

[श्री शिवचन्द्र झा]

आप फैसला ही नहीं करेंगे तो बीमारी तो बढ़ेगी ही। अच्छे काम करने का फैसला आप करते ही नहीं। जब से सेशन शुरू हुआ एक ही काम अच्छा हुआ कि जूट कम्पनी का राष्ट्रीयकरण हुआ और जितने विधेयक आये सब गलत विधेयक आये। फिर वही भीसा लाने की तैयारी हो रही है। वहीं इमरजेंसी की तैयारी हो रही है। सब वहीं काम हो रहे हैं। आप गलत फैसला करते हैं, गलत काम के लिये फैसला करते हैं अच्छा काम करने का फैसला करते ही नहीं। जैसे कहावत है कि जहां चाहा वहां रहा। बिहार में अटॉमिक प्लांट बने, यह बिहार की जनता चाहती है। यह उसकी आवाज है। बिहार में भी दौलत है। जिस समय आप इसका फैसला करेंगे तो उस वक्त बिहार से आपको दौलत मिलेगी। मैनपावर को एक्सप्लॉइट मत कीजिये। यहां नौजवान मारे-मारे फिरते हैं। पंडित जवाहरलाल नेहरू 'डिस्कवरी आफ इंडिया' है। इस पर माथापच्ची करते हैं। मैं पूछना चाहता हूं कि क्या बजह है कि भारत पीछे हो गया है। हर पहलू में हम आगे हैं ज्ञान, स्टडी में हम आगे हैं लेकिन आखिर हम पीछे क्यों रह गये। उनकी खोज में एक खोज यह भी है कि हर क्षेत्र में हम पीछे रहे हैं एक दो-बातों को छोड़ कर जिस तरह से दुनिया के मुल्क बढ़ रहे हैं हमें भी उसी तरह से आगे बढ़ना चाहिये। इसमें भी आपको मदद मिलेगी, चाहे इंडियन ओशियन में आइजनावर का शिप आये या और कुछ आये। आप को सब सफलता मिल सकती है। इस के साथ मैं अपना विधेयक पेश करता हूं। मंत्री जी से कहूंगा कि वह अगली बार प्रधान मंत्री जी को लायें उनसे बात कर लेंगे। कुछ बातें जो मैंने नहीं कही वह उनके सामने कहूंगा। आप लोग सुनते नहीं हैं इसलिये कहने से कोई फायदा नहीं। इन शब्दों

के साथ मैं चाहता हूं कि विधेयक पर चर्चा शुरू हो।

*The question was proposed,*

THE VICE-CHAIRMAN (SHRI BISHAMBHAR NATH PANDE): Is there any other speaker? So the consideration of the Motion is postponed. Now we shall take up Half-an-Rvar Discussion.

5 P.M.

#### HAUF-AN-HOUR DISCUSSION ON POINTS ARISING OUT OF ANSWER GIVEN ON 1ST DECEMBER, 1980 TO STARRED QUESTION 186 REGARDING COST AUDIT REPORTS

SHRI KALYAN ROY (West Bengal): Sir, we are taking up one of the most important issues after a long time. The country is plagued by big prices, scarcity of commodities, under-utilisation of capacities and high profitability. As a matter of fact, the socio-economic structure today is on the verge of disintegration because of the super-profits of a few companies. This discussion arises out of Starred Question No. 186 on the 1st December, 1980 when the Minister stated, in relation to cost audit done by the Ministry of Company Affairs:—

"Modalities of the precise manner in which some part of the information contained in the cost audit reports can be made available publicly are under discussion."

He stated:—

"...information which may act prejudicially against any company's interest is not made public."

Then he stated:—

"It is hoped to arrive at a conclusion on the issue in the near future".

Sir, I think the Minister as well as the Minister who was replying originally during the Janata regime was neither honest nor fair nor took the country into confidence which he might have done in order, to put up a joint united 'battle for utilisation of capacities for a joint united effort to reduce profits and to make commodities available to the ordinary man' at a cheap price.

The whole question of cost audit by the Ministry of Company Affairs arose after the famous Mundhra affair which revealed fantastic dimension of fraud, dishonesty, financial scandals and high profitability in the corporate sector. The Bill was taken up on 24th December, 1964 in this very House by Mr. Bhagat, and I have to quote one or two paragraphs. Mr. Bhagat, piloting the Bill, stated:—

"Honourable Members are aware that some years back Government had appointed a Commission known as the Vivian Bose Inquiry Commission to inquire into the affairs of certain companies. The recommendations and observations of the said Commission were further examined by a Committee known as the Daphtary-Shastri Committee consisting of eminent jurists with a view to suggesting to the Government the necessity of further amending the provisions of the Companies Act.

While incorporating these suggestions in the Amendment Bill, we have also availed of the opportunity to include certain other provisions in order to make the Companies Act more effective in dealing with cases of dishonesty and fraud in the corporate sector.

A lot of criticism has been made from time to time about the auditors and effectiveness of company audit. We have made certain proposals in the Bill which might make it possible to know more about the efficiency of the company. The object of the amendment is to make efficiency audit possible in respect of cases where cost audit is considered necessary by the Government. The

Vivian Bose Commission has pointed out that the investing public has lost heavily by contributing to the capital of the companies which indulged in dubious transactions not open to normal audit. Clause 22(b) is intended to enable the Government to issue suitable instructions to statutory auditors of companies. Clause 24 would enable Government to issue necessary directions for conducting cost audit of companies engaged in production, processing, manufacturing or mining activities. The clause is designed to find out the cost of production so that it will be possible for the companies *vis-avis* the investors to know the correct result of the working of their companies."

Then finally he stated also: "I may mention that there is no intention to refer to any technical secret in the audit report or to disclose any information which might impair the competitiveness of the companies". Then he stated—I quote from the debate

on the 24th December, 1964—"-----as proposed in the Bill are designed to promote greater efficiency of the corporate organisations and to ensure disclosure of more information about their activities to the shareholders, creditors, general public and the Government. It has often been criticised that such provisions will restrain the freedom of the people in using the company method of running the business. It is a matter of individual judgment; but I am sure hon. Members will agree that the history of liberty is the history of limitation of power, not the increase of it. Hence, it is desirable that freedom should be restrained, subject to good "behaviour and particularly more so when such behaviour has an important role to play in shaping the *economy* of the country."

This is how cost audit came in. This question, Sir, was raised again and again. As early as on the 12th of December, 1977, in reply to Q. No. 1040, what was stated by the then Minister of Company Affairs I quote: 'Analysis of cost audit Reports cover-

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ing 324 Companies over the last three years 1974-75 to 1976-77 relating to the 17 classes of companies subjected to cost audit revealed (i) ' Under-utilisation of capacity to the extent of 50% or more in respect of 68 companies in 1974-75, 114 in 1975-76 and 82 in 1976-77. (ii) High profitability in terms of gross return on capital employed in excess of 40% and above was observed in respect of 18 companies in 1974-75, 38 companies in 1975-76 and 30 companies in 1976-77." When the question was again put to him, he said, he could not give the

it's because it would affect the competitiveness of the units. The question was again taken up on the 28th November, 1977. Then he gave a little more information. The then Minister, Mr. Shanti Bhushan, stated six things. I would mention two. One, under utilisation of capacity in some cases and impact thereof on costs Two, high profitability in some cases. The question was again taken up on the 21st August, 1978. Then we got a little more information. Then the then Minister, Mr. Shanti Bhushan, stated again that it may impair the competitiveness of the companies, but, nevertheless, he stated as to how many classes of companies were subjected to audit and what did they reveal. What he stated was that 17 industries and units were audited for two things; under-utilisation of capacity and high profitability. And you will be surprised to know that the industries and the units which were audited were: cement; cycles; rubber tyres and tubes; caustic soda; air conditioners refrigerators; automotive batteries; electric lamps; electric fans; electric motors; motor vehicles; tractor; aluminium; vanaspathi; bulk drugs; sugar and infant milk foods. And these are the things which are used by the working classes, ordinary clerks, men who earn less than 500 a month. What about sugar,

Milk milk food, cement for construction, caustic soda which is used by more than 2 million dhobis? And in

industries there are units which show under-utilisation, as the Minister admits, and also they show high profitability. There is under-utilisation and massive unemployment. But they do not care to utilise the installed capacity because if they can have high profitability by under-utilisation, they say, "Why should we utilise the full capacity? If we utilise the full capacity, there will be lowering of the profitability. So, let there be under-utilisation. If there is any trouble, we will force the Government to import." So, the relation between the under-utilisation and the high profitability is clearly revealed in this reply.

Then came the question of the 17th August, 1978, and there the trouble started. The question was replied by Mr. Fernandes. He also tried to take shelter behind the so-called 1 obsolete, discarded, baseless excuse, behind the competitiveness. That led to a walk-out by the entire Opposition including the Congress (C), the CPI(M) and everybody else. As a matter of fact, Sir, the House should know that the debate was originally demanded on the 22nd of August, 1978 by no less a person than the Cabinet Minister of Parliamentary Affairs today, Mr. Bhishma Narain Singh. He said that that refusal to disclose even the names of the companies which were earning high profits was a stab on the back of the people. He demanded a discussion.

We are not demanding any technical things, technical information. We are asking, "Which are the companies which, under this grim, serious economic crisis, are making super profits, high profits and deliberately under-utilising the capacity." You do not believe in their audit. That is why the Company Affairs Ministry has set up this audit business. They are going on taking the trouble. They go from company to company for that. This is the Information which has not been revealed. All they tell us is that the report has been given to the Ministry of Industry. What do I care

if it is given to the Ministry of Industry or the Ministry of Finance? The bureaucracy is the same. You have more faith in the bureaucrats about whose conduct, about whose behaviour, about whom, how they behave, how they make money, how the CBI is investigating into the affairs of a large number of bureaucrats, we know very well. Bureaucrats can know. They can suppress the whole offence. They can come to a secret understanding with these companies to hush up their affairs. But Parliament will not be allowed to know! Are we members of the Chambers of Commerce and Industry. Are we members of the FICCI?

Information can be denied definitely, Mr. Shiv Shankar, if it is not in the public interest. But information cannot be denied to protect the 75 monopolists who are making super profits today, who are producing soda, medical food, medical drugs, infant milk, cement, paper. Anything you touch is in the hands of the monopolists who are getting concessions from you, getting soft loans from you, getting credit from the public financial institutions on the ground that they are not making profit. And you are forced to import. On the other hand, your own reports say that company after company is making super profits and under-utilising its capacity. Is it not a shame? Is it not a scandal that Parliament is there to protect the interests of the people making super profits. Have you come to this? They might say, "The whole Parliament is an extension of the Associated Chamber of Commerce or Parliament is nothing but a subsidiary body of the FICCI." What are you facing today? Is it not scandalous? If it is not in the public interest, do not reveal it.

Today, Sir, you have seen that when Mr. Narasimha Rao, the Minister of Foreign Affairs, said that it was not in the public interest to discuss about Bangla Desh, we did not even ask the second question. What is happening in Pakistan, the atomic explosion, the

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arms purchases, definitely are not in the public interest to be revealed. It is not that the Government should reveal everything. No. But here you are plagued, we are plagued with these things. The ordinary man is not able to buy a kilo of sugar even once a month. The ordinary man is not able to build a one-storey house. The building of quarters in the mining area has been stopped because cement is not available. Students are not able to study because paper is not available. Yet, these very units are making super profits, according to you, and you deny Parliament the information that these are the units which are making super profits. I do not ask you *JOT* information of a technical nature, what type of papers Titagur Paper Mills are producing or how the Birla rayon is different from the Mafatlal rayon. I am only asking you whether these units are making super profits and if so, which are the units. And Mr. Bhagat, while piloting the Bill, said that the ordinary people, the investors, the workers and others must know what is happening. But you are misinterpreting the whole thing in a way to protect the interests of the business magnates who are holding the country to ransom.

Sir, we waited patiently. Very patiently we waited. And the questions were repeated again and again. On the 22nd March, 1979, the Minister of Industry and later also of Company Affairs stated:

"However, in deference to the wish of the Members of the House....."

There was a walk-out by all the parties excepting the ruling party.

"However, in deference to the wish of the Members during the debate on a similar Starred Question No. 665 answered on the 17th August, 1978, the question of confidential nature of cost audit reports is being examined and a decision on the extent to which the contents

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of the cost audit reports could be revealed is likely to be taken shortly."

That was on the 22nd March, 1979. Sir, we should not be blamed for impatience or for being in a hurry. We asked questions again and again. On the 16th June, 1980, the question was answered as follows;

"It is under inter-departmental consultation. A decision will be taken shortly."

Again on the 23rd June, 1980, the same reply was given. On the 11th August, 1980, Mr. Shiv Shankar rep lied:

"It is under inter-departmental consultation at a very high level."

Again, Sir, on December 1, the same reply was given. I do not blame Mr. Shiv Shankar. I would only plead with him: what is the impression that we get? What is the impression that it is in collusion with must get? And what sort of conclusion I am forced to come to, which I might not like? Will not this be the impression that it is in collusion with them that they are refusing even to disclose this information? What will be the conclusion? Sir, I know you were one of those who walked out that day. I am only pleading with Mr. Shiv Shankar that he is giving ammunition to those multi-nationals and their agencies to attack us. On the one hand, they are making super profits and under-utilising capacity and, on the other, they will utilise your goodness to suppress these facts. I do not want to know anything of a technical nature. The country is not interested in knowing anything of a technical nature. The country is interested to know that the Company Affairs Department will see that what happened in the Mundhra case will not be repeated again. That is why Mr. Bhagat said that cost audit by Government should be done and information should be given to the

people. Only he said—there was no assurance—"I do not intend to give information of a technical nature or about competitiveness." This it now it was twisted by corrupt bureaucrats to bring the economy to the brink of disaster, in collusion with the employers, in collusion with the 75 monopoly houses and the multi-nationals. They deny us the information. But they can have it. Secretary of the Ministry of Industry can have it; Secretary of the Ministry of Company Affairs can have it, but not Members of Parliament. We have to answer the questions of the ordinary people who stand from morning till evening for one litre of petrol, for one kilo of sugar. We will have to answer them, these Secretaries do not have to answer them. They can have dinners at the Calcutta Club or the Bengal Club or in one of the clubs of Ashoka, eating tandoor. Everybody knows it. Therefore, we all plead with the Government, please give us the information; don't give us the technical part of it. Only give us what the super profit part of it is. You say, a reasonable profit. Then, don't give us the information. But you yourself said they—the Soda ash bosses were making super profits; you yourself said four companies are making super profits, the Birlas, the Tatas. They were discussed here last year. Their houses were raided and it was found they had concealed black money to the extent of Rs. 25 crores. You have Birlas' houses raided, you have Dalmias houses raided, you have Tatas' houses raided, and cases are going on, as per the reply given by Mr. Venkataraman the Finance Minister. But I won't be allowed to know. Three hundred Members of Rajya Sabha and six hundred Members of Lok Sabha would not be allowed to know the information, the full facts. What kind of a Parliament is this? I thought Parliament is sovereign, that Parliament is supreme. And you have been saying it yourself, Parliament is supreme, Judiciary should not create obstacles for Parliament because we are responsible to the

people for implementing the Directive Principles. I agree with you entirely. But is this the way you yourself function? This is what the Minister said in his reply—I quote—"But the House demanded and in view of the demand of the Members of Parliament, Government is examining the issue and it will be done shortly." What is the conception of your shortness? I do not know. What is "shortly" in your view, we do not know. So I demand that without disclosing—I concede to that extent—the technical nature of the thing, the collaboration, the forms, etc. you should tell us, the country demands it, justice demands it, if you want not to be accused as collaborators of super-profiteers, give us the information. Any further delay will be misunderstood, any further delay will create tension which is already there. As I told you, the whole socio-economic fabric will be disintegration. You are not unwilling; please come out with the information. Don't be protectors of unscrupulous business magnates, their shady transactions and their high profitability and their unutilised capacity. Please show some respect to the sovereignty of Parliament which I know you want to show. Let us have the information. What are the units which are making super profits and which have unutilised capacity? Denial of this information will be denial of justice.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHIV SHANKAR). Sir, the Half-an-Hour Discussion has been generated on the basis of the notice which refers to the prices of certain commodities, namely, soda ash, textiles, cement, infant milk food, and the basis for the high price has been attributed to the high profitability, on the basis of cost audit report which has been made available to the Ministry of Company Affairs. The second ground for the debate was that the high prices have been attributed to the deliberate under-utilisation of the capacities for making super profit in I

these industries. And lastly, the ground which I do not say would be called wholly baseless, having regard to the history that has been narrated; by my friend, namely, notwithstanding the fact that the reports are in the possession of the Department of Company Affairs, they are sought to be protected and the information is not divulged. I can assure the hon. Member that I share his anguish and anxiety in this regard. I did not—to be frank—know the intensity of the problem till he raised this issue and I have been working out in my mind as to how best this matter could be solved. It is not of my intention that this House should be deprived of the information, which it is entitled to legitimately. I thought that the hon. Member was fair enough in suggesting that certain technical aspects which may affect the secret technical working of the industry need not be divulged. But what about the other aspects or matters which do not fall within the arena or ambit of the technical secrets and other matters which affect the industry itself. I am aware that my friend has reeled off facts and figures. Maybe he has been putting these questions for quite a long time. I am also aware that way back in March, 1979, my predecessor did adopt an approach that this matter would be decided shortly. I only regret that it has taken a little more time than it is absolutely necessary to come to some conclusion. On a careful consideration of this aspect, I do not find any difficulty in furnishing the information regarding those industrial concerns which have undergone cost audit with reference to the subjects such as the financial position of the undertakings. I am giving an indication item by item so that the matter could be cleared up and the records should also be set straight. I propose to give the information firstly on the financial position of the undertaking as a whole, secondly, the capacity and the production of each item which has been subjected to cost audit; thirdly the presence of high percentage of slow-moving inventories, if

[Shri Shiv Shankar]

there are any, which broadly would include stores and spares. I would also not mind giving the abnormal and non-recurring cost and the overheads and certain of the observations and conclusions of the auditors which would not undermine the technical competitive aspect of the company itself,

I thought that this broad-based outline is absolutely necessary because after all if the hon. Members of Parliament would like to know the results of cost audit with reference to certain areas or items which do not affect intrinsically the industrial techniques there should be no hesitation on the part of the administration to come forth with that part of the information. While I really regret that quite some time has been taken by the Government in coming to this conclusion, it may be that more care has been taken that is necessary for shifting all the aspects of the matter. But with regard to the items that I have broadly given out to this House, the Company Affairs Department would not shirk giving any information whenever it is demanded on these aspects,

Now, Sir there is yet another aspect which I must make clear and that is with reference to the items that have been referred to in the Half-an Hour Discussion raised by my friend, namely, items like soda ash, textiles, cement, infant milk foods, etc. and the question is whether the high prices are due to high profitability as indicated by the cost audit reports. I do not know whether my friend would like me to go into the minute details of those items. But I have gone through it a little more carefully after this question was raised and the cost audit has indicated, by and large, under-utilisation of capacity only in some of the companies audited and not in all. They have given the reasons for under-utilisation. Various reasons have been given for the various types

of industries dealing with different items. They feel that the reason, with regard to infant milk food, is the scarcity of milk due to drought conditions. I am only saying what the cost audit has given because, let me assure the House, that I do not have much experience of business at all and, so I have assimilated what I can from the reports and you can say, based on bookish knowledge, and beyond that I can not say anything on the basis of my experience whatsoever which I would not like to unnecessarily assume to exist.

The reason in the case of cement has been given as power cut, And, Sir, then....

THE VICE-CHAIRMAN (SHRI BISHAMBHAR NATH PANDE): Soda ash and paper.

SHRI SHIV SHANKAR: The next item is textiles. Yes, textiles. With regard to textiles, Sir, it has been stated—in fact Sir, I must say that I have also tried to get the information from the different Ministries so that I can furnish it to the House, and have not merely relied on the cost audit reports it has been brought to my notice that within 3J years in the past, there is an increase in the wholesale price of the textiles to the extent of 22 per cent. But this increase, as compared to the overall increase of prices of all commodities to the extent of 35.6 per cent, is less and this has been attributed to various factors, namely, increase in the wages, increase in the prices of chemicals; dyes, stores, power tariffs, etc. And Sir, while the profit of all companies as a percentage of the total net assets, as per the analysis of the Reserve Bank of India, comes to 11 per cent for 1977-78, it is only 8.8 per cent so far as the textile industry is concerned.

SHRI LADLI MOHAN NIGAM (Madhya Pradesh) Profitability?

SHRI KALYAN ROY: May I disturb you for one minute?

SHRI, SHIV SHANKAR: I am saying this on the basis of the Reserve Bank of India's analysis of Company Balance Sheets for 1977-78.

SHRI KALYAN ROY: That has been answered by the Commerce Minister; that you are quoting. We know it.

SHRI SHIV SHANKAR: As I said, two aspects I have taken cognizance of. One is based .....

SHRI KALYAN ROY: This percentage of profit is in relation to today's paid-up capital, which is only 10 per cent; 90 per cent is bonus shares. It will come to 500 per cent if you exclude the bonus shares. (*Interruptions*).

SHRI SHIV SHANKAR: These are the niceties, I agree. But what I am trying to say is that I am not only trying to furnish the information I have sifted, but I am also trying to give you information from the various Ministries which I have received with reference to these products. The point that I am trying to make is that various reasons have been adduced by cost audit reports with reference to different companies; and the profitability of the units where under-utilisation has been noticed, has also been examined in the cost audit reports. I think that out of 324 units examined, under-utilisation of capacity as well as high profitability in relation to the capital employed is noticed only in respect of 13 companies. If you would like to have the categories of these, I do not mind giving the same. The categories of that type of industries are: infant milk-food 1 company, Vanspati 1, Refrigerators 1, Aluminium 3, Bulk drugs 3 Electric fans 1, Air-conditioners 1, Electric motors 1, Tractors 1—Total 13. Now, actually, so far as the cost audit is concerned, it goes on record to say that even with reference to most companies, the high profitability was due to the other activities of the

companies that they have undertaken. Now, viewed in this context, I think we get back to square one. (*Interruptions*). I must be frank because, in the ultimate analysis, where we have been led by the cost audit reports even with reference to 13 companies is; that they refer to the other activities of these different companies for their high profitability. Particularly in respect of the companies which are manufacturing Soda Ash, I am aware of the anxiety and the anguish with which my friend has spoken. The cost audit reports for the year 1977-78 and 1978-79, to the extent they have been made available, show that there is no deliberate under-utilisation of the capacity. In fact, the capacity utilisation in one or two cases is more than 100 per cent and the units have also not made abnormal profits. This is what the reports reveal. I would not like to go on with reference to the other aspects. I am confident that with his information, coupled with the items that I have disclosed, there should be no difficulty to reveal the information in the area of these items.

SHRI KALYAN ROY: Names?

SHRI SHIV SHANKAR: I have given the items also to you. This should satisfy the House that the Government on their part are in no mood in any way of operating in a manner that the information should be concealed from the House.

Thank you very much.

श्री लाडली मोहन निगम : उपसभाध्यक्ष जी, मंत्री जी ने अब अपना वक्तव्य पढ़ा और ये सफाई दे रहे थे तो मुझे लग रहा था कि वह कण्ठ से बोल रहे हैं, हृदय से नहीं बोल रहे हैं क्योंकि ऐसा लग रहा था कि जो उनको महकमी सूचना दी गई है उसी के आधार पर वह कुछ कर रहे हैं। मन से वह हम लोगों के साथ हैं लेकिन इससे भी ज्यादा शर्मनाक और घातक चीज और क्या हो सकती है कि इस सम्मानित सदन में कम से कम ऐसे



[श्री लाडली मोहन निगम]

एक मसले को लेकर 17 मर्तबा तो इस पर सवालालत पूछे गये और हमेशा यह श्रैतान की आंख की तरह मामला बढ़ता चला गया।

मैं एक बात आपको और बता दूँ कि जिन कम्पनियों का आपने जिक्र किया है, आपके विभाग ने ही 21 अगस्त, 1978 में खुद करीब 17 कम्पनियों का नाम लिया जिन्होंने बहुत ज्यादा मुनाफाखोरी की है और उनमें से सिर्फ चार का, दो तीन और जोड़ दें तो 6-7 की आप बात करते हैं। लेकिन मैं आपसे कहना चाहता हूँ कि जो हिन्दुस्तान के आम आदमी में जनजीवन को प्रभावित करने वाली वस्तुएँ हैं और जिनका जिक्र आपने इसमें किया है, आपने जो 33 कैटेगरीज़ अपने विभिन्न दस्तावेजों में, सवालों के उत्तर में बताई हैं, उनमें से जो जनजीवन को छूने वाली चीजें हैं उन पर कहीं कोई मामला नहीं बनता।

आप जानते हैं, उपसभाध्यक्ष महोदय, हम सब यहाँ आये हैं देश को सुन्दर और साफ बनाने के लिए। मतलब बिलकुल साफ है कि देश को जितना साफ-सुथरा बनायेंगे उतना ही अच्छा जनजीवन और समाज भी बन सकता है। लेकिन आप सोचिये कि समाज की गन्दगी साफ करने वाला जो आदमी है, धोबी कहिये, उसको ही सबसे ज्यादा बोझा इसका उठाना पड़ता है और केवल चार कम्पनियों ने सारे सोडा ऐश के माल पर, सारे देश की पैदावार पर कब्जा कर रखा है। जब चाहते हैं वह जो चाहते हैं करते हैं। जो उनकी लाइसेंस कैपैसिटी है, जो उनकी प्रस्तावित क्षमता है उससे कमी कम बनावें, जब चाहें सरकार को नचायें। उन लोगों ने सोच रखा है, मैं क्या कहूँ देहात की भाषा में कहूँ तो अभी हालत हो गई है...

(Interruptions)

संसदीय कार्य विभाग में राज्य मंत्री (श्री सीताराम केसरी) : अपनी भाषा में कहिये, बिहार की भाषा में नहीं।

श्री लाडली मोहन निगम : तो अपनी भाषा में उसको कहते हैं—गरीब की जोरू सब की भीजाई। इस वक्त हालत यह हो गई है कि मनमाने दाम बढ़ाये गये।

श्रीमन्, आपको ताज्जुब होगा कि अभी तीन महीने में दो हजार रुपये टन का दाम बढ़ाया गया। कुछ मंत्रियों को इसका दर्द होगा, कुछ मंत्री इसकी झुलस नहीं पाते होंगे क्योंकि उनके कपड़े सरकारी खर्च पर साफ होते हैं... (Interruptions)

श्री शिव शंकर : सरकारी धोबी नहीं होता।... (Interruptions)

श्री लाडली मोहन निगम : तो मैं कहना चाहता हूँ कि तीन चार बातों के लिए आपको अपना मन बनाना चाहिए। एक तो सवाल यह है कि आपने जो 33-34 कैटेगरीज़ बनाई हैं, क्या आप इस बात के लिए तैयार हैं कि उनमें से सीमेंट, कगज, बच्चों की खुराक वाला दूध और जो मध्यम व गरीब वर्ग को छूने वाली चीजें हैं जैसे बिजली के बल्ब, मै रैफ्रिजरेटर की बात नहीं कहता हूँ, इनके लिए आप अपना मन बनायेंगे? क्या कभी इतनी ईमानदारी वरतेंगे कि जब आपने 78 में जिन कम्पनियों को सूचित किया था और आज जितनी कम्पनियों की आप बात कर रहे हैं वे जो देश के सबसे गरीब आदमियों की चीजें बनाती हैं, जन-जीवन में उपयोग में आने वाली चीजें बनाती हैं देश के हित में उनके बेईमान और बदमाश लोगों को लाकर जनता के सामने खड़ा करेंगे जिन्होंने 20-25 वर्ष तक देश के जन-जीवन की उपयोगी वस्तुओं के साथ खिलवाड़ किया है।

आपने एक और बात बहुत खतरनाक कही है। मैं आपको बता देना चाहता हूँ आपने कहा, एक तर्क दिया है कि सूखे की वजह से दाम प्रभावित हुए। लेकिन यह मत भूलिये, कि यह नौकरशाही के दिमाग की उपज हो

सकती है। कल वह इससे भी खतरनाक तर्क दे देंगे। आज ही अखबारों में आपने पढ़ा होगा कि वैज्ञानिक ने हजारों साल के बरसात के आंकड़े निकाले हैं।

**श्री शिव शंकर :** मैंने कास्ट आडिट के बेस पर कहा है नौकरणाही के बेस पर नहीं।

**श्री लालो मोहन निगम :** सूखे की बात आपने कही है। आपने कहा है सूखा एक कारण है। मैं यह कहना चाहता हूँ कि कास्ट आडिट निकालने वाले लोग कल यह भी कह सकते हैं जैसा कि उस साइंटिस्ट ने घोषणा की है कि अगले साल बारिश नहीं होगी या बहुत कम होगी तब पता नहीं क्या होगा इन दामों का। मैं यह कहना चाहता हूँ कि जो तर्क दें उसको सोच समझ कर दें। जब कल बड़ा अकाल पड़ेगा तो उसका क्या होगा, खाद के दाम बढ़ेंगे, फर्टिलाइजर के दाम बढ़ेंगे। इसलिये मैं कहना चाहता हूँ कि आप यह साफ करें कि किस के नुमाइन्दे हैं। हिन्दुस्तान में जो तीन अनाज रोज कमाता है उसकी नुमाइन्दगी करते हैं या जो तीन लाख कमाता है उसकी नुमाइन्दगी करते हैं। पिछले लोग क्या कहा करते थे उसको छोड़िये। अगर आपको तीन अनाज वाले की नुमाइन्दगी करनी है तो आपको क्या हिचक होती है, क्यों नाम नहीं बताते। जो कम्पनी मुनाफाखोरी करती है उसका नाम क्यों नहीं बताते। आपने कपड़े की बात भी कही। कपड़े की बात के बारे में मैं कहना चाहता हूँ कि कास्ट आडिट की जो आप बात करते हैं वह प्राइस स्टेम्पिंग के आधार पर होती है। प्राइम स्टेम्पिंग का आधार क्या है। 3.40 पैसे की साधारण आदमी की इस्तेमाल की छोट जिसमें 15 पैसे एक्साइज ड्यूटी लगती है वह बाजार में 8.40 पैसे में आकर विकती है तो इस मुनाफे को आप क्या करेंगे। जो कास्ट आडिट करने की कोशिश करते हैं उसके हिसाब से आप देखें। जूट गरीब आदमी इस्तेमाल करता है, सरकार इस्तेमाल करती है। बोरों में सीमेंट

रखा जाता है, अनाज का भंडारा होता है चीनी भरने के काम में आते हैं, अनाज भरने के काम में आते हैं। ज्यादातर इनका इस्तेमाल देहात में होता है। मेरा कहना यह है कि तीन वर्ष से हम लोग आख-मिचौनी खेलते आ रहे हैं। आप भी कबड्डी की तरह जंगड़ी मार कर निकलने की कोशिश कर रहे हैं। यह अच्छा नहीं है। मैं अब से कहना चाहता हूँ कि आप इस कास्ट आडिट के मामले में मुनाफे के मामले में, मैं समझता हूँ आज ही आप कह देंगे अगर आज नहीं तो जल्दी ही जो जन-जीवन को छूने वाली चीजें हैं, जन-जीवन को प्रभावित करने वाली वस्तुएँ हैं जो कम्पनियों या कारखानों बनाती हैं उनके नाम व कारखानों को कम से कम लाल-किताब पर लाएं। आज आप जानते हैं कि हिन्दुस्तान का कोई भी करोड़पति अपने बाप-दादा की कमाई से नहीं बना। हमारे और आपके पैसे से बना है, सरकार के पैसे से बना है, गरीब के पैसे से बना है। सरकारी पैसा जो सोफ्ट लोन के नाम पर होता है वह सरकारी पैसा लेकर अपनी तिजोरी भरते हैं, अय्याशी करते हैं। उसको आप रोक सकते हैं। उन्हें आप पैसा देना बन्द कर दें। इस बास्ते मैंने आपसे कहा कि देश के हित में, मानवता के लिये, इन्सानियत के लिये जिनका जाप हम करते हैं, जिसके लिये हमने कसम खाई है उनके लिये व्यापक दृष्टि रखिये। कम से कम सदन में हमको हिन्दुस्तान के गरीब आदमी का हित ऊपर रखना चाहिए। इसलिए मैं आपसे कहता हूँ कि आप उन लोगों का नाम बताइये जो लोग मुनाफाखोरी करते हैं। उनका नाम बताने में आपको गुरेज नहीं करना चाहिए। अभी श्री कल्याण राय जी ने काफी बातें कही हैं। मैं उनको दोहराना नहीं चाहता हूँ। उन्होंने बहुत-सी बातें कही। मैं सिर्फ इतना ही कहना चाहता हूँ कि आप सिर्फ यह कर दें कि उन कम्पनियों के नाम इस देश की जनता को बता दें जो मुनाफाखोरी करते हैं ताकि लोगों को पता चल जाये कि ये कौन लोग हैं जो इस प्रकार के काम करते हैं और

[ श्री लाडली मोहन निगम ]

किस तरीके से उन्होंने इस देश की अर्थ-व्यवस्था पर कब्जा कर रखा है। मैं यह कहना चाहता हूँ कि आज हिन्दुस्तान का पूँजीवाद इज नॉथिंग, बट बुक किपिंग। खाते कैसे लगाये जाते हैं, कैसे लिखे जाते हैं, यही सब कुछ भारतीय पूँजीवाद में होता है। कास्ट एकाउंटिंग कैसे होता है यह भी वे लोग सब जानते हैं। जब तक आप पूँजीवाद को इन खातों की जादूगिरी से नहीं निकालेंगे तब तक इस देश में मुनाफाखोरी से नहीं बचा जा सकता है। कौन लोग हैं जो पाँच सितारों के हाटलों में रात के 2 बजे तक रहते हैं? ये वही लोग हैं जो मुनाफाखोरी करते हैं। हम यह नहीं जानते, लेकिन कहा जाता है कि कुछ मंत्री भी इन होटलों में जाते हैं।

SHRI KALYAN ROY: You cannot speak on his behalf.

श्री लाडली मोहन निगम : मैं नहीं जानता कि कौन मंत्री जाते हैं। लेकिन यह कहा जाता है कि कुछ मंत्रियों का नाश्ता भी इन्हीं होटलों से आता है। मैं सिर्फ यह कहना चाहता हूँ कि इस मुल्क में जो गरीब और अमीर के बीच में फर्क है उसको समाप्त करने के लिए आप क्या कर रहे हैं और जो लोग इस प्रकार से मुनाफाखोरी करते हैं उन पर अंकुश लगाने के लिये आप क्या कर रहे हैं, यह साफ तौर पर बताएं। इस मुल्क में उत्पादन मूल्य में और बिक्री मूल्य में जो अन्तर है और कारखानों में बनी हुई चीजों में और बाकी चीजों में जो अन्तर है उस अन्तर को दूर करने के लिए आप क्या कर रहे हैं? जब तक आप इस अन्तर को दूर नहीं करेंगे तब तक आपके कास्ट काउंटिंग से जिन लोगों को फायदा होता है उसको आप दूर नहीं कर सकते हैं। इसलिए अन्त में मैं सिर्फ इतना ही कहना चाहता हूँ कि आप कम से कम उन लोगों का नाम तो अवश्य बता दें जो इस प्रकार की मुनाफाखोरी कर रहे हैं।

श्री नरेश्वर प्रसाद शाही (उत्तर प्रदेश) :

श्रीमन्, मैं सिर्फ एक ही बात कहना चाहता हूँ। जिस समय यह सवाल सदन में आया था उस समय मैंने भी इसमें पार्टिसिपेट किया था। मंत्री जी ने आज भी वही जवाब दिया है जो उनके प्रेडीसेसर देते रहे हैं। प्रश्न यह है कि कास्ट ओडिटिंग को रिपोर्ट कंसिल करने के पीछे आपका जवाब यह है कि हमने इंटेरेस्ट आफ दी इंडस्ट्री को ध्यान में रखा है। लेकिन मैं यह जानना चाहता हूँ कि

You care for the interest of the industry or that individual industrialist?

देश का इंटेरेस्ट देखा होता और अगर आप इसमें समानता लाते तो हमारे देश की स्थिति दूसरी होती। लेकिन हमारे देश में स्थिति यह है कि इंडस्ट्रियलिस्ट के इंटेरेस्ट को पहले देखा जाता है और इंडस्ट्री का इंटेरेस्ट देखने का नाम लिया जाता है। दुर्भाग्यवश मुझे यह कहते हुए अफसोस होता है कि चाहे जो भी सरकार रही हो, आपकी सरकार या जनता पार्टी की सरकार, आप यह देखेंगे कि उन्होंने इंडस्ट्रियलिस्ट के इंटेरेस्ट को ही सर्वोपरि रखा है। आप इंडस्ट्रियलिस्ट के हित को ही ऊपर रखते रहे हैं जिससे वे लोग जालसाजी करके, फरेब करके मुनाफा कमाते रहे हैं। इसमें इंडस्ट्री का कोई हित नहीं होता है। अगर आपने इंडस्ट्री के हित को ऊपर रखा होता तो उन लोगों के नाम आसानी से डिसक्लोज किये जा सकते हैं जो इस प्रकार के तरीके अपनाते हैं। आप जानते हैं कि हमारे देश में ऐसे बहुत से इंडस्ट्रियलिस्ट्स हैं जो अपनी केपेसिटी से बहुत ज्यादा प्रोडक्शन करते हैं। दस साल पहले इस हाउस में एक सवाल उठा था कि मोहन मिकिन वाले अपनी केपेसिटी से दुगुने से भी ज्यादा शराब बनाते हैं। वह मामला कैबिनेट के सामने गया, लेकिन पता नहीं बद में किस तरह से हल अप कर दिया गया। हमारे देश में ऐसे बहुत से पूँजीपति हैं जो ग्रन्डर यूटिलाइजेशन और शौटज क्रिएट करके पैसा कमाते हैं और

ब्लैकमार्किटिंग करते हैं। अंडर युटिलाइजेशन और ओवर युटिलाइजेशन दोनों चीज इंडस्ट्रीज के हित में नहीं हैं बल्कि ये दोनों उस यूनिट के मालिक के हित में होती हैं। अब अगर आप उसे मालिक के हित को सर्वोपरि समझते हैं तो उस कास्ट आडिट रिपोर्ट को छापिये नहीं, जाहिर न करें और अगर इंडस्ट्रीज और देश हित को सर्वोपरि समझते हैं तो कोई बजह नहीं है कि कास्ट आडिट रिपोर्ट जाहिर न करें।

SHRI KALYAN ROY: How Will the money come for the elections?

SHRI SHIV SHANKAR: How do you get it?

SHRI KALYAN ROY: You know, that.

(Interruptions)

श्री नानेश्वर प्रसाद तल्लू: श्रीमन्, मंत्री जी ने कहा कि इंडस्ट्रीज में कम्पीटीशन होता है। उस कम्पीटीशन के ख्याल से भी उस पब्लिक यूनिट को नुकसान न पहुंचे इसलिये कास्ट आडिट रिपोर्ट को पब्लिश नहीं किया जाता है। हमारा ख्याल है कि कम्पीटीशन के अन्दर यह चीज नहीं आती। अगर कोई यूनिट नाजायज इनकम करके, नाजायज तरीका अव्वियार करके, कानून के खिलाफ ओवर प्रोडक्शन और अन्डर प्रोडक्शन करके कम्पीटीशन में आता है, तो उसमें देश का हित नहीं होता है, कंज्यूमर्स का हित नहीं होता है। मंत्री की हैसियत से, सरकार की हैसियत से, कंज्यूमर्स का हित आपके लिये सर्वोपरि होना चाहिए और अगर कंज्यूमर्स का हित उसमें नहीं है तो फिर उस इंडस्ट्री से क्या लाभ यह आप समझ सकते हैं। आडिटर्स के आब्जर्वेशन में अगर उस यूनिट की गलत प्रैक्टिस, इलीगल प्रैक्टिस, इर्रगुलर प्रैक्टिस का जिक्र है तो वह आब्जर्वेशन सामने आना चाहिए अदरवाइज आप नारा देते हैं कि स्मगलर्स और स्मगलिंग को बन्द करना, प्रोफिटियरिंग को बन्द करना, कैसे बन्द करेंगे यह मेरी समझ में नहीं आता है। एक तरफ

कुछ बहाना करके आप उसकी प्रोफिटियरिंग को छुपाते हैं और दूसरी तरफ आप प्रोफिटियरिंग बन्द करने की बात करते हैं। प्रोफिटियरिंग न हो इस इरादे से अगर आप प्रोफिटियरिंग बन्द करना चाहते हैं तो इसके लिये प्रोड्यूसर की प्रोफिटियरिंग आप बन्द नहीं करेंगे तो क्या रिटेल शॉप डीलर की प्रोफिटियरिंग बन्द करेंगे प्रोफिटियरिंग में एट सोर्स को जो करप्शन होता है उसको आप बन्द करने के लिये तैयार नहीं है, बन्द करना तो रहा दूर डिस्कलोज करने को तैयार नहीं हैं। तो ऐसी हालत में श्रीमन्, हमने इमरजेंसी के दौरान देखा था कि आटा और दाल बेचने वाले हजार, दो हजार दुकानदारों को बन्द कर दिया गया मीसा में परन्तु यहीं भरत राम के गोदाम में पांच हजार बोरे गेहूं इलीगल तौर पर पकड़े गये थे। पुलिस ने उनके ऊपर मीसा का वारन्ट जारी किया परन्तु हायस्ट अथॉरिटीज ने उसमें इन्टरवीन करके, क्योंकि मीसा के वारन्ट में बेल नहीं हो सकती थी, इसलिये उसको एसोसियल कामोडिटीज ऐक्ट में उसको परिवर्तित कराये, ताकि बेल हो जाये। ऐसा ही सभी का मामला है। तो आप ही दुराचार, भ्रष्टाचार, पापाचार और हर तरह के करप्शन को इस तरह के प्रोफिटियरिंग में आप ही इनकरेज कर रहे हैं और उसको कहा जायेगा इन दि इन्टेरेस्ट आफ इंडस्ट्री तो कैसे यह समाप्त होगा। इसलिये मैं मंत्री जी से निवेदन करूंगा कि वह कृपया अपने प्रेडीसेसर, क्योंकि उनके विचारों से हम अवगत हैं, उनकी लीक पर न चलें। एक लीक बनी हुई है क्या आप उसी लीक पर चलते जायेंगे? उस लीक को छोड़कर आप बाहर निकलिये और राष्ट्रीय हित में कुछ फैसले मजबूती के साथ कीजिये। कास्ट आडिट रिपोर्ट पब्लिक करने में आपको कोई हिचक नहीं होनी चाहिए, अगर सचमुच में आपके दिलो- 6 P.M. दिमाग में देश का हित है। इसमें आपने एक बात और कह दी। इंडस्ट्रीयल टेक्नीक को आप रिबील मत कीजिए। किसी ने भी मांग नहीं की कि इंडस्ट्रीयल टेक्नीक को आप

[श्री नागेश्वर प्रसाद शाही]

रिबील कीजिए। कोई नहीं चाहता है। यह सबमुच इंडस्ट्रीज के हित में नहीं होगा। आप उसको कानफिडेंशियल रखिये लेकिन इंडस्ट्रियलिस्ट्स के हित को इंडस्ट्रीज का हित कह कर देश को गुमराह करने की कोशिश मत कीजिए। धन्यवाद।

SHRI SHIV SHANKAR: Mr. Vice-Chairman, Sir, so far as the attitude of the Government is concerned, I have explained it in detail. The issue is with reference to revealing the information base, based on cost audit. Of course, as I said, perhaps we should not have delayed so much in taking a decision, as we have done, but personally I feel that the relevant information which does not affect the industry and its technicalities, that part of the information, should not be withheld from the nation and the House. Particularly, if it is a case where a particular industry is trying to create a problem *vis-a-vis* the common people, it is better that the matter is to be squarely faced by the nation itself. It is keeping in view this objective that I have given certain items. I do not say that they are wholly exhaustive. I would deem them as illustrative. It is possible that there may be some other items which may not have been categorised by me, but which will be within the parameters that I have laid down and if such information is sought, it is not only desirable, but absolutely

necessary that that information is disclosed.

SHRI KALYAN ROY: Unit-wise.

SHRI SHIV SHANKAR: That is why I have given the broad parameters. I think this aspect should allay the misgivings that some of the hon. Members had. And I do not like to commit more than what I have already stated, but I also feel I should, go on record that sometimes it becomes necessary, in the public interest, to disclose the information also so that the people at large should not be affected, or at least the concern of the industry should not take undue advantage of the situation. Many other aspects, which have been dealt with...

THE VICE-CHAIRMAN (SHRI BISHAMBHAR NATH PANDE): You have already answered.

SHRI SHIV SHANKAR: I would not like to repeat them. I thank the hon. Members who have participated in this discussion.

THE VICE-CHAIRMAN (SHRI BISHAMBHAR NATH PANDE): The House is now adjourned to meet again at 11.00 A.M. on Monday, the 15th December, 1980.

The House then adjourned at five minutes past six of the clock till eleven of the clock on Monday, the 15th December, 1980.