

of the hon. Members to suggest any item for discussion in the House. I would only suggest one thing. I find that some of the items which have been suggested by Hon. Members can be raised through other motions, like submissions under Rule 377, etc. It is for them to decide. But I would like to refer to one item suggested by Mr. Kabuli. This is regarding discussions on the Gas tragedy. I tried to catch the eye of Mr. Speaker; I got up in the morning in the House when my friends there were walking out. I would like to say that Government feels very much concerned about the Gas Tragedy. Government is very much willing to discuss this matter. This will be decided on Monday by the Business Advisory Committee, as the Speaker has said. We are very much keen to discuss it. I will bring it to the notice of the Business Advisory Committee.

15.16 hrs.

SICK INDUSTRIAL COMPANIES
(SPECIAL PROVISIONS)
BILL—Contd.

[English]

MR. DEPUTY SPEAKER : Now we take up further discussion regarding item No. 10.

We have got only 15 minutes left. After that we will have to take up Private Members' Business.

I think that the Hon. Minister will reply on Monday. As a special case, I will allow two persons to speak. Now, hon. Shri Piyus Tiraky.

SHRI PIYUS TIRAKY (Alipurduars) : Mr. Deputy-Speaker, Sir, I would like to draw the attention of the Hon. Minister towards the findings of the Reserve Bank of India which carried a cause-wise analysis of sickness in 378 large units reported sick on 31-12-79.

In its finding, the Reserve Bank has stated that 52 per cent of the units have gone sick due to mismanagement and management deficiencies including diversion of funds, and in-fighting among themselves.

14 per cent of them went sick due to faulty initial planning and other technical drawbacks. This it is found that 66 per cent of the units went sick due to dishonesty and mismanagement.

Therefore, there should be a provision in the Bill for deterrent punishment, including imprisonment for the dishonest persons in the management itself.

In the proposed Bill, provision has been made for deterrent action only against potentially-sick companies. There is no provision for deterrent action against those found responsible for making a company sick. This should be provided in the Bill itself.

Not only the sick industrial companies, but also, any other industrial undertakings, large or small, public sector or private sector, should also be included.

In the proposed Bill, only the Board of Directors of the Company is to report sickness to the B.F.I.R.

I think that the labourers and their unions must be given the authority to report sickness to B.F.I.R. if wage payments have been made irregular or stopped for 3 months or if statutory dues have not been deposited for 3 months by the Management.

At present, huge amounts of dues of Provident Fund and Employees' State Insurance Contributions are in arrears.

Sir, since labourers are the most important section affected by sickness of industry, labour must be involved in the Board's membership and its working. When a unit is closed, the dues of the labourers must be paid on priority basis, because, it has been observed that when a unit is found sick, the proprietors or the persons in the management are not necessarily found economically sick. So, the Director's property—individual property or collective property in his family—must be seized in order to clear the dues of the labourers. Whenever a unit is closed, the B.F.I.R. must be made obligatory for the alternative employment for the workers or they should be provided with unemployment allowance.

[Shri Piyus Tiraky]

In the course of dealing with the sickness, the workers must be associated in all stages.

Lastly, I would like to draw the attention to the hon. Minister to the Memorandum submitted by the All-Party delegation of the West Bengal Legislative Assembly regarding the sick industries on 24th June, 1985. He should go through it and see that a solution to this is found.

Further, I would like to add since this is a very important Bill and on it depends the future of the country's industrialisation, it should be referred to the Joint Select Committee so that a very comprehensive Bill in this regard is brought before the House.

[*Translation*]

SHRI RAMASHRAY PRASAD SINGH (Jahanabad) : Mr. Deputy Speaker. Sir, at present a discussion regarding sick industries is being held in the House. I would like to say a few things about it.

First of all, I would like to say that before an industry is declared sick, preventive measures should be taken to check its sickness. Even when ninety per cent of the total capital has been invested by the Government and only ten per cent capital has been invested by the mill owner, Government is behaving like a slave, I would like to suggest that the capital proposed to be invested by you should be permissible under the law. It should also be provided in the Bill that the capital invested by the Government is recoverable.

We have also not provided for workers participation in the management. If we enact law to this effect, we will be able to get maximum co-operation from the workers. The workers will also realise that they are also participating in the management. Thus workers will also understand their responsibility and productivity will also increase and there will be competition for more production. In this way we will have maximum production and the country will be stronger. In such a situation the capital invested by

the Government will also be safe. This is also the way to bring about socialism in the country. In pursuance to the provisions of the constitution, you want to usher in socialism in the country, but there is no established way to bring about socialism. For that, a way has to be devised. You will have to find out a suitable way for that.

In such a situation, if you enact legislation to provide for the workers' participation in the management, it would result in maximum benefit. Many industries have been taken over by the Government. There is a Unit in Gaya by the name of Gaya Jute Cottons mills. Its condition is miserable. I have been the President of the Workers' Union there. As President of the Union, I used to give suggestions to the workers. The workers used to ask the mill owner why they were being paid for sitting idle and why supply of cotton was not being arranged. If the mill owner does not arrange the supply of cotton, the factory is closed for three days. Why is it closed? It is all mismanagement on the part of the mill owners. We have given in writing to the manager. I would like to remind you that a delegation of labour leaders had met the Finance Minister under the leadership of former M. P. from Patna, Shri Shastriji, but no action has been taken so far. The manager of the mill enjoys political backing. He could not be removed from his place. His name is **. This person ** is not being removed and the situation has deteriorated so much that even the assets are being sold. It is not becoming sick; it is dying.

There is only one factory in district Gaya, where very poor workerr are employed. If you look to it, 800 workers of the factory will get relief.

I would like to inform you that lakhs of rupees have been swindled in this factory at Gaya. You should form a committee of your own Party members and get the entire matter inquired into. There is a Union affiliated to Congress Party and the office bearers of this Congress Union say that even if Shri ** is removed, he is reinstated after fifteen days.

[English]

MR. DEPUTY SPEAKER : I cannot allow names. Names will not be allowed to go on record.

[Translation]

SHRI RAMASHRAY PRASAD SINGH : When the hon. Minister replies to the debate, he should kindly tell us as to what improvements are being effected in Gaya. Gaya is a very backward district in Bihar. So far as industries are concerned, this is the only industry in Gaya. The condition of this concern is also miserable. You should appoint an Enquiry Committee to enquire into the affairs of this factory. Such a situation has been created by the Government officials. This factory is not in the hands of the capitalists. You should appoint an Enquiry Committee and find out the factual position and take preventive steps to check the deteriorating condition so that the workers could get some relief.

[English]

MR. DEPUTY SPEAKER : Shri Shantaram Naik. Can you finish your speech within three minutes? If you want to give any suggestions, you can give. That is all.

All right. The Minister will reply to the Discussion on the Sick Industrial Companies (Special Provisions) Bill on Monday. We will now take up Private Members' Business. We are taking it a few minutes earlier.

15.28 hrs.

COMMITTEE ON PRIVATE MEMBERS'
BILLS AND RESOLUTIONS
Eighth Report

[English]

SHRI R. P. SUMAN (Akbarpur) : I beg to move :

"That this House do agree with the Eighth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 4th December, 1985."

MR. DEPUTY SPEAKER : The question is :

"That this House do agree with the Eighth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 4th December, 1985."

The motion was adopted.

MR. DEPUTY SPEAKER : Now, Bills for introduction. Shri K. Ramamurthy—not present. Shri Balasaheb Vikhe Patil.

12.29 hrs.

CROP INSURANCE CORPORATION
BILL*

[English]

SHRI BALASAHEB VIKHE PATIL (Kopargaon) : I beg to move for leave to introduce a Bill to provide for the establishment of the Crop Insurance Corporation for the purpose of undertaking the business of crop insurance so as to protect the interests of farmers from loss due to unavoidable causes and also as a support measure to promote increased food and agricultural production.

MR. DEPUTY SPEAKER : The question is :

"That leave be granted to introduce a Bill to provide for the establishment of the Crop Insurance Corporation for the purpose of undertaking the business of crop insurance so as to protect the interests of farmers from loss due to unavoidable causes and also as a support measure to promote increased food and agricultural production."

The motion was adopted.

SHRI BALASAHEB VIKHE PATIL : I introduce the Bill.

MR. DEPUTY SPEAKER : Shri Manik Sanyal—not present.

Dr. Datta Samant.