

serve the interests of the general public by ensuring the continued manufacture, production and distribution of bicycles and their component parts and accessories which are essential to the needs of the economy of the country and for matters connected therewith or incidental thereto, as passed by the Lok Sabha. be referred to a Select Committee of the Rajya Sabha consisting of the following members, namely:—

1. Shri Narasingha Prasad Nanda
2. Shri Biswa Goswami
3. Shri Harekrushna Mallick
4. Prof. Ramlal Parikh
5. Shri Kalraj Mishra
6. Shri Kukmdeo Narayan Yadav
7. Shri G. C Bhattacharya
8. Shri Ajit Kumar Sharma
9. Shri Kalyan Roy

10. Shri Shiva Chandra Jha with instructions to report by the first week of the next Session of the Rajya Sabha." The motion was negatived. THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): The question is:

"That the Bill to provide for the acquisition of the undertakings of Hind Cycles Limited, and Sen-Raleigh 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 bicycles and their component, parts and accessories which are essential to the needs of the economy of the country and for matter, connected therewith or incidental thereto, as passed by the Lok Sabha. be taken into consideration." *The motion was adopted.*

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): "We shall now take up clause by clause consideration of the Bill.

Clauses 2 to 33 were added to the Bill.

The First Schedule, the Second Schedule and the Third Schedule were added to the Bill.

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

SHRI CHARANJIT CHANANA: Sir, I move:

"That the Bill be passed."

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): We will now take up the next Bill.

**THE BIRD AND COMPANY LTD.
(ACQUISITION AND TRANSFER OF
UNDERTAKINGS AND OTHER
PROPERTIES) BILL, 1980.**

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Ashwani Kumar is not here to move his Resolution. The Minister.

THE MINISTER OF STATE IN THE
MINISTRY OF INDUSTRY (SHRI
CHARANJIT CHANANA): Sir, I move:

"That the Bill to provide for the acquisition and transfer of the undertakings of the Bird and Company Limited for the purpose of ensuring the continuity of production of goods which are vital to the needs of the country and for the acquisition of shares held by the Bird and Company Limited in the specified companies for the pur-

[Shri Charanjit Chanana] pose of securing to those undertakings the facilities and advantages derived by reasons of such shareholdings with respect to the operation and functioning of those undertakings and also to enable the Central Government to exercise such control over the affairs of the specified companies are not mismanaged and for matters connected therewith or incidental thereto, as passed by the Lok Sabha be taken into consideration."

The question was proposed.

SHE! NARASINGHA PRASAE NANDA (Orissa): Mr. Vice-Chairman, I welcome this measure. I must pay that this particular company namely, the Bird and Company Limited, played havoc with the economy of the places where it actually operated. From the First Schedule you will kindly notice that some of its important units were located in Orissa. May I tell you of the pain inflicted on the people of Orissa by exploiting the lime stone at Bisra by exploiting the precious mineral; through the Orissa Mineral Development Company Limited and also bamboo and other forest produce for a long time? Two things that we notice are that though it was earning lot of profit, it never tried to establish a single good industry in the State, and secondly, it tried to corrupt the entire political system in the State. We are still not free from that element of corruption introduced by the Bird and Company. I am not going to narrate them in detail as these are known to the Minister. But the point is that the Bird and Company you are now acquiring under the provisions of the Industries (Development and Regulation) Act. But the stage of nationalisation has not come. The point that I would like to impress upon the hon. Minister is that there was mismanagement, then was siphoning off of funds, there was no attempt to develop the industrial units—I am just describing all those

units and they are described in Schedule I—and, sir, after it was sucked dry completely, this thing was brought to the notice of the House through various means, debates, discussions, questions and through various other methods that a Member can adopt to bring it to the notice of the Government, and only after that it was decided to take over this. I only submit to the hon. Minister one thing. I am happy to note. Sir that the Minister, in his reply to the debate on the other Bill, has said that certain basic questions must be answered. Will you allow a unit to go sick? Is it your policy that only after a unit goes sick that you will take it over or you will try to evolve a system or evolve certain guidelines for preventing a unit from going sick whether it is in the private sector or in the public sector? What is the fun in allowing a unit to become sick, to become completely dry, and taking it over when its flesh and blood are gone and only the skeleton remains? You take over only when the skeleton remains. Substantial assets are taken away and you take over only the liabilities. Therefore, the basic thing to which the hon. Minister should direct his attention is the evolving of this system. I am happy to note that he is thinking on right lines. But I do not know how long this process will take and how long he will take to evolve that system, an in-built system which will prevent any industry from going sick. That is number one. Number two is this: Is it the policy of the Government that only when a unit becomes sick that it will take it over? Or, if such units are guilty of breach of law, any provision of the Industries (Development and Regulation) Act, or any provision of the Company Law, or if such units deliberately commit crimes against the law of the land, will these companies be brought to book? Either an automatic mechanism should be there which will immediately respond and take over the control and management of these companies as they are doing now in the case of the Bird and Company or they

will have to just wait till everything is sucked out and it becomes completely dry. In that case, they will only take over the liabilities of such companies. Is it the policy? This is » the major question, j would only request the hon. Minister not to hesitate on the point of workers' participation in management.

Sir, after all, we have accepted the principle of participation "by workers in the management as one of the basic principles in the Directive Principles of State Policy, and it has been included in the chapter on the Directive Principles of State Policy in our Constitution. There is a directive principle with regard to participation of workers in the management. If you do not implement that principle, which has been enshrined in the Constitution, in the public sector are taken over under certain economic compulsions, if you do not introduce that element in these units, then, I think, you are "doing an injustice to the Constitution and you are doing an injustice to your own commitment.

Then, Sir, I would submit my third point. The Bird and Company had completely mismanaged the affairs and the workers funds like the Provident Fund and the Welfare Fund ± have been misappropriated. They have misappropriated all those things. I would like to know from the hon. Minister what action has been taken against the previous management for this act of misappropriation. This is the third thing that I would like to know from the hon. Minister.

Sir, when the Government is taking over these units, the Government owes a responsibility for seeing to it that they become ideal units in the country. I hope the attention of the Minister will be directed towards that side so that the Company becomes an ideal unit to be followed by other units in the country. Thank you.

श्री इशानन्द सहाय (बिहार) : जहाँ तक इस कंपनी के राष्ट्रीयकरण का सवाल 1483—RS—5.

है श्रीमन्, यह सिद्धांततः तो अच्छी बात है चूंकि पैसा सरकार का है, लाइसेंस सरकार का है, पब्लिक माल खरीदती है, मजदूर अपने देश के हैं लेकिन यहाँ सरकार की नीयत का सवाल है। मैं इस का विरोध इसलिए कर रहा हूँ कि यह कानून जो बना है, कहने के लिए तो जन-हित में बन रहा है, लेकिन यह एक पार्टिकुलर हित में बनाया जा रहा है। एक व्यक्ति के हित में रख कर कानून बनाया जा रहा है। आज जो यह सरकार का कानून बन रहा है यह मकसदमग गूड आफ द मकसदमग नम्बर को ध्यान में रख कर नहीं, बल्कि एक व्यक्ति या एक परिवार को ध्यान में रख कर बनाया जा रहा है। यह अलोक-तांत्रिक है, अनैतिक है। चाहे माहति कंपनी को ही लीजिए, चाहे बर्ड कंपनी को ले लीजिए या हिन्द साइकिल को ले लीजिए, आज सारे भारतवर्ष की जनता में इमप्रेशन यह बन रहा है कि माहति कंपनी को लेकर एक परिवार को फायदा पहुंचाए। बर्ड कंपनी को लेकर कुछ खास व्यक्तियों को फायदा पहुंचा रहे हैं। यह हिन्द साइकिल लेकर बिड़ला परिवार या किसी और परिवार को फायदा पहुंच रहा है, इस तरह के आपके कार्यों से सरकार की नीयत पर जनता का विश्वास उठता जा रहा है। ऐसा नहीं कि यही सरकार यह काम कर रही है, पहले की सरकार में भी कुछ ऐसी बातें हुई थीं। जनता सरकार में भी एक व्यक्ति को ध्यान में रख कर कुछ कंपनियों को ले गई थीं, वहाँ कुछ हंगारे मंत्री या कर्मियों को नेशनल रेवेन्यू के माहिक से नफरत थी, या स्वदेशी मिल के माहिक से नफरत थी, तो उन कंपनियों को ले लिया गया। चाहे नफरत से लिया हो या किसी पूँजीपति परिवार को मदद करने की दृष्टि से लिया हो तब भी गिराने-बंद करने से जान पर लेकिन धीरे-धीरे सारे देश में यह इमप्रेशन बनता जा रहा है कि यह तो सरकारी पैसे, से कुछ खास व्यक्तियों को फायदा पहुंचाने के लिए किया जा रहा है। यह तो किस्मत कहिए, कल अगर 400 करोड़ ६० में भी

[श्री दयानन्द सहाय]

मारुति कंपनी को ले लिया जाता तो वह भी कानून पास हो सकता था। यह हालत ऐसी है कि आप धीरे-धीरे विश्वास खो रहे हैं और आप अलोकतांत्रिक लगते हैं। अंग्रेजी में कहावत है—
It is not sufficient that Caesar's wife should not only be honest but it is essential that she should also appear to be honest. आज सरकार जो कर रही है उसका टोटल इम्प्रेशन यही हो रहा है कि कांसालिडेटेड फंड आफ इंडिया, जो गरीबों का रूपया है, उसका आप दुरुपयोग कर रहे हैं। उसको आप अपनी खुशी से खास लोगों को बांट रहे हैं। आप कानून बनाए कि एक पार्टिकुलर टाइप की इंडस्ट्री को आपने ले लिया तो उस कंपनी की तरह जितनी कंपनियां हैं सबका राष्ट्रीयकरण किया। अगर आप ओटो-मोबाइल इंडस्ट्री को ले लेते हैं तो उसमें मारुति को भी ले लीजिए। आप का कानून सबके लिए बराबर होना चाहिए। आप का यह डिक्टेटोरियल एट्टीट्यूड माना जाएगा अगर एक व्यक्ति को ध्यान में रख कर कानून बनाएंगे। आप ऐसा कानून बनाए कि एक रोज में जितनी इंडस्ट्रीज आ रही हैं उन सब को एक साथ ले लीजिए, जैसे आप ने बैंक नेशनलाइज किए, कोल का नेशनलाइजेशन किया। जब कोई पूंजीपति एक विशेष कम्पनी के कंपीटल पूरी तरह बरबाद कर चुका होता है तो उसका बची-खुची नुकसान सरकार ले लेती है उसमें क्यों गरीबों का पंसा बर्बाद कर रहे हैं। क्यों नहीं आप टाटा इंडस्ट्रीज को ले लेते हैं? आप में अगर हिम्मत हो तो टाटा को नेशनलाइज कीजिए। देश के हित में।

इसलिए मैं सिद्धान्ततः इसका विरोध कर रहा हूँ। आपकी नियत देश हित में नहीं है। एक पार्टिकुलर व्यक्ति को हित में रख कर आप कानून बना रहे हैं।

SHRI KALYAN ROY (West Bengal): Sir, we have been watching the progressive march of Bird and Company from early 70's. I would not go to many back years or back questions regarding the Company, because the * Government, when they introduced the Bill, have made it very clear that the whole purpose is to nationalise because the top management of Bird and Company Limited had so mis* managed the affairs of the Company as to cause heavy losses to the Company and also managed in a manner prejudicial to the interests of the Company and the public interest. Again I have to repeat. When did the Government wake up? What time? Sir. I raised a question about Bird and Company in 1975. Mr. Gokhale replied that there was no allegation as such. I again raised Question No. 277 on 22nd March, 1976. The question was actually put in the House and answered. The question was: whether Government have appointed their nominees on the Board of Directors of Bird and Company if so, what are the names of the nominees and the dates of appointment in each case; what is the stage of progress of investigation and when it is likely to be completed? Mr. Gokhale replied: No, Sir. The Company Law Board has issued a notice to the Company on the basis of certain allegations of mismanagement levelled against the com- "•• pany. There is no investigation regarding Bird and Company. This was how the whole thing started and about 15,000 workers were literally weeping that the whole company is going to be liquidated by two men, Mr. Pran Prashad and Mr. K. L. Dua, like the Carsean brothers. Luckily that was taken up in the House. Through a starred question Mr. Gokhale ultimately stated that one of the allegations was that the Directors of the company are pressurising the members of the saving trust in various ways. You are aware that the majority of the shares are held by a trust company and the staff are its members. They hold the majority. Mr. Pran Prashad, the Managing Director and Mr. K. L. Dua, the next

man, were pressurising the staff who were holding the shares to sell them at a very cheap price. Ultimately, these two men succeeded. Fortunately, the trade unions were active and » alive. Though Mr. Gokhale stated that there was no investigation contemplated, ultimately he had to investigate. There was an interim investigation report. The report was also placed on the Table of the House on the basis of a question by me on the 8th May, 1978. The Minister said on the basis of the interim report that there was mismanagement of the 'Savings Trust' by Shri Pran Prasad and K. L. Dua., ex-Directors of M/s. Bird and Co. Ltd., non-disclosure of contingent liability in the Balance Sheets of Bird and Co., non-provision of liability in respect of doubtful debts to the extent of Rs. 25.36 lakhs, over valuation of shares held by the company in M/s. Karanpura Development Company Ltd. and M/s. Becker Gray and Company Ltd. Sir, you will be surprised to know what were the charges laid on the Table of the House. Next, they stated: Alleged forgery in respect of 9000 shares of Bird and Co. Limited transferred from Mr. Michael Benthall in favour of M/s. F. W. Heilgers and Company (P) Limited, in June 1965.

- * This was the starting point. Many questions were asked in the House about the steps which had been taken on the basis of the interim report. My first question is: In the Schedule of nationalised units, why is it that the names of 5 units are not there? These units were controlled by the Bird and Co. They are: M/s. Anniversary Investment & Agencies Limited, M/s. Continuity Company Limited, M/s. Investment and Finance Company Limited, M/s. Heilgers Limited and M/s. North Brook Jute Company Limited. Why have they remained untouched? The Minister should explain to the House as to why only a part of the Bird & Co. has been taken over and the other part has been left out. For whose benefit and for whose profit?

As I was pointing out, I must congratulate our Deputy Chairman Mr. Yadav. He was the Chairman of the Assurance Committee of Rajya Sabha in 1978-79. When we were asking questions, all the time we were getting the replies from the Minister of Company Affairs and the Minister of Industries that it is being looked into. The theft has been committed. The thief has been identified, as I have pointed out, Mr. Pran Prasad and Mr. Dua. The Company has been partly taken over. The loot continues. There again Mr. Pran Prasad has come back here. He is a very influential man, as you know, Sir. He has made about Rs. 30 or Rs. 40 crores.

Sir, when the Committee On Government Assurances could not find any proper reply to their queries, with great regret, the Committee on Government Assurances, presided over by Mr. Shyam Lai Yadav, placed a Report, the 14th Report, in the House on the, 24th January, 1980. Such is the power and influence of Mr. Pran Prasad with the Janata Government and with the present Congress (I) Government. I do not know how close he is to Mr. Charanjit Chanana or his highness, Sir, Mr. Shyam Lai Yadav has to write this, and I quote:

"Assurances not satisfactorily implemented:

- (i) Assurance given in reply to Starred Question No. 290 of 8th May, 1978 regarding Interim Report on the Bird & Co. In the Implementation Statement it was *inter-alia* stated that the Interim Report of investigation and *inter-alia* brought out that there was certain *prima facie* instances of irregularities in the evaluation of shares of the Bird Heigler Group of Companies, at the time of large scale purchase/sale of these shares in 1972 which resulted in the bifurcation of the said group and loss to the Savings Trust created for the benefit of the employees of the

[Shri Kalyan Roy]

group companies. It was also stated that on examination of the Interim Report, the Company Law Board had (i) sent extracts of the relevant portion of the Enforcement Board of Direct Taxes, and to the State Governments for examination; (ii) instructed the Regional Director to prosecute in default in respect of contraventions of the provisions of the Comp Act; and (iii) forwarded copy of the Report to the CBI for a further investigation in the matter. The Committee observed that the implementation of the assurance was not complete and desired that the Ministry should intimate the action taken against the Bird & Co. Ltd. for contravention of FERA, Income-Tax Act, Stamps Act and the Companies Act. The Committee also desired to know the results of investigation made by the CBI in the matter."

Till today, Sir, Mr. Charanjit Chanana is not frank enough to state in the House what action the Government has taken on the CBI investigations. I mentioned this when Mr. Shiv Shankar was there. He also fled away instead of placing the reply because I also, in my letter, drew the attention of Mr. Shiv Shankar, the Minister of Company Affairs, to the Committee on Government and what has happened of the CBI. It is not Tom. Harry who wrote the Report. Mr. Lai Yadav has written the report. Why is the Government coming up? It is to be noted that the Committee has not been informed so far about the investigation made by the CBI regarding the contravention of FERA, the contravention of the Company Act, the contravention of the Income-Tax Act. Till today, they have not come out with that. It is good that you are nation.

' alising the Bird & Co. But what happened to the two main dacoits, Mr. Pran Prasad and Mr. Dua? When Mr. Becla Brata Barua was the Minister of Company Affairs, he pinpointed that these two persons are * responsible for mismanagement today, Mr. Dua has been made a Director of the Bharat Magor Macneill. Sir, the Minister of Company Affairs is the Director of the Department of Affairs. Why is it that the Minister has agreed to nominate Mr. Dua when there are so many cases against him? You : brief him. So, Sir, that is scandalous. It is good that you are taking it over, you are nationalising it. But what about the culprits? What about > i the main thieves? For eight years, since the day I became a Member of the Rajya Sabha in 19-69, since 1972, I have been raising question after question, supported by Mr. Pranab Mukherjee and sometimes by Mr. D. P. Chattopadhyaya. I know the Bird & Company is taken over along with other paper mills, not willingly. Because they cannot escape. I know the pressure was so 3 P.M. much. They wanted to get away. But they have no way. All the doors are closed. So they are reluctantly taking over. I cannot congratulate the Industry Minister today because he is under compulsion to take it over. Left to the present Government and if they had loopholes they would not have taken it over, nationalised it. I know that for certain. Mr. Pran Prasad is the most important man today, most important man. I do not know how he is important. In spite of the report of the investigation committee, inspector of the Company Affairs Board, you have not dared to touch him. He still continues to be the Managing Director of at least 30 more companies. Mr. Dua, who, Mr. Bedabrata Barua said, was responsible for the mismanagement of many other companies, continues to be the director of one of the biggest business of the country today. Only

last month he was approved for Bharat Macneill and Bharat Magor by the Company Affairs Ministry. Is it honesty? Is it decency? The question was raised by Shri Indrajit Gupta in the other House and he said that the workers are going to lose a large amount of the provident fund. It was said that if this man is not tackled, they are going to lose a large amount of wages, medical facilities and their investment because investment in this was compulsory. The workers had to invest. Where is the honesty? Where is the decency? Where is the cleanliness? Where is the compliance with the instructions of the Committee on Government Assurances?

You are nationalising it. It is good. We give you all support to make it a success. Already a good man is there, the brother of Mr. Mohan Kumaramangalam, and we will give all support so that it is successful. But what about the crimes? What about the damages? What about the prejudicial activities which you have stated? Would nobody be punished? Would no action be taken against Mr. Pran Prasad? Will he go to loot other company? Sir, I want to quote only one state-

ment of Mr. P. A. Datar, who has relinquished his charge as the Chairman and Managing Director of the Central Bank of India. He was the Chairman and Managing Director of the Central Bank of India. He stated on July 18: "Business houses which had several sick units should not be allowed to flout new enterprises." Would he accept it that those criminals who have made it their business to make units sick will not be given fresh licences? Will Mr. Charanjit Chanana accept the challenge? Or, would he allow the issue of fresh licences to these very criminals?

* Where is the ethics? Where is the sanity? There is complete chaos. The Hindustan Pilkington is closed for nearly one year. The Company Affairs investigation revealed that the late directors were looting the company. They are guilty of corruption,

emDezziement, misappropriation and the new directors have said the misappropriation continued from 1965 to 1978 to the tune of Rs. 13 crores. Mr Thapar stepped in and whatever was there, looted. It is a fact. As he stated, Sir, in the Preamble, he did not accuse the workers of the Bird & Co. for the losses, although I know this Ordinance, this mini-MISA is directed against the workers. The workers were not responsible for the losses. The Hindustan Pilkington was made sick by the directors on the basis of the report of the Company Affairs Ministry. (*Time bell rings*). Petition after petition has been sent to the Industry Minister. Delegation after delegation, including those of the Congress (I), the CPI and the CPM, stated here is a clean case, we are proceeding on the basis of the investigation done by the Inspector of the Company Affairs Ministry, the Hindustan Pilkington is closed for the last one year, producing best sheet glass, why don't you take over? Now, Thaper's shadow is very strong. Mr. Thapper is a mighty man in Delhi. So the factory is closed and they have lost. (*Time bell rings*). Sir, I make a charge...

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHIV SHANKAR): Sir, he is getting inspiration seeing me here.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Kalyan Roy, you will have to conclude now. We are short of time.

SHRI KALYAN ROY: We have not taken even one hour in order to cooperate with you in passing the first Bill. We have finished only in 45 minutes. Don't be harsh to us; we know where to stop.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I have given you more than double your time because you have been making a very effective speech, I admit.

SHRI KALYAN ROY: I will finish in two minutes. For this Hindustan Cotton, why has there been this hesitation, this confusion in your You have not woken up. Going to wake up? Will you wake up? Co-ordination? Mr. Shivraj said that he is not the Industry Minister. I do not know where the co-ordination is, Sir, between the Ministry of Company Affairs and the Ministry of Industry.

Lastly, before I sit down, I submit that this Titagarh company is also there; is it also to be national-

I ask it because investigations also revealed the extent of corruption by Mr. Surendra Biswas who is today the Managing Director of Titagarh company. Would he keep these people at the head of these mills who are colluding with Pran Prasad and Dua and the overall structure and made the sickness

Industry—Mr. Pran Prasad and Dua—are not able to get some Directors or

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THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I agree what you, especially what he wanted has happened and still he is agitated, he should do so!

SHRI CHARANJIT CHANANA; I thank the Members who have supported and also thank the Members who have opposed and criticised the move with their suggestions. And Mr.

Kalyan Roy had the Kalyan Roy-way; otherwise he will cease to be Kalyan Roy. *

Mr. Nanda raised the same issue which he had raised in the earlier Bill but since it is separate piece of legislation, even at the cost of repetition I would say all those things again that we are evolving the system so that sickness is cured. That is number one. Secondly, so that the industries do not get sick at all, for that whatever system we can evolve, we would evolve.

As for Mr. Kalyan Roy's suggestion of co-ordination, I would only like to inform him that there is optimum co-ordination in between the Ministries. We know how to do that work and he also knows that we have a coordination. But for the sake of saying—he is a friend of ours...

SHRI KALYAN ROY: Don't put your words into my mouth. You say whatever you want to; but don't put your words into mine.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Don't say he will agree.

SHRI CHANANA: r CHA

As far as the individuals are concerned, individuals more important to him. A criminal who breaks the law, yes of the

Government.

THE VICE-CHAIRMAN (DR. RAFTQ ZAKARIA): He drew your attention to Shyam Lai Yadav Committee Report.

SHRI CHARANJIT CHANANA: No, he was talking of other individuals, Pran Prasad and the other. He was talking of shadows under which he lives. They have no importance, for us. Anybody who breaks the law, is a law-breaker for the Government. That is the only definition of that man that is ultimately how we take that man. I would like to inform the House that the investigations after

being completed—of which the hon. Member refuses to make a reference—the findings of the the investigations have already been made to the C.B.I. We are taking necessary action immediately after we get the report from them.

As far as the other companies are concerned, which the hon. Member has said, are absent from the Schedule, I would like the House to know that all the shares of the Bird and Company have been acquired. Now, in regard to the other companies which he has mentioned, where the Bird and Company do not have the shares, this Bill does not cover them at all. They do not come under the coverage of this Bill.

The hon. Member's point in regard to Hindustan Pilkington is a separate thing. That is not relevant to this. I think, I have already replied to him. He knows my reply. But for the sake of filibustering, he wanted to make use of this opportunity. He has tried to do that.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Minister, I do not think I called for. (Interruption) I called, it

SHE" IT CHANNA: I

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): He has withdrawn it.

SHRI KALYAN ROY: Sir, if he does not want to say, what action he has taken it is all right. You are asking him to reply as to what action he has taken. If he does not want to say what action he has taken, it is all right. (Interruptions).

SHRI RAMAKRISHNA HEGDE (Karnataka): He does not know what

is filibustering. If he wants to know, we can teach him.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Hegde, don't react.

SHRI CHARANJIT CHANANA: Sir, with these words, I commend the Bill for the consideration of the House.

SHRI KALYAN ROY: Collapsed.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Now, the question is:

"That the Bill to provide for the acquisition and transfer of the undertaking of the Bird and Company Limited for the purpose of ensuring the continuity of production of goods which are vital to the needs of the country and for the acquisition of shares held by the Bird and Company Limited in the specified companies for the purpose of securing to those underlie facilities and advances—such

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to ensure
companies are not misra for
matters co
incidental thereto, as passed by the Lok Sabha, be taken into consideration.

The motion was adopted.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): We shall now take up clause by clause consideration of the Bill.

Clause 2 was added to the Bill.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Now, we take

up clause 3. There is one amendment by Shri Ashwani Kumar. He is not here.

Clause 3 was added to the Bill,

Clatise 4 to 31 were added to the Bill

First Schedule was added to the Bill.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Now, we take up the Second Schedule. There are two amendments by Shri Ashwani Kumar. He is not here.

Second Schedule was added to the Bill

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

SHRI CHARANJIT CHANANA: Sir, I beg to move.

"That the Bill be passed."

The questoin was put and the motion was adopted.

I. STATUTORY RESOLUTION SEEKING DIS APPROVAL OF THE FOREST (CONSERVATION) ORDINANCE, 1980

II. THE FOREST (CONSERVATION) BILL, 1980

श्री चारेलाल खंडेलवाल (मध्य प्रदेश): श्रीमन्, मैं यह संकल्प प्रस्तुत करता हूँ कि यह सभा राष्ट्रपति द्वारा 25 अक्टूबर, 1980 को प्रख्यापित वन (संरक्षण) अध्यादेश, 1980 (1980 का सं० 17) का निरनुमोदन करती है।

उपसभाध्यक्ष जी, सबसे पहले तो मैं सरकार के इस अध्यादेश की मनोवृत्ति का विरोध करता हूँ। मैं ऐसा मानता हूँ कि इतने कम समय में जो इतने अध्यादेश लाये गये हैं

यह एक तरह से सदन का अननूलयन है। वन संरक्षण जैसे विषय पर सरकार का अध्यादेश लाना, मैं समझता हूँ कि यह सरकार की असफलता का सबसे बड़ा नमूना है। अनेक वर्षों से बात कही जा रही है, बड़े बड़े लोगों द्वारा, वैज्ञानिकों द्वारा कि जंगल बहुत तेजी से कटते जा रहे हैं इसलिये देश की आब-हवा के लिये जरूरी है कि जंगलों का संरक्षण किया जाये। लेकिन लगातार इतने लंबे समय में मांग होने के बाद भी 25 अक्टूबर को सरकार की आँखें खुली और वह भी अध्यादेश के माध्यम से इस बात को लाने की कोशिश की गई। मैं यह पूछना चाहता हूँ कि अभी तक सरकार ने क्यों नहीं यह किया? यह इतना महत्वपूर्ण सवाल था, जंगलों का संरक्षण, फॉरेस्ट कंजरवेशन जो इतना महत्वपूर्ण सवाल है यह सरकार ने अभी तक क्यों नहीं किया? एक बात और, आखिरकार सरकार ने इसको अध्यादेश लाकर किया है तो इसके पीछे उसकी मंशा क्या है? उपसभाध्यक्ष जी, मैं यह कहना चाहता हूँ कि एक खतरा इस अध्यादेश के अन्दर है और जिसका विचार इस सदन को करना चाहिए। वह खतरा यह है कि इस अध्यादेश के माध्यम से, प्रदेश सरकारों के अधिकारों को कम करने की कोशिश की गई है। अभी तक वन संरक्षण का काम राज्य सरकारों का रहा है। इस अध्यादेश के माध्यम से जब कानून बन जायेगा तो तब यह काम केन्द्रीय सरकार अपने हाथ में ले लेगी। मैं समझता हूँ कि केन्द्रीय सरकार के पास इतना काम है कि वह अगर वही काम पूरा कर ले, केन्द्रीय सरकार द्वारा चलाये जाने वाले फार्मों को कृषि मंत्री जी या उनका डिपार्टमेंट ठीक ढंग से चला ले तो यह बहुत बड़ी बात है। लेकिन सारे हिन्दुस्तान के जंगल अपने अधिकार में लेकर, उसके संरक्षण का काम अपने अधिकार में लेकर क्या वनों का संरक्षण, फॉरेस्ट कंजरवेशन का काम सरकार कर पायेगी? मैं समझता हूँ कि यह सरकार के लिये बहुत कठिन है। इसलिये सोचना