याख्या नहीं हो पा रही है कि क्या ऐसी आवश्यकता थी कि इस विधेयक को लाने के लिए अध्यादेश लाना पड़ा ?

मान्यवर, सन् 1947 में कानपुर में सीताराम जयपुरिया जी ने एक मिल खरीदी और उसी एक मिल के जरिये उन्होंने करीब 6 और मिलें बनायीं। लेकिन उसके बाद भी जो वहां के मजदूर थे उनको वेतन नहीं मिल रहा था और तभी से बराबर इस बात की मांग की जा रही है कि इस मिल का अधिग्रहण किया जाये।

MR. DEPUTY CHAIRMAN: Please conclude.

SHRI SATYA PRAKASH MALA-VIYA: I am coming to the facts.

MR. DEPUTY CHAIRMAN: I know. But the time is not there. Please conclude.

SHRI SATYA PRAKASH MALA-VIYA: I will conclude in five minutes.

MR. DEPUTY CHAIRMAN: We don't have time. Take two minutes and conclude.

श्री सत्य प्रकाश मालवीय : उसके बाद वहां पर रिसीवर की नियुक्ति की गयी उसके बाद मान्यवर, 1977 में, 6 दिसम्बर; 1977 को मजदूर जब वहां शांतिपूर्ण ढंग से धरना दे रहे थे तो वहां पर गोलीया चलाई गयी इसमें 12 मजदूरों की मृत्यु हो गयी और करीब करीब सैकड़ों मजदूर घायल हो गये। इसके फलस्वरूप 13 अप्रैल; 1978 को मिल का प्रबंध सरकार ने ले लिया और 14-4-78 को तत्कालीन उद्योग-मंत्री जी ने भी राज्य सभा में घोषणा की और

कारणों को बताया कि इन कारणों से मिल रुक प्रबन्ध लिया गया। तभी से बराबर यह मांग की जा रही है कि इन सभी मिलों का राष्ट्रीयकरण किया जाये और इनको सरकार अपने हाथ में ले क्योंकि जो वहां के उद्योगपति हैं उनके पारिवारिक झगड़े के कारण मजदूरों को वेतन नहीं मिल पाता है, प्राविडेंट फंड नहीं मिल पाता है, उनकी प्रेच्युटी का धन नहीं मिल पाता है। इसलिए मैं स्पेसिफिकली इस सन्बन्ध में स्पष्टीकरण चाहूंगा कि क्या इस बात की व्यवस्था क की गयी है कि जो पहले से नौकरी करते रहे उनकी नौकरी सुरक्षित रहेगी। इस सिलसिले में जो वेतन बकाया चले आ रहे हैं या उनकी धनराशि जो है उसकी सुरक्षा किस प्रकार से होगी और सरकार इसके लिए क्या करेगी मैं इस सिलसिले में स्पष्टीकरण चाहूंगा। एक बात और कहकर अपनी बात खत्म करूंगा और वह इसलिए आवश्यक है कि मजदूरों की सभा इलाहाबाद में 20 अगस्त, 1985 को हुई थी। उसमें स्वदेशी काटन मिल के मजदूर और वहां के यूनियन के लोग थे उनके प्रतिनिधि थे और साथ-साथ उनके जो नेतागण थे वे उपस्थित थे। उन्होंने एक पत्र मुझे दिया था जिसको मैंने उसी समय तत्कालीन मंत्री को भेज दिया था। (Time bell rings) उसका उदाहरण करके मैं अपनी बात समाप्त करूंगा। इसलिए भी इसका पढ़ना आवश्यक है कि इस वक्त मान्यवर यह मांग की गई थी कि इसका राष्ट्रीयकरण किया जाए। मान्यवर, मेरा यह 29 अगस्त, 1985 का पत्र है। "दिन 20 अगस्त को मैं इलाहाबाद में गया था। वहां स्वदेशी काटन मिल नैनी इलाहाबाद के कर्मचारियों की सभा में भी मैं गया था। (Time bell rings) कर्मचारियों की तरफ से मुझे दो पत्र दिए गए हैं। स्वदेशी काटन मिल, नैनी का सरकार ने 14 अप्रैल, 1978 को अधिग्रहण किया था। वहां के कर्मचारियों की मांग है कि इसका राष्ट्रीयकरण किया जाए। कर्मचारियों का यह भी कथन है कि नए वेतनमानों की घोषणा की जाए और मशीनों का आधुनिकीकरण किया जाए। जो अस्थायी कर्मचारी हैं जब उन्हें कार्य से वापस किया जाए तो वापसी भत्ता दिया जाए। . . . (व्यवधान)

MB. DEPUTY CHAIRMAN: Your June ,s over. Please sit down now. U wont go on record.

SHRI SATYA PRAKASH MALA-VIYA: *

I MR. DEPUTY CHAIRMAN: Yes Mr. Minister.

THE MINISTER OF STATE OF THE MINISTRY OF TEXTILES (SHRI KHURSHID ALAM KHAN): Mr. Deputy Chairman, Sir, I beg to move:

"That the Bill to provide for the acquisition and transfer of certain textile undertakings of the Swadeshi Cotton Mills Company Limited, with a view to securing the proper management of such undertakings so as to subserve the interests of the general public by ensuring the continued manufacture, production and distribution of different varieties of cloth and yarn and thereby to give effect to the policy of the State towards securing the principles specified in clauses (b) and (c) of rticle 39 of the Constitution and and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration."

Sir, the Swadeshi Cotton Mills Company Ltd. (Acquisition and Transfer of Undertakings) Ordinance, 1986. was promulgated on 19th April, 1986 to provide for the acquisition of all the six textile ^undertakings of the company whose management was taken over by the Central Government under section 18AA of the Industries (Development and Regulation) Act, 1951, on 13th day of April, 1978. After take over large sums of money had to be invested in order to make the undertaking viable and the liabilities of the undertaking, about Rs. 10 crores, were also frozen. Further investment of the money is also necessary for the purpose of securing the optimum utilisation of the available facilities for the production of cloth and yarn and for securing con-

♦Not recorded.

tinued employment of workers which are about 14,500. It was considered necessary. In public interest that the order for freezing liabilities was pronounced on 14 April, 1986. So it could not be extended beyond the date as the maximum period is 8 years under the Industries (Development and Regulation) Act. The Ordinance was promulgated after considering these facts and circumstances

Sir, I do not want to take much time of the House and beg to move that the Bill to replace the Ordinance be taken into consideration.

The question was proposed.

MR. DEPUTY CHAIRMAN: The Resolution and the Bill are now open for discussion. Yes, Mr. Mohanan.

SHRI K. MOHANAN (KeralaJ.- Mr. Deputy Chairman, Sir, I also do not want to take much time and I am glad to support this Bill to provide for the acquisition and transfer of certain undertakings of the Swadeshi Cotton Mills. I am of the opinion that not only these six units of Swadeshi Cotton Mills but the entire textile industry of the country should be nationalised. This piecemeal process of taking over management and ultimate nationalisation will help neither the industry, nor the workers, nor the country. The prevailing practice is that after using the entire cream of the industry, the textile mill units are deliberately thrown to sickness by the management and they get huge sums of money as compensation for their mismanagement and exploitation. In this case also, a large sum of money will go to management as compensation or as reward for their incompetence and mis-management.

i My proposal is that wherever in an industry the responsibility of management for the sickness is proved, that industry should be nationalised without any compensation because these greedy and irresponsible people in the management are committing a criminal offence against the country and its economy.

[Shri K. Mohanan] WhiI, I support this Bill, i am very much concerned about the future of the employees of these units. In Chapter 5, clauses 12-13 are regarding guarantee of employment for the existing employees. But, Sir, I am a little concerned because there are so many loopholes which can be used against the interests of the employees. I want a categorical assurance from the hon. Minister that none of the existing employees would be retrenched. Here, I may also mention about the appointed date. Before this appointed date, a large number of workers had been retrenched from various units of Swadeshi Cotton Mills. I would request the hon. Minister to consider the case of such employees who were retrenched before this appointed date.

I would also like to mention some facts with regard to new textile policy and its implications. Ten per cent of our industrial production in the country is from the cotton textile industry alone. This sector, if I am correct, employs more than one crore of workers. Regarding employment potential, this is next to agricultural sector. But the new textile policy of the Government became a threat to the worker of this industry as well as the unemployed young man of this country. The new textile policy gave prime importance to the country. But in the name of modernisation, and use of sophisticated technology there is large-scale unemployment in this organised mill sector. While I was initiating the discussion on the new textile policy year back, I had expressed certain apprehensions about the job guarantee to workers. I am sorry that this has proved right; my apprehension and fears regarding the implementation of the new textile policy and its consequences have proved right. That is why once again I have mentioned about employment guarantee not only in the organised sector but also in the handloom and powerloom sector where the crisis is deepening. May this remind you of the re-

marks of a fact-finding committee in 1961 which said that a mill will close down if it does not earn profit; but the handloom mill will go on even if it brings no profit because the weavers depend upon it helplessly. This is the condition of lakhs and lakhs of rural poor in the handloom sector. I do not want to elaborate this point because of paucity of time. But I would like to know from the hon. Minister—I will just take one minute—whether there is any improvement in the condition of handloom workers or the industry after the implementation of the new textile policy. Secondly, I would like to know whether it is a fact that the powerloom industry is facing greater difficulty on the basis of the new polyester and filament yarn policy. Thirdly, I would like to know, by giving more incentives in the form of concessions in excise duty to the manufacturers of manmade and synthetic fibres whether the consumers have been benefited in any way. I am sure, if the hon. Minister is honest to himself, the answers will be in the negative. In this background, I would request the hon. Minister to reconsider the implementation of the so-called new textile policy. With these words, I support the Bill.

SHRI N. K. P. SALVE (Maharashtra): Sir, I support this Bill. As has been mentioned in the Statement of Objects and Reasons of the Bill, these textile undertakings of the Swadeshi Cotton Mills Company Limited are being acquired in the general public interest. This is in consonance and in furtherance of the textile policy which the Government is pursuing. This is a wholesome and a salubrious policy as far as the textile industry is concerned because the textile industry has been an extremely important industry in the entire economy of the country. Sir, while the public interest is served and subserved by looking after the interests of the employees and their families as

would be done in acquiring the assets of the Swadeshi Cotton Mills Company Limited and also the interest of these who are directly and indirectly related to the business of the mills, I would like to point out that there is one company in Nagpur, the Empress Mills. I am pointing this out because this question relates to textile undertakings. This is a 105-year old concern and the entire economy of Vidarbha is built on the Empress Mills. The house of Tatas have, with a sense of arrogance, dominated the Mills. All efforts of the State Government failed. The State Government has agreed to provide the facilities. There are about 10,000 to 15,000 workers and their family members number 100,000: so far from this, there are another 100,000 people who are directly and indirectly connected with the business of the Mills. I would like the Minister to give us an assurance. There is a Member of Parliament, from the Lok Sabha, who is sitting on an indefinite fast, fast unto death. My respectful submission is, this sort of attitude by the business house of the eminence of Tatas cannot be allowed to go absolutely unchallenged. Is it open to the capitalists of the country to carry on with the running of the mills as long as they want to exploit, as long as they suck as much profits as they want and the moment they find that it is no longer paying because the mills would have paid the money back, several times, twenty times over already? What is the Government doing to ensure that entire economy of our region is not disturbed? This is an extremely important aspect of the matter. To the hon. Minister we have an extremely humane person. He will be grateful if he tells us, in his reply, as to what is the approach of the Government of India toward this question. So far as the Empress Mills is concerned.

There is one more thing which I would like to point out to the hon. Minister. He may not be aware of it

Himself. Now, they want to get rid of the professionals who are in these companies; professionals against whom there is nothing should not be dispensed with straightaway simply because some officials in the Ministry want some other professionals to be brought in. This will disturb the working of the Board unnecessarily without any corresponding benefit. I hope, this aspect of the matter will be looked into.

MR. DEPUTY CHAIRMAN: Shri Mohanaragam.

SHRI NIRMAL CHATTERJEE: Who spoke just now, Mr. Salve?

SHRI N. K. P. SALVE: You better have your eyes and ears cleaned.

SHRI R. MOHANARAGAM (Tamil Nadu): Mr. Chatterjee, Mohanaragam is speaking now.

Mr. Deputy Chairman, Sir, I support the Bill providing for the acquisition and transfer of textile undertakings of the Swadeshi Cotton Mills Company Limited. But Sir, these are a number of mills which are yet to be, need to be, acquired. Of course. I am happy that the Government have decided at least now to take over these textile undertakings. And the Government of India is going to take up the entire responsibility for managing these six companies. What is the position of the employees? Thousands of employees are working in these six textile undertakings. What is the action being taken by the Government of India with regard to provident fund and other dues to the employees and what about the liabilities and assets which have taken over for our administration?

As Mr. Mohanan said, more than a crore of people are completely dependent on the textile industry. It is next to agriculture. I want to ask the Government specifically what are they going to do to provide work-

[Shri R. Mohanarangam]

ployment to those employees who were working in these textile undertakings and what about their dues? Thirdly, how much compensation is being paid to those establishments? Here it has been said that Rs. 24.32 crores would be paid. But then I find that more than a crore of rupees are due from these companies in respect of the dues to the employees, tax arrears etc. What about tax arrears of these companies before you took over all these undertakings? It appears a Commissioner is sought to be appointed to look after all the liabilities and assets of the textile undertakings. I want to know specifically, how much liability will be there and what are the steps exactly taken by the Government in this regard uptill now?

When we discussed our new textile policy on the floor of this House, a mention was made about the facilities to be given to the textile employees as well as handloom employees. There are more than four to five lakh handloom workers and weavers in my State. They are completely dependent on handloom industry. We had asked about the benefits that were being given by the Government of India to the employees of the Handloom industry. Six months back / I had requested the hon. Minister that the rebate period may be extended from 60 days to 90 days. I was given a reply that it has been deduced from 60 to 45 days. Instead of receiving a favourable reply from the Minister that it will be extended from 60 to 90 days I received a reply that it had been (reduced from 60 to 45 days.

AN HON. MEMBER; Now it is reduced to 30 days.

SHRI R. MOHANARANGAM: Let me speak. The fact is that after six months again it was reduced from 45 to 30 days. If that is the position, I do not know when he is going to reduce it from 30 days to 15 days, whether it will be in another six

I months or in another three month*. / My question is that it should be extended. (Time bell rings). Don't ring the bell. I am asking very specific questions. When we are speaking about giving facilities to the employees of the handloom industry, just two years back when these undertakings were taken over, our present Minister was in a position to tell us that he would definitely consider this matter. I thought a favourable reply would come from the Minister. But in fact, the reply that I got, said that it had been reduced from 60 to 45 days. And now the period has been reduced even from 45 days to 30 days. I request him, through you, Sir, to reconsider this and enhance the period from 30 days to 90 days, thereby the handloom employees in Tamil Nadu will definitely benefit. In addition to this, there are certain other facilities which can be extended to the handloom industry. There is the Defence Department and there are some other departments. They are using khadi and some other cloth. Certainly khadi can be given preference but at the same time they could give some preference to handloom weavers which are coming from different parts of the country. More than a crore of people are dependent upon them.

With regard to the mill sector, a person of my size has to purchase more cloth than an ordinary man. I am not in a position, to purchase at Rs. 200 per meter. So, let us reduce the price of cloth by just producing those grades and that quality of cloth which we are in a position to purchase.

With these words, I conclude.

SHRI CHIMANBHAI MEHTA (Gujarat); Sir, I stand to support the Bill which has been brought forward by the Textile Minister. I want to bring to the notice of this hon. House that during the last 20 years more than 200 textile mills have fallen

Mills Co. Ltd.

sick and closed down and out of them 125 mills have been taken over by the National Textile Corporation. Still the number of sick mills is increasing. Now we have taken over Swadeshi Cbttotti Mills. *IBut* there are dozens of mills in several States which are lying closed down. What about them also? A very important development is that the National Textile Corporation has proposed to the Centre that they want to close down five mills because they are not running properly. Now what will happen if they start closing down mills? Then let us go into the reasons why these closures are taking place. We know that the private mill managements are doing it for diversion, mismanagement, profit and So many othe'r things which I do not want to elaborate for want of time. But when the units are in the public sector and out of these some are 'going to be closed down, then let us look at the functioning of the public sector managements also.

During this Session I had asked two questions Of the Minister about the functioning of the NTC mills. One question pertained to whether we are going to change the structure of management at the subsidiary level. Chairman and Managing Director are combined into one post. According to the answer given to me, it is being done for the sake of efficiency, although the two positions are separate at the national and Central level. Now a lot of mismanagement can take place even when there are two persons. But when theVe is only one person manning the two posts, then there Bile no ohfecks and counter-checks. I can cite one Or two examples. In a Gujarat subsidiary company, sometime back, Rs. 75 lakhs that were lying deposited with the nationalised bamk were itaken out and deposited in a private firm and that Abi went into liquidation within a very short time. Now the Chairman-Cum-Managing Director was one person. Evefry thing was done by him and other officers. Nothing happened

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even then. Such a thing as handing over Rs. 75 lakhs to a private firm is unexplainable and even then now we have started civil litigation ia the High CouVt. What is the fun in doing so. The very thing looks highly offensive and proper measures should have been taken, but no measures were taken in the subsidiary.

A Textile Manager of one mill purchased yarn worth Rs. 80 lakhs in one year although it was not required. Then there was an investigation by a committee and it was found that it was improper, irregular and unwanted. Then what was done? A minor punishment was inflicted upon the officer. What was the minor punishment? It was only a warning. Is warning a minor punishment? I do not know.

But if the worker of a textile mill does such a thing, he will be immediately dismissed from service. But here is a Manager who was given only a minor punishment. Then a Director in the subsidiary, who was a member of the working class, raised the issue and demanded that the whole case should be reopened. When the case was reopened, the Board of Directors acquitted him totally and withdrawal of the minor punishment also was effected. That was because here the Chairman and Managing Director was the same person. Now that this take-over is being done in the interest of the general public and for efficient and better management, this aspect should be looked into and the situation corrected.

DR. SHANTI G. PATEL (Maharashtra): Mr. Deputy Chairman, Sir, here is a Bill on which no section of the House can disagree. At the same time, one would like to ask the Minister as to why it took eight years to come to this decision, that this particular group of companies

[Dr. Shanti G. Patil]
needs to be taken over or acquired
and be under the management of the
the Government.

I was expecting the Minister to say something as far as the present functioning or the efficiency of this group companies concerned, because the main reason that has been given for taking it over is that a lot of money has been invested by the Government with a view to making the units viable, and now also still more money is sought to be invested. That is the reason why it is sought to be acquired. More money is needed so that optimum utilization could be reached. These are the objectives which have persuaded the Government to take over the company. Of course, there is one more, and that is that the order under which the liabilities were frozen also was expiring and it could not be further extended and so it became necessary or incumbent on the part of the Government to take over the company. I would like to know from the Government if these are sufficient reasons.

The Government is accountable to this House regarding its performance during the last eight years. I would like to know whether the unit has become viable, whether the wages and service conditions of the workers have been improved upon, whether bonus, if any, has been paid and, if so, to what extent, and to what extent the Government has played the role of a model employer, and as a producer of goods, would like to sell goods at the cheapest possible rates. After all, these are some of the objectives with which take-over or acquisition takes place. But what we find here is, there is a failure on all these fronts and still we are waiting for a day when the unit will become viable.

I would like to refer to another aspect of the matter. As it happens, this management was taken over in April 1978, and the acquisition also is happening? in April this year. I do not know what the month of April has to

do with this, but I hope this month of April will be a good omen and things will start improving as far as this unit is concerned.

The Vice-Chairman (Shri M. P., Kaushik) in the Chair.

Sir, the Government should have made up its mind a long time back to take over this unit and put it on a proper footing.

Sir, this is another instance of mismanagement in the private sector. There are people who fry to point out, in season and out of season, that the public sector has not been performing well. There may be some deficiencies and they need to be removed. But here is a private sector which has not been performing well but performing badly—as my friend pointed out sometime back—sucking out funds from the textile industry and trying to invest them in other profit-making industries thus ruining the whole textile industry. If here is one more proof necessary, if at all it is necessary, here is the proof. Over 200 textile mills have become sick not because the workers did not behave properly, not because the Government taxed them more, but only because the management there has failed to manage a particular undertaking.

Sir, this brings me to the matter of the textile policy. Sir, we were expecting that there would be some review of this policy. Because of the way the promises we're made on the floor of this House, details of how the handloom sector is going to benefit, how the powerloom sector is going to benefit and how the consumer will benefit, a survey report should have been placed before the House. The information that we have goes contrary to whatever promises and assurances were given by the Government on this score. What we find in the city of Bombay is that 60 000 textile workers are without jobs. This is the present state of affairs. The powerlooms are closing down in the State of Maharashtra at various places. In Bhivandi which has been the main

centre in the country, the powerlooms have been closing down. Ichalkaranji is another place where the powerlooms have been closing down. This is the result of the textile policy which is being pursued and is still being pursued and insisted upon by the Government. This is high time that a review was made of this particular policy.

SHRI VIJAYA MOHANA REDDY (Andhra Pradesh): Mr. Vice-Chairman, Sir, I welcome this Bill. I support the Bill in the interest of 14,000 workers who will otherwise be thrown out of employment. Because of that danger only, for the purpose that they should not lose their jobs, I am supporting the Bill.

The owners and the previous management or the proprietors have taken away all the profits and have thrown the workers on the streets. This has been amply stated by several of the speakers.

About the workers' dues, the Government should take the responsibility. Under no circumstances can it evade its responsibility. When they can pay Rs. 22.32,00,000 and also for taking over the managerial system or the skills they are also paying, why should the workers' dues not be paid to the workers? I specifically ask the question and hold the Government responsible if they are not able to pay completely all the dues to the workers.

Yesterday, Sir, the Minister for Energy was telling, the workers were being paid bountifully. I will tell you what the prices of gold were. In 1972 it was Rs. 200. What was the price in 1960? Rs. 50. Rs. 60. What is the price today? Rs. 2,000. What is the difference? Are the workers being paid so much, so many times? Nothing., Never. This is the way in which the capitalist class throws the burden on the workers. This is the way in which all the crisis that is existing in this system is thrown on the shoulders of the workers. And you try to say that workers are paid well, but that they are no able to produce. You want to throw the blame on the working class

which is the creator of all the prosperity that is existing today. You want to blame them. This blame, the working class refuses to take.

Now, a word of caution in this, Sir. Don't bureaucratise once more. You have taken over. Please don't bureaucratise it. Let the workers be given an opportunity in the management at all levels. And we know what the cost of this bureaucratisation is because all the big officers are sharing the loot along with the capitalist class and along with the politicians. The combination of these three classes has resulted in today's misery. When all these three classes unite and exploit the people, then, where can the worker go? And in this context, once more I want also to tell. Sir, that there are 200 such sick mills and 45 lakh workers on the streets. How is the Government going to manage this particular problem?

In this connection I wanted to tell you that the Britishers, unable to stand any competition from our textile industry inspite of their mechanisation, were forced to cut the fingers of our weavers.

That was history. Have we snnnorted one of the greatest I.O.O p.M. industries in the world which stood during those days—200 to 300 years back—and built up a reputation of our civilization in the entire world through the export of textiles? Let justice be given to the working class, else this Government will be responsible to the future generation.

श्री शंकर सिंह वाघेला (गुजरात)
श्रीमान्, सरकार की जो यह आर्डिनेन्स लाने की आदत है इसको मैं कंडेम करता हूँ। लोक सभा चालू थी और राज्य सभा मिलने वाली थी तो आर्डिनेन्स लाने की क्या जरूरत थी? दूसरी बात यह है कि सरकार उन मिलों का, स्वदेशी मिल कहें और दूसरी भी जो हैं उनको टेकओवर करती है और कहती है कि उन्होंने पैसों का मिस यूज किया। तो इनके पास पैसा कहां से आया? यह पैसा पब्लिक का है। जब से बैंकों का राष्ट्रीयकरण

[श्री शंकर सिंह बापेला:]

हुआ है तब से ही यह घपला सिक यूनिट्स का बढ़ता जा रहा है। मैं माननीय मंत्री जी से जानता चाहता हूँ कि बैंकों के नेशनलाइजेशन के बाद कितना पैसा बैंकों का और स्वयं सरकार का ऐसी सिक यूनिट्स में फंसा हुआ है और आपने बैंकों के आफिसरों पर क्या कार्यवाही की है? इन यूनिट्स से सबसे ज्यादा पैसा बैंकों का ही है और अगर यूनिट्स सिक हुई तो मालिक कभी क्यों नहीं सिक हुआ। जो यूनिट सिक होती है तो उसकी जो प्रापर्टी है उसको भी नीलाम करना चाहिये। आप उसको 25 करोड़ रुपया दे रहे हैं लेकिन पैसों का मिसयूज कितना हुआ इसकी आप पूरी इन्क्वायरी कराइये और उनके मालिकों की जितनी प्रापर्टी है, उसके रिश्तेदारों, बच्चों आदि की जो प्रापर्टी है उसकी भी पूरी इन्क्वायरी कराइये और उसको नीलाम करके उसको पूरा करना चाहिये। दूसरी बात यह है कि लेबर के नाम पर, मैं मंत्री महोदय से पूछना चाहता हूँ कि जब प्रधान मंत्री चुनाव दौरे पर गुजरात में पधारे थे तो मजदूरों का वोट लेने के लिये, मजदूरों को खुश करने के लिये, उन्होंने मिला के राष्ट्रीयकरण की बात की। लेकिन उन्होंने अपनी पोलिटिकल स्पीज देने के बाद कुछ नहीं किया। अकेले अहमदाबाद में 30 हजार से ज्यादा मजदूर बेकार और भूख मर रहे हैं। नेशनलाइजेशन के बाद इन 30 हजार में से केवल 3 हजार मजदूर ही काम पर हैं। यह सिर्फ प्रापगंडा है। मजदूरों के नाम पर यूनिट लेते हैं लेकिन उसमें जितने मजदूर हैं उनको रीइम्प्लॉयमेंट नहीं देते हैं। 30 हजार मजदूरों में से केवल 3 हजार मजदूरों को काम मिला है और बाकी 25 हजार आज भी बेकार हैं। इसके लिये आपकी टैक्सटाइल पालिसी भी जिम्मेदार है। हमारे डा० शांति पटेल जी ने टैक्सटाइल पालिसी के बारे में कहा कि वह ऐसी होनी चाहिये जिससे यूनिट बंद न हों। इसलिये आप को अपनी टैक्सटाइल पालिसी पर दुबारा विचार करना चाहिये। नेशनलाइज्ड होने के बाद आमतौर पर जो गड़बड़ी होती है उसके लिये सबसे ज्यादा जिम्मेदार आफिसर होते हैं। जो टैक्सटाइल मिल हैं उसमें जो आफिसर हैं क्या उनकी कोई देख-भाल करता है क्या आप के पास उनको

चैक करने वाला कोई सिस्टम है जो यह देखें कि यूनिट टेकओवर होने के बाद ठीक ढंग से चल रही है या नहीं। गवर्नमेंट का, पब्लिक का पैसा उसमें डालकर जब आप इन मिलों को लेते हैं तो उस पैसे का दुरुपयोग न हो यह भी आपको देखना चाहिए। आखिर में गवर्नमेंट इनको क्यों लेती है? गवर्नमेंट उनको मजदूरों के नाम पर अगर लेती है तो मजदूरों का हित भी, पूरा नहीं होता। ग्रेचुएटी, फंड, बैल-फेयर का जो उनका पैसा होता है उसमें उनको कुछ नहीं मिलता। इसको देने के लिये जो उस यूनिट की जमीन होती है उसको बेच दें और जितना रुपया मिले उसको बैंक में रख दिया जाए और उसके इंटरैस्ट से ही वरकस की कुछ जरूरतें पूरी हो सकती हैं। दूसरा जो प्राइवेट लोग लोन देते हैं और उस पैसे की मांग करते हैं तो उसका भी कुछ नहीं करते हैं। इसलिये इसमें जो इस तरह का करप्शन होता है इस पर चैकिंग रखनी चाहिये। लेबर के नाम पर जब यह किया जाता है तो इसमें सही इम्प्लॉयमेंट लेबर को मिलना चाहिये और करप्शन को रोकने के लिये जो यहां पर आफिसर हैं उनको हर तीन साल के बाद बदलना चाहिये और जो इसके चेयरमैन और मैनेजिंग डाइरेक्टर्स हैं उनकी प्रापर्टी का लेखा-जोखा करना चाहिये और टैक्सटाइल के जो टेक्नीकल लोग हैं, उसको जानने वाले आफिसर हैं उनको उसमें अप्वाइंट करना चाहिये तथा करप्शन को खत्म करना चाहिये। धन्यवाद।

SHRI JAGESH DESAI (Maharashtra): Mr. Vice-Chairman, Sir, I support the Swadeshi Cotton Mills Company Limited (Acquisition and Transfer of Undertakings) Bill, 1986. I support it because in the Preamble, it is mentioned that one of the purpose of the acquisition is for giving effect to the policy of the State towards securing the principles specified in clauses (b) and (c) of article 39 of the Constitution. "What are these provisions? I quote article 39 (b) and (c) of the Constitution:

"(b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common 'good';

(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment of the people of this country."

I would like to ask the Minister, whether by taking over the sick mills, this purpose will be served. You will be able to provide employment to the workers who are already working in the sick textile mills; otherwise they would be on the roads. But by taking over sick mills are you going to achieve this purpose which is mentioned in our Constitution? If you want to really achieve this objective, then, along with one sick unit of the group of industries, you should also take the healthy unit and amalgamate it. Otherwise, this objective will not be served. I am a firm believer in public sector undertakings. If you are taking over a junk and sick mill, how are you going to manage the affairs of this sick mill? Are they going to achieve results on par with our public sector undertakings? I will just give you some of the figures of the last four or five years of the National Textile Corporation mills production of cloth etc. In 1978-79, 939.6 million sq. meters of cloth were produced. After this, the production has gone down to 920 million sq. meters in 1984-85. The number of persons employed in NTC during 1979-80 were 1,66,190. In 1984-85 it has gone up to 1,76,920. The amount invested by NTC in 1979-80 was Rs. 176 crores by way of loan and by equity Rs. 297 crores. But by 1984-85 it has gone up to Rs. 1,095 crores. But what is the result. It is running on a loss. If you would have taken one healthy textile mill along with a sick unit, the results would have been quite different. The loss incurred by NTC in 1983-84 was Rs. 158.75 crores. Again in 1984-85 the losses mounted to Rs. 197.39 crores. Why it has happened like this? Are we going to improve? Therefore, I suggest to the hon. Minister that he should take over one sick mill along with a healthy mill and then amalgamate these and he can

see the results. I would like to give one more suggestion to the hon. Minister that he should levy some cess or tax on healthy mills. The money so collected should be utilised to improve the functioning of the sick mills. If these things are not done, then we have to come before the Parliament for taking over sick mills every time.

With these few words, I support the Bill.

श्री सूरज प्रसाद (बिहार) : महोदय मैं स्वदेशी काटन मिल के राष्ट्रीयकरण का समर्थन करता हूँ। मैं एक बात कहना चाहता हूँ कि देश की काफी काटन मिलें बीमार हैं और काटन मिलें ही नहीं, चीनी की भी मिलें और जुट की भी मिलें बीमार हैं। सरकार का यह तरीका कि एडहाक बेसिस पर कुछ कारखानों का राष्ट्रीयकरण करें, यह सही नहीं जान पड़ता है क्योंकि इन कारखानों के आधुनिकीकरण के लिए भी जरूरी है कि इनके लिए पैसा मुहैया किया जाये। ये कारखाने आधुनिकीकरण करने में अपने को असमर्थ पाते हैं। ऐसी हालत में मैं समझता हूँ कि सरकार को कुछ नये सिरे से विचार करना चाहिए सरकार पहले बीमार कारखानों का प्रबंध अपने हाथों में लेती है और बाद में चलकर उन का राष्ट्रीयकरण करती है और भारी मुआवजा देती है। इन कारखानों के राष्ट्रीयकरण करने की तरफ जब सरकार ने कदम उठाया है तो बिल में करीब 24 करोड़ रुपये भी मुआवजा देने का प्रावधान किया है। संविधान के अंदर यह व्यवस्था है कि सरकार जो मुआवजा देगी वह एक रुपया भी हो सकता है, नामिनल भी हो सकता है, एमाउंट का अर्थ कभी कम्पेनसेशन नहीं होता। नये संविधान में संशोधन के बाद सरकार ने अगर इसमें 24 करोड़ रुपये ऐसे बीमार कारखानों को लेने के बाद देने का निर्णय किया है तो यह संविधान की इस धारा का उल्लंघन है। इसलिए मैं सरकार से चाहूंगा कि इस बिल के अंदर यह संशोधन करे कि जो स्वदेशी मिल का राष्ट्रीयकरण हो रहा है सरकार महज उनको एक

[श्री सूरज प्रसाद]

रुपया हो मुआवजा देगे इससे विशेष मुआवजा देना पूँजीपतियों को सहूलियत देना है, उनके प्रति नम्र रुख अख्तियार करना है और उनके सामने एक तरह से सरकार का समर्पण है। ये कारखाने बीमार हैं, जब हैं पूरे के पूरे रद्दी की टोकरी में फँकने के लायक थे फिर भी सरकार ने इनका राष्ट्रीयकरण किया और इसके बाद इतनी भारी रकम मुआवजे के रूप में देना सरकार के लिए सहो नहीं जान पड़ता है। इसलिए मैं सरकार से यह कहना चाहूँगा कि इस कारखाने का सरकार राष्ट्रीयकरण तो करे लेकिन पूँजीपतियों को, जो इस कारखाने के मालिक हैं केवल एक रुपया हो दें विशेष मुआवजा इसके लिए न दें।

साथ ही दूसरी बात इस संबंध में कहना चाहता हूँ कि देश की जो अन्य काटन मिलें हैं उनकी अवस्था बहुत ही खराब है। विदेश में कपड़े के मायने में प्रतियोगिता करने में ये असमर्थ हैं। ऐसी अवस्था में हिंदुस्तान का जो विदेश व्यापार है उसमें काफी क्षति होती है। इसलिए मैं सरकार से कहना चाहूँगा कि देश के अंदर जितनी भी टेक्स्टाइल मिलें हैं जो पूँजीपतियों के हाथों में हैं इन तमाम का सरकार राष्ट्रीयकरण करे और साथ ही जो हमारे ये जूट के मंचो हैं ये जूट के कारखानों का भी, जो देश के अंदर खराब अवस्था में हैं, 50 हजार जूट कारखानों को मजदूर बेकार हैं, राष्ट्रीयकरण करें सरकार इन कारखानों को खोले और साथ ही हिंदुस्तान के जितने जूट के कारखाने हैं उन का राष्ट्रीयकरण करे।

देश के अंदर जो शूगर मिलें हैं उनकी भी हालत खराब है। उनका पूँजीपतियों के हाथों में रहने देना उचित नहीं है, उनको चलाने की क्षमता भी, अब लगता है कि उनमें नहीं है, वे इनको बीमार कर देते हैं फिर सरकार को अपने हाथों में लेना पड़ता है इसलिए सरकार को चाहिए कि जितनी चीनी मिलें हैं उनका राष्ट्रीयकरण करे। इन्हीं बातों के साथ स्वदेशी मिल के राष्ट्रीयकरण का मैं समर्थन करता हूँ और सरकार से

कहना चाहता हूँ कि जो स्वदेशी मिल के मालिक हैं उनको एक रुपये से विशेष मुआवजा सरकार को नहीं देना चाहिए।

[Mr. Deputy Chairman in the Chair]

SHRI S. W. DHABE (Maharashtra): Sir, the textile industry has always been the traditional and prime industry of our country. But today, unfortunately for the country, the working class and the people, it has become a sickly industry. The last reply given by the Minister is that 78 textile mills are closed all over the country rendering more than one lakh workers unemployed. This sorry state of affairs is the direct result of the Government's policy on industrial sickness and the textile policy of the Government. The textile policy of the Government says that they will not allow new composite textile mills to be opened: only cooperative spinning mills will be allowed in cotton. That was the policy that was announced earlier. Secondly, it says in the Economic Survey that hereafter sick mills will not be taken over by the Central Government. That means, new textile mills will not be opened and the Central Government will not take over old sick mills. This has given encouragement to the mill owners to mismanage and they are mismanaging under the impression that they will cow down the workers and their policy will succeed and they can siphon their funds elsewhere. My first suggestion to the hon. Minister is that he must revise this policy. The National Textiles Corporation has not been set up only for taking over sick mills and continuing in losses. The National Textiles Corporation should open its own mills. The last mill for which permission was given to be opened was the Kalameshwar Mill in Nagpur in my State. Thereafter no mill has been opened. I come from the Vidarbha area and Vidarbha, Marathwada, Gujarat and Madhya Pradesh are the main cottage-growing areas. Now 21 proposals were sent by the

Maharashtra Government for cooperative spinning mills, but only six have been accepted the others have not been accepted. And all the mills in Vidarbha are sick, apart from the Empress Mills which my colleague, Mr. Saive mentioned. Therefore, the National Textile Corporation, like Coal India, should have a revised policy. They must open new textile mills in those cotton-growing areas which will not only make profit but also act as a deterrent to the private management so that they do not mismanage the mills.

Secondly, if the Government cannot open new mills, why should they not grant permission in backward areas for the private parties to open mills? There are 13 districts in Maharashtra which are backward, out of which five are in Vidarbha where ample cotton is grown. I would like the hon. Minister to give an assurance that he will allow private parties to open new textile mills in the Vidarbha area. If this is done, I am certain that more than 90 per cent of the sickness problem will be over.

The second question which I want to ask is, what are the preventive measures that the Minister is taking? In the textile policy of the Government, it was said that there would be a rehabilitation fund for the workers who were going to be discharged. But I am surprised that no rehabilitation fund has been created. Is it due to the bureaucracy or pressure from Tatas and the private management and you have sinned the scheme of having a rehabilitation fund for the rehabilitation of the 'worker'; who are to be discharged? I would like to have a categorical answer in this regard from the hon. Minister.

Lastly, the Act is outdated. The Industries (Development and Regulation) Act, 1951 does not give any power to the Government for the liabilities on other industrial group or to take over

the mills permanently. Only for a limited period you can take over. Therefore, I suggest that the Act should be modified to suit the needs.

Finally, Mr. Salve spoke about the Empress Mills, where 7,000 workers are employed. It is closed for the last three months. It is a Tata industry and the tragedy of the situation is that Rattan Tata is made (he chairman of the committee appointed by the Government to give advice on the question of improvement of the working of public sector undertakings. How can the man who is mismanaging his mills give advice to the Government? There is an Empress Mills Bachao Committee formed by all workers and Opposition parties which is urging the Government to take over this mill immediately. I am glad to inform the House that news has appeared in today's *Indian Express* that the Maharashtra Government has taken a decision in principle. It says—

"The first industrial venture of the Tatas, the Empress Mills in Nagpur with 7000 employees on its payroll and under lockout for the past three months due to 'financial losses' is being taken over by the Maharashtra Government.

A decision in principle to take over the unit, the biggest textile mill in Vidarbha region, was taken by the Cabinet at its meeting here on Monday.

The Government was ready to take over the mill in the interests of the workers but on 'some conditions' the State Labour Minister, Mr. Bhagwantrao Gaikwad, pointed out. The formal consent of the Centre would soon be sought."

I therefore request the Government to take immediate steps to give consent to Maharashtra Government for taking over those mills so that the mills can start working immediately and the workers are not affected.

MR. DEPUTY CHAIRMAN: Mr. g. P. Malaviya.

SHRI R. RAMAKRISHNAN (Tamil Nadu): Mr. Deputy Chairman, I understand there is no lunch today. Am I correct?

MR. DEPUTY CHAIRMAN: Yes.

SHRI R. RAMAKRISHNAN: But by whom was it decided? I don't mind, I am prepared to sit here with out lunch. But this should have been informed to the House. I can understand the anxiety of the Minister of Parliamentary Affairs to pass all the legislation today and I am sure the entire House will cooperate. But then the legislations should not be rushed through. You must give adequate time to Members to make their points.

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI SITARAM KESRI): No, no, it is not going to be rushed.

SHRI R. RAMAKRISHNAN: If the Parliamentary Affairs Minister gives that assurance that it will not be rushed, then I am happy.

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश): मान्यवर, 14 अप्रैल, 1978 को इस सदन में जो आश्वासन दिया गया था उस आश्वासन को इस विधेयक के जरिए आज साबित किया गया है। इसलिए इन 6 कंपनियों, जो कि इस मल्ल को हैं इनके राष्ट्रीयकरण का मैं समर्थन करता हूँ और इस मल्लसिले में केवल तीन वाक्य जो तत्कालीन उद्योग मंत्री जी के हैं उनका उद्धरण करना चाहूँगा क्योंकि उसी से जो आश्वासन दिया था उसकी पूर्ति होती है। 14 अप्रैल, 1978 को राज्य सभा में तत्कालीन उद्योग मंत्री ने कहा था :

"The intention behind... the... take over to afford a clean and efficient management of these mills in public interest. I may assure the House that the mills will not be

handed over back to the erstwhile management."*

तो मुझे आज प्रश्न होता है कि जो आश्वासन दिया गया था उसकी पूर्ति को गई है और मिश्रित रूप में विधेयक में जो प्रावधान है उसका मैं समर्थन करता हूँ केवल इस निवेदन के साथ और जो अभी सुनने प्रसंग जो ने सुझाव दिया है कि इस मल्ल के जो मल्ल हैं इन्हें जो मल्ल दिया जाए वह केवल नाम मल्ल के लिए एक काले का दिया जाए, क्योंकि इन लोगों ने बाबर मल्लों का शोषण किया है। थोड़ा सा धन लगा करके अपना अमदन और सम्पत्ति का विस्तार किया है। मल्ल हैं मल्ल इस बात का भी सुझाव होना चाहिए और आश्वासन हाँ कहिए कि मल्लों का जो बताया गया है और जो लेबर बैलफोर फंड का काला है वह सुरक्षित रहे और सभी मल्लों को मलेगा एक बात और जानना चाहूँगा कि ये 6 युनिट्स जा हैं इसमें कुल दितने मल्ल हैं और उनके जो भविष्य का सेवक है उनका सुझाव के लिए सरकार को और से क्या प्रावधान दिए जा रहे हैं ?

SHRI KHURSHID ALAM KHAN: Mr. Deputy Chairman, at the outset I would like to express my gratitude to all sections of the House because this Bill has been acclaimed by all and I find everybody has appreciated the Government's move to nationalise the six units. Besides, I would also like to assure the honourable Members who have taken part in the debate that whatever valuable suggestions they have made, Government will certainly look into those suggestions, and as and when possible, we would certainly take into consideration all those valuable suggestions, and try to benefit from them.

At the outset I would certainly like to explain that the dimensions of the textile industry are so vast that it would not be possible surely for any Government to nationalise the

entire textile industry of the country. Therefore, in the paper on Textile Policy it has been made very clear that the Government will help all such sick mills by a rehabilitation package which are considered by the nodal agency which is a special agency to look into and examine the viability and if the viability is considered possible, then the rehabilitation package will be provided. And by means of the rehabilitation package, it would be ensured that the health of the unit is restored. But, unfortunately, if it is established by the nodal agency that it is not possible—even with the help of the rehabilitation package to restore the health of the sick unit, then there will be no option but to allow that mill to be closed down. It is not possible for the NTC to take over all the sick mills because the NTC has already taken over 125 mills and it is a social responsibility which we are carrying on. And naturally every possible effort is being made to ensure that the working of these mills should improve. And I will be glad to hear from the hon. Members. Whenever they have any particular suggestions, kindly write to me. We will certainly look into the suggestions and do everything possible to implement them. Besides, if there is any specific charge against any officer or any worker or anybody, whatever may be the status of the person working in the NTC. I assure the hon. Members that if I get this sort of complaint with specific charges, I would certainly not only like that to be inquired into departmentally but if I feel that the matter is serious I would certainly hand that over to the CBI.

Sir, modernisation is the need of the hour. It is necessary, but unfortunately the main trouble with the industry has been that modernisation has not been done well in time and according to the requirement. And today the problem is that the organised sector comes to us and they

indicate that the total requirement for modernisation is of the order of Rs. 2800 crores. But it is very difficult at one time to provide this much of amount. This is the accumulated demand because it is a fact, as most of the hon. Members have mentioned, that modernisation has not been done and some of the owners have run their mills to destruction and that has resulted in the sickness of the mills. But now, as I said, in accordance with the textile policy it has been decided that there will be one nodal agency which will be headed by the Chairman, IDBI, the Textile Commissioner and 3 representatives of the State Government, which will examine all the mills of a particular State and then come to the conclusion which are the mills which can be made viable by the rehabilitation package and which are the mills which cannot be. They have started work. Already they completed examination of mills of Rajasthan and Gujarat and next they will be taking it up in Maharashtra. Besides that we have also set up a special monitoring cell in the office of the Textile Commissioner which will be computerised and this monitoring cell will watch the performance of these mills and at the first sign of sickness immediate action will be taken to see that this sickness is arrested and, if need be, a rehabilitation package will be prepared in order to ensure the sound health of the mill.

Now, Sir, quite a few hon. Members have stated that in the textile policy not much has been done about the handloom. I suppose that maximum has been done for handlooms this time.

SHRI R. MOHANARANGAM: By reducing the rebate to ----- (Interruptions).

SHRI KHURSHID ALAM KHAN: You give me a chance. I will reply to all your points. Sir, my

[Shri Khurshid Alam Khan] hon. friend—he is a very dear friend of mine—does not know that the rebate is not under the Textile Ministry which decides about it; rebate is somewhere else. In the first instance, I would like to say that when this rebate was given, it was stated that gradually rebate will be reduced. But even today, apart from reducing rebate to 30 days or 45 days, we give rebate for all the textile exhibitions which are also held in most of the cities, including the city of Madras. This will continue.

[The Vice-Chairman (Shri M. P. Kaushik in the Chair.)]

Apart from this, the controlled cloth which was also being produced by the N.T.C. is now being transferred to the handloom sector. (Interruptions). The handloom sector has really appreciated it. Almost 20 per cent handloom in the rural areas, in the distant villages, have not enough work for more than 3 months in a year. Now, they will get work for 9 months in a year. Our plan is that 700 million metres of controlled cloth will be transferred by the terminal year of the Seventh Five Year Plan.

Regarding workers, I think the impression that the fund is not being created for the workers is not correct. The fund is being created for the workers and it will soon be available. It is in the process of being created. Various matters about the textile policy are being implemented. I can assure you that the interest of workers in the units which are being nationalised will be safeguarded. I would also like to assure the hon. Members that the amount of Rs. 24 crores that has been shown as compensation is not going to the erstwhile owners of the mill. This amount of Rs. 24 crores and

another amount of Rs. 15 crores that we are making available will be available only for category 1, i.e. workers' dues both post-takeover and pre-takeover, Category 2, i.e. the liabilities of banks and financial institutions post-takeover and pre-takeover, Category 3, i.e. statutory dues of post-takeover and Category 4, i.e. other creditors post-takeover. The amount which is being shown as compensation is not going to the erstwhile owners or promoters. It is to safeguard the interests of the workers and to safeguard the interests of the financial institutions which have advanced money to them.

It has taken about 8 years to nationalise these mills. A lot of processing had to be done and it has been delayed no doubt. But I can assure you that this was not intentional. I must also say that the ordinance which was issued was issued only keeping in view the interests of the public because the last date for defreezing of the pre-takeover liabilities was expiring on 19th of April. Unfortunately, the Rajya Sabha was going to meet after two days. So, unless we had issued that ordinance, the defreezing would have become our liability. Now, it is not our responsibility.

SHRI SATYA PRAKASH MALAVIYA: The last date of the session was 20th March.

SHRI KHURSHID ALAM KHAN: The last date for defreezing was 19th of April. If the ordinance had not been issued before that date, then all these liabilities would have been our responsibility. We were trying to see that all possible efforts were made. Naturally, there was no intention to issue the ordinance just to bypass this hon. House or the other hon. House. We cannot think of that sort of thing; and we would never think of bypassing the Parliament. In any case, we have to come to the Parliament for passing the Act.

About powerloom also, I want to assure the hon. Members that we will ensure that the powerlooms which are producing more than 42 per cent of the total production of the fabrics in the country are not deprived of their legitimate due. But the only thing is that for the handloom, we have reserved 22 items. And we want that the handloom sector which is the weakest sector of the society and the weavers who are mostly below the poverty line, they should be able to come up above the poverty line. And, therefore, these 22 items have been reserved for them.

Sir, my friend, Mr. Dhabe has mentioned—some other hon. Member also mentioned—about the Empress Mill. I want to state that we did everything possible. I went twice to Bombay to discuss the matter about the Empress Mill with the Chief Minister, and the Tatas were also invited. And we provided a rehabilitation package and the State Government also promised that they will defer the payment of their statutory dues. But, unfortunately, it is a sad commentary that a house like the Tatas were not prepared to operate or continue to run this mill. But I can assure the hon. Members that I am again going to Bombay tomorrow to meet the Chief Minister, and we will give every possible assistance to the Chief Minister and to the State Government if they want to take over the mill and nationalise it.

SHRI S. W. DHABE: They require your consent.

SHRI KHURSHID ALAM KHAN: If they want to nationalise the mill, they do not need our consent. If any kind of consent is needed, I will personally go and give the consent there to the Chief Minister.

SHRI S. W. DHABE: What about the new textile mills?

SHRI KHURSHID ALAM KHAN: About the new textile mills, you

know there is a Licensing Committee. If there is any application, that application comes to the Licensing Committee. They will consider it in the light of the circumstances and the need and the requirement.

SHRI S. W. DHABE: There is no policy. There is a policy not to open new textile mills.

SHRI KHURSHID ALAM KHAN: I cannot indulge into this cross-firing, Sir.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): You don't listen to them. You continue your speech.

SHRI KHURSHID ALAM KHAN: Sir, some hon. Members mentioned about exports. I am glad to be able to say that the textile has shown an increase in exports. And our share in the total export of the country is 20 per cent. While all other exports of other items have been decreasing, export of our items has increased. And it has shown that about 15 per cent of our total production is exported in which the handloom, the powerloom and the organised sector, all are making contribution. And we are doing everything possible to provide more inducement and more encouragement to increase the exports.

Sir, on hon. Member mentioned about the Chairman-Cum-Managing Director. Sir, there are two opinions about it. Some people think that the part-time Chairman and the Managing Director is the ideal situation. And some feel that the ideal situation is that the Chairman-Cum-Managing Director should be one person because if there is a part-time Chairman, sometimes there is a difference of opinion. And if one person is there, the possibility of difference of opinion is not there. But there are no fast and rigid rules about it. Certainly, it depends on the individuals as to how they can adjust and how they can work.

[Shri Khurshid Alam Khan] Sir, my friend, Mr. Dhabe has also mentioned about the Industrial (Development and Regulation) Act that it is an old Act and that it should be revised. I entirely agree with him. But it has to be taken up with the appropriate authorities.

SHRI S. W. DHABE: You can recommend it.

SHRI KHURSHID ALAM KHAN: You have said it and I recommend it. Sir, about the textile policy, I would certainly like to mention that the Textile Policy has been in the interest of the nation, in the interest of the industry, and in the interest of the workers also. And I can assure the hon. Members that we are very honest in implementing all the provisions of the Textile Policy and we are in touch with the various sectors of the industry in order to know their views and in order to know their problems. And whatever problems come, we try to find solution to those problems.

With these few words, Sir, I would certainly like to...

SHRI JAGESH DESAI: What about my point of merging a sick unit with a healthy unit?

SHRI KHURSHID ALAM KHAN: There is no such law where you can merge a sick unit with a healthy unit. A sick unit is taken over under certain circumstances when either the workers' employment is threatened or when it is bankrupt or when it is threatening to close down. But in case of a non-sick unit or a unit which is running in profit, it will be difficult to apply these kinds of rules and take over that unit.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): You can say a few words about Mr. S. P. Malaviya's Resolution also.

SHRI KHURSHID ALAM KHAN: I have already explained that this

Ordinance we had actually issued because on the 19th April the liabilities were going to be defroze and that would have meant an additional liability to us, which actually should go to the previous owner, and, therefore, we tried to have this Ordinance, but there was no intention, I may assure the hon. Members, of bypassing either this House or the other House.

With these few words I would once again like to thank the hon. Members who have participated in the debate.

SHRI CHIMANBHAI MEHTA: Sir, recently the Minister has appointed an expert committee to look into the affairs of the NTC but there is no working class member in that experts committee. Why are they excluded?

SHRI KHURSHID ALAM KHAN: Sir, the committee that was constituted, had the benefit of the views of a prominent labour leader from Gujarat and similarly advantage of the advice of a labour leader of Maharashtra was taken.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): Mr. Malaviya, do you withdraw the Resolution?

SHRI S.W. DHABE: Why should he withdraw.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): All right, I shall first put the Resolution moved by Shri S.P. Malaviya to vote. The question is:

"That this House disapproves of the Swadeshi Cotton Mills Company Limited (Acquisition and Transfer of Undertakings) Ordinance, 1986 (No.5 of 1986) promulgated by the President on the 19th April, 1986."

The motion was negatived.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): I shall now put the

motion moved by the Minister to vote.
The question is:

"That the Bill to provide for the acquisition and transfer of certain textile undertakings of the Swadeshi Cotton Mills Company Limited, with a view to securing the proper management of such undertakings so as to subserve the interests of the general public by ensuring the continued manufacture, production and distribution of different varieties of cloth and yarn and thereby to give effect to the policy of the State towards securing the principles specified in clause (b) and (c) of article 39 of the Constitution 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 (SHRI MP. KAUSHIK): We shall now take up clause by clause consideration of the Bill.

Clauses 2 to 33 and the Schedule were added to the Bill.

Clause 1, the Enacting Formula, the Preamble and the title were added to the Bill.

SHRI KHURSHID ALAM KHAN-Sir, I move that the Bill be passed.

The question was put and the motion was adopted.

THE ENVIRONMENT (PROTECTION) BILL, 1986

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI Z. R. ANSARI): Mr. Vice-Chairman, Sir, I beg to move;

"That the Bill to provide for the protection and improvement of environment and for matters connected therewith, as passed by the Lok Sabha, be taken into consideration."

Sir, this Bill was considered by the Lok Sabha on the 8th May, 1986 and was also passed on the same day. I

need hardly emphasise the importance of this Bill of protection of environment. We face serious environmental problems and the health and integrity of our natural resources are in danger. Environmental pollution caused by unplanned discharge of wastes and residues and improper handling of toxic chemicals or other hazardous substances has serious implication for the health and well-being of our population. The Bhopal gas tragedy has prominently brought home the dangers to human safety, health and environment, which can arise from industrial accidents. There have been other gas leakages, on a smaller scale, before and after the Bhopal gas tragedy.

Hon. Members have been continuously expressing concern over these episodes and emphasising the need for taking adequate safeguards for prevention and containment of such accidents. The need for effectively controlling environmental pollution has also been emphasised time and again in the House.

Government fully shares the concern of the hon. Members and has been examining how best to strengthen the legal framework and the regulatory agencies for this purpose. Efforts are also underway to promote safety at all stages, levels and operations, especially in hazardous industries, where accidents can endanger not only the workers within factory premises but also the surrounding inhabitants and environment. Besides, it is also necessary to keep in view the more long term ecological and environmental imperatives. The hon. Members will recall that I had made a statement on 3rd December, 1985 in Parliament that legislative measures for environment protection would be strengthened. The present proposal is an important step in that direction.

I would like to highlight briefly the main aspects of the proposed Bill. The proposed Bill seeks to legislate in an area which involves complex scientific, technical and organisational issues. The Bill is general in scope and