

and Transport News, The Economic Time (Bombay edition) and the Hindu (Madras edition). These aspects have to be looked into immediately in depth and in right earnest and justice must be rendered to the canteen crews and seamen.

If all the above suggestions are implemented, not only will the Government stand to gain crores of rupees, but it will also cut short the accumulation of wealth by a few vested interests indulging in anti-national and Anti-labour activities. All the seamen and canteen crews of the Indian ships will thank the Government wholeheartedly. Will the Government of India wake up and render the much-needed justice to the seamen is the question which is being asked by all the interested people at Madras.

14.55 hrs.

ECONOMIC OFFENCES (INAPPLICABILITY OF LIMITATION) AMENDMENT BILL—Contd.

MR. DEPUTY-SPEAKER: We will now take up further consideration of the Economic Offences (Inapplicability of Limitation) Amendment Bill. Mr. Rasheed Masood may now speak.

श्री रशीद मसूद (सहारनपुर) : मोहतरम डिप्टी स्पीकर साहब, जो बिल इकनामिक अफेस के मुत्तालिक पेश किंध गया है, इसकी बेइन्तहा जरूरत है कि इस मुल्क में जो इकनामिक अफेस होते हैं, उनको कम किया जाए।

आज तक जितने भी मामलात होते हैं, उन में छोटे और गरीब लोग तो पकड़े जाते हैं और उनको सजा भी दी जाती है, लेकिन जो सोसाइटी को सब से ज्यादा नुकसान पहुंचाने वाले लोग हैं, जिन्हें ब्रह्माइट कालर क्रिमिनल कहा जाता है, उनको कोई सजा नहीं मिलती है। उनको सजा देने के लिए जैसा कि

बिल के अब्जेक्ट में लिखा गया है इसके जरिए एक तरीका निकाला है और मैं समझता हूँ कि यह बहुत अच्छा है और ऐसे इंतजामात करने चाहिए जिससे ऐसे अफेसिस न हों जिन से सोसाइटी की तबाही हो रही है।

14.57 hrs.

[MR. GULSHER AHMED in the Chair]

इस सब के बावजूद क्रिमिनल अफेस की डेफीनेशन अभी तक ऐसी नहीं है जिस से यह पता चल सके कि जो लोग ब्लैक मनी को बढ़ावा देते हैं, वे उस में भा सकते हैं। इंडीस्ट्रियल डेवलपमेंट रेगुलेशन एक्ट में जिन चीजों को क्रिमिनल अफेस कहा गया है, जैसे अगर बिना रजिस्ट्रेशन के इंडस्ट्री जलाई जा रही है, यह कोई ज्यादा महत्वपूर्ण चीज नहीं है। डेफीनेशन को और बढ़ाया जाना चाहिए जो लोग गलत तरीकों से पैसा बना रहे हैं और शासन को नुकसान पहुंचा रहे हैं। जो लोग टैक्सों की चोरी कर रहे हैं, इन सब को इस लिस्ट में लिया जाना चाहिए। हमारा रोज का तजुर्बा है कि लोग इंडस्ट्री के लिए लोन लेते हैं और रुपया कहीं और खर्च कर देते हैं। गवर्नमेंट का पैसा खा जाते हैं। इन सब को रोकने के लिए कुछ न कुछ कदम उठाए जाने चाहिए। जब तक इन बातों को नहीं रोकना जाएगा तब तक गवर्नमेंट के पैसे का सही यूटीलाइजेशन नहीं हो सकेगा।

इन सब बातों को चैक करने के लिए मशीनरी होनी चाहिए, जो अभी तक नहीं है। बड़े-बड़ी इंडस्ट्रीज की बात छोड़ दीजिए, लेकिन हम जो रोज देखते हैं जो 10-20-50 लाख की इंडस्ट्रीज कस्बों या छोटे शहरों में हैं और गवर्नमेंट से लोन लिया गया है, लेकिन सारा पैसा खा जाते हैं और रिकवरी के

[श्री रघुदत्त मसूदा]

नोटिस आते रहते हैं। ये सोसाइटी के दुष्कर्म, ग्राहक कालर क्रिमिनल्स कहलाते हैं। इन लोगों को सोसाइटी में इज्जत दी जाती है, लेकिन ये ही सोसाइटी को सब से ज्यादा नुकसान पहुंचाते हैं।

एक और उदाहरण कोई चोर 10, 20 या 50 रुपये की चोरी करता है, उसको पकड़ा जाता है और सजा दी जाती है, लेकिन जो करोड़ों रुपया बैंक में कमा रहे हैं, सोसाइटी के गरीब लोगों का खून चूस रहे हैं, उनको सजा देने के लिए आपके पास कोई जरिया नहीं है।

आपने इस में बताया कि ऐसे केसेज में बहुत समय लग जाता है और वक्त खत्म हो जाता है, प्रासीक्यूट नहीं कर पाते हैं, इसके लिए आप ने यह बिल पेश किया है। इसकी सफलता के लिए कुछ खास ट्रेण्ड किस्म के लोगों को इसमें इन्वाल्व करना पड़ेगा। जिन लोगों के लिए यह बिल पेश किया गया है, वे लोग आसानी से कब्जे में आने वाले नहीं हैं। हर कदम पर वे रक्षावट डालेंगे। जो आफिर्स डिटेक्ट करेंगे...।

15.00 hrs.

वह ज्यादा काबिल नहीं हैं उनको पैसे दिए जाते हैं। उस के बाद जो इन्वेस्टिगेशन करेंगे वह भी गलती करेंगे। और सब से बड़ी परेशानी यह है कि अगर आपने किसी को प्रासीक्यूट कर भी दिया तो फैसला होते होते डिले करा लेते हैं सालों लग जाते हैं। तो जल्दी से जल्दी इन लोगों को सजा दी जा सके इसका इंतजाम आपको करना चाहिये। अभी जो यह कमी है इसको दूर करना चाहिए ताकि ग्राहक कालर

क्रिमिनल्स को पकड़ कर सजा दे सकें। जहां सोसाइटी को चोरों और ठकैतों से खतरा है उससे ज्यादा बड़ा खतरा इन ग्राहक कालर लोगों से है। इसलिए जल्दी से जल्दी उनके मामले निपटाने के लिए, चाहे स्पेशल कोर्ट्स का प्रोवीजन करें या जो भी करें, आपको इंतजाम करना चाहिए। दूसरे यह कि खास ट्रेण्ड किस्म के लोगों को आप इन्वाल्व करें जो डिटेक्ट करने से लेकर इन्वेस्टिगेशन और प्रासीक्यूशन तक इस काम को करने की खास ट्रेनिंग रखते हों। कानून बनते रहे हैं और पहले भी बहुत से कानून हैं, लेकिन उन पर प्रमल कौन करेगा? इसके लिए औरल एजुकेशन उन सरकारी कर्मचारियों को देनी चाहिए जो इस तरह के इकोनामिक आफेंसेज को देखेंगे। उनको स्पेशल ट्रेनिंग दी जाय, नहीं तो कोई फायदा नहीं होगा, जितने भी जराये हैं इन सब को आपने कम्प्लेनट्री कर दिया है, कुछ परसेंटेज होगा तभी मदद मिलेगी। नतीजा यह है कि जिनके पास करोड़ों रु० हैं उनको तो मदद मिल जाती है, लेकिन जिस के पास पैसा नहीं है, मैं आपकी मदद चाहूँ और अगर मेरे पास पैसा नहीं है 25 परसेंट जसा आप कहते हैं, तो मैं इंडस्ट्री नहीं लगा सकता हूँ। और अक्सर देखा जाता है कि जो सफेद पैसा पैदा करते हैं वह आप से लोन नहीं ले सकते क्योंकि उसके पास 50 हजार नहीं है। और जो लोन लेते हैं करोड़ों रु० का वह ज्यादातर ब्लेक मनी वाले होते हैं। चूंकि वह माहिर होते हैं कानून को तोड़ने में और आपके कर्मचारियों को खरीदने में लिहाजा वह लोग बच जाते हैं और जो सोसाइटी में कम पैसे वाला और ईमानदार आदमी है वह महसूस रह जाता है। वह पैसा हासिल नहीं कर सकता। मेरे ही रिश्तेदारों ने चाहा कि स्ट्रा बोर्ड की इंडस्ट्री

लगा लें और जब एस्टीमेट किया तो 27 लाख रु० का एस्टीमेट था जिस के लिए साढ़े 6 लाख उसे जमा करना था। वह उतना नहीं कर सका। वह यहां घूमता रहा कि 21 लाख रु० सरकार दे सके, लेकिन नहीं मिला। चूंकि वह साढ़े 6 लाख रु० नहीं ला सका और 4 महीने में रजिस्ट्रेशन के बाद सारी फोरमैलिटीज पूरी कर लेनी चाहियें, जो कि वह नहीं कर सका वह समय निकल गया और इन तमाम फोरमैलिटीज को पूरा करने में जो 10,000 रु० लगता है वह समय भी समाप्त हो गया। इस लिए सोसाइटी में वह लोग ज्यादा पैसा हासिल न कर सकें जिनके पास पैसा है इसकी भी व्यवस्था की जाए ताकि यह इकोनामिक आफेंसेज न हों। इस बात की सख्त जरूरत है।

इन शब्दों के साथ मैं इसको सपोर्ट करता हूँ।

श्री रशद مسعود (सहारनपुर) :

محترم قیدی اسپیکر صاحب - جو بل الاٹومک آفینسس کے مطابق ہمیں کہا گیا ہے - اس کی بے انتہا ضرورت ہے کہ اس ملک میں جو اکٹومیٹ آفینسس ہوتے ہیں ان کو کم کیا جائے -

آج تک جتنے بھی معاملات ہوتے ہیں ان میں چھوٹے اور غریب لوگ تو پکڑے جاتے ہیں اور ان کو سزا بھی دی جاتی ہے - لیکن جو سوسائٹی کو سب سے زیادہ نقصان پہنچانے والے لوگ ہیں جنہیں وہائیٹ کالر کریمنل کہا جاتا ہے ان

کو کوئی سزا نہیں ملتی ہے - ان کو سزا دینے کے لئے جیسا کہ بل کے آپٹیمٹ میں لکھا گیا ہے اس کے ذریعہ ایک طریقہ نکالا ہے اور میں سمجھتا ہوں کہ یہ بہت اچھا ہے اور ایسے انتظامات کرنے چاہئیں جس سے ایسے آفینسس نہ ہوں جس سے سوسائٹی کی تباہی ہو رہی ہے -
14.57 hrs.

[Mr. KULSHER AHMED in the Chair]

اس سب کے باوجود کریمنل آفینسس کی ڈیفینیشن ابھی تک ایسی نہیں ہے جس سے یہ پتہ چل سکے کہ جو لوگ بلک ملی کو بڑھاوا دیتے ہیں وہ اس میں آسکتے ہیں - انڈسٹریل پروپریٹری ریگولیشن ایکٹ میں جن چیزوں کو کریمنل آفینسس کہا گیا ہے جیسے اگر بنا رجسٹریشن کے انڈسٹری چلائی جا رہی ہے یہ کوئی زیادہ مہتر پورن چیز نہیں ہے - ڈیفینیشن کو اور بڑھایا جانا چاہئے - جو لوگ غلط طریقوں سے پیسے بنا رہے ہیں اور شاسن کو نقصان پہنچا رہے ہیں - جو لوگ تھکسوں کی چوری کر رہے ہیں ان سب کو اس لست میں لیا جانا چاہئے - ہمارا روز کا تجربہ ہے کہ لوگ انڈسٹری کے لئے لوہے لیتے ہیں اور روپیہ کہیں اور خرچ کر دیتے ہیں - گورنمنٹ کا پیسہ کہا جاتا ہے - ان سب کو روکنے کے لئے کچھ نہ کچھ قدم اٹھائے جانے چاہئیں - جب تک ان

[شری رشید مسعود]

باتوں کو نہیں روکا جائے گا تب تک
گورنمنٹ کے پاس سے کامیاب ہوئے ہیں
نہیں ہو سکے گا۔

ان سب باتوں کو چھک کرنے کے
لئے مشیلری ہونی چاہئے جو ابھی
تک نہیں ہے۔ بڑی بڑی انڈسٹریز
کی بات چہرے دیکھئے لیکن ہم جو
پوز دیکھتے ہیں جو ۱۰-۲۰-۵۰ لاکھ
کی انڈسٹریز قصوں یا چھوٹے شہروں
میں ہیں اور گورنمنٹ سے لون لیا
گیا ہے۔ لیکن سارا پیسہ کہا جاتے
ہیں اور رکوری کے نوٹس آتے رہتے
ہیں۔ یہ سوسائٹی کے دشمن وراثت
کالر کریمینلس کہلاتے ہیں۔ ان لوگوں
کو سوسائٹی میں عزت دی جاتی ہے
لیکن یہ ہی سوسائٹی کو سب سے
زیادہ نقصان پہنچاتے ہیں۔

ایک اور بڑی کوئی چور ۱۰-۲۰
یا ۵۰ روپے کی چوری کرتا ہے اس
کو پکڑا جاتا ہے اور سزا دی جاتی
ہے لیکن جو کروڑوں روپے بلیک میں
کما رہے ہیں سوسائٹی کے ذریعہ
لوگوں کا خون چوس رہے ہیں ان کو
سزا دینے کے لئے آپ کے پاس کوئی
ذریعہ نہیں ہے۔ آپ نے اس میں
بتایا کہ ایسے کیس میں بہت سے
لگ جاتا ہے اور وقت ختم ہو جاتا
ہے پراسیکیوٹ نہیں کر پاتے ہیں
اس کے لئے آپ نے یہ بل بھی لیا

ہے۔ اس کی سہولت کے لئے کچھ
خاص ٹریڈنگ قسم کے لوگوں کو اس
میں انوائٹ کرنا پڑے گا۔ جن لوگوں
کے لئے یہ بل بھی لیا گیا ہے وہ
لوگ آسانی سے قبضے میں آئے والے
نہیں ہیں۔ ہر قدم پر وہ رکاوٹ
قالہں کے۔ جو آفسیس
15.00 hrs. تک کریں گے۔
وہ زیادہ قابل نہیں ہیں
ان کو پیسے دینے جاتے ہیں۔ اس
کے بعد جو انویسٹی گیشن کریں گے وہ
بھی فلت کریں گے۔ اور سب سے بڑی
پریکٹس ہے کہ اگر آپ نے کسی
کو پراسیکیوٹ کر بھی دیا تو فیصلہ
ہوتے ہوئے قبیلے کرا لیتے ہیں سالوں
لگ جاتے ہیں۔ تو جلدی سے جلدی
ان لوگوں کو سزا دی جا سکے اس کا
انتظام آپ کو کرنا چاہئے۔ ابھی جو
یہ کمی ہے اس کو دور کرنا چاہئے
تاکہ وراثت کالر کریڈٹل کو پکڑ کر
سزا دے سکیں۔ جہاں سوسائٹی کو
چوروں اور ڈاکوؤں سے خطرہ ہے اس
سے زیادہ بڑا خطرہ ان وراثت کالر
لوگوں سے ہے۔ اس لئے جلدی سے
جلدی ان کے معاملے نھانے کے لئے
چاہے اسپیشل کورٹس کا پروویژن کریں
یا جو بھی کریں آپ کو انتظام کرنا
چاہئے۔ دوسرے یہ کہ خاص ٹریڈنگ
قسم کے لوگوں کو آپ انوالو کریں جو
ڈیکلاریشن کرنے سے لے کر انویسٹی گیشن
اور پراسیکیوٹن تک اس کام کو کرنے

کی خاص ٹریڈنگ رکھتے ہوں۔ قانون ملتے رہے ہیں اور پورے بھی بہت سے قانون ہیں لیکن ان پر عمل کون کرے گا۔ اس کے لئے مورل ایجوکیشن ان سرکاری کرسچیاں کو دیلی چاہئے جو اس طرح کے اکنومک ایڈیٹرز کو دیکھوں گے۔ ان کو اسپیشل ٹریڈنگ دی جائے نہیں تو کوئی فائدہ نہیں ہوگا۔ جتنے بھی ذرائع ہیں ان سب کو آپ نے کنسلیٹیو کر دیا ہے کچھ پرسیلٹیج ہوگا تو ہی مدد ملے گی۔ نتیجتاً یہ ہے کہ جن کے پاس کروڑوں روپے ہیں ان کو تو مدد مل جاتی ہے لیکن جس کے پاس پیسہ نہیں ہے۔ میں آپ کی مدد چاہوں اور اگر میرے پاس پیسہ نہیں ہے ۲۵ پرسنٹ جہاں آپ کہتے ہیں تو میں انڈسٹری نہیں لگا سکتا ہوں۔ اور اکثر دیکھا جاتا ہے۔ کہ جو سفید پیسہ پیدا کرتے ہیں وہ آپ سے لون نہیں لے سکتے کیونکہ اس کے پاس ۵۰ ہزار نہیں ہے۔ اور جو لون لیتے ہیں کروڑوں روپے کا وہ زیادہ تر بلٹک ملٹی والے ہوتے ہیں۔ چونکہ وہ ماہر ہوتے ہیں قانون کو توڑنے میں اور آپ کے کرسچیاں کو خریدتے ہیں لہذا وہ لوگ بچ جاتے ہیں اور جو سوسائٹی میں کم پیسے والے اور ایماندار آدمی ہیں وہ معصوم رہ جاتا ہے۔ وہ پیسہ حاصل نہیں کر سکتا۔ میرے ہی رشتے داروں نے چاہا کہ اسٹرا بورڈ کی انڈسٹری لگا

ہیں اور جب ایسٹیمٹ کہا تو ۲۷ لاکھ روپے کا ایسٹیمٹ آیا جس کے لئے ساڑھے ۶ لاکھ اسے جمع کرنا تھا۔ وہ اتنا نہیں کر سکا۔ وہ یہاں گھومتا رہا کہ ۲۱ لاکھ روپے سرکار دے سکے لیکن نہیں ملا۔ چونکہ وہ ساڑھے ۶ لاکھ روپے نہیں لاسکا اور ۳ مہینے میں رجسٹریشن کے بعد ساری فارملٹیوز پوری کر لینی چاہئیں جو کہ وہ نہیں کر سکا وہ سے نکل گیا اور ان تمام فارملٹیوز کو پورا کرنے میں جو ۱۰۰۰۰ روپے لگتا ہے وہ سے بھی سمایت ہو گیا۔ اس لئے سوسائٹی میں وہ لوگ زیادہ پیسہ حاصل نہ کر سکیں جن کے پاس پیسہ ہے اس کو بھی ویسٹھا کی جائے تاکہ یہ اکنامک ایڈیٹرز نہ ہوں۔ اس بات کی سخت ضرورت ہے۔

ان شہدوں کے ساتھ میں اس کو سہورٹ کرتا ہوں۔

श्री विजय कुमार यादव (नालन्दा) : सभापति महोदय, यह बिल उन आर्थिक अपराधियों को पकड़ में लाने के लिए पेश किया गया है, जो लिमिटेशन एक्ट की वजह से निकल भागते हैं। मैं इस बिल को सपोर्ट करता हूँ, लेकिन इसका मतलब यह नहीं है कि जितने कानून इस समय इसकी जद में आते हैं, उनके सम्बन्ध में गवर्नमेंट का जो प्लान परफार्मेंस रहा है, मैं उसको भी सपोर्ट कर रहा हूँ।

आज स्थिति यह है कि कानून के जो निगहबान हैं, अगर उन्होंने ही कानून

[श्री विजय कमार यादव]

तोड़ने वालों के साथ बोस्ती कर ली हो, तो अपराधियों को पकड़ना कितना मुश्किल हो जाएगा, यह आसानी से अंदाजा लगाया जा सकता है। मौजूदा एक्ट के अन्तर्गत 20 कानून आते हैं। इनकम टैक्स एक्ट, कंपनीज (प्राफिट्स) सरटैक्स एक्ट, वैल्यू टैक्स एक्ट, गिफ्ट टैक्स एक्ट, फारेन एक्सचेंज रेगुलेशन एक्ट, इम्पोर्ट्स एंड एक्सपोर्ट्स कंट्रोल एक्ट वगैरह धनीरह। इस समय सरकार को जो अधिकार हासिल है, उसके मुताबिक इन कानूनों का उल्लंघन करने वाले कितने आर्थिक अपराधियों को पकड़ा गया है, अगर मंत्री महोदय इसका एक जायजा पेश करते, तो उस से हम लोगों को सहूलियत होती। लेकिन हम लोगों को तजुर्वा है कि बड़े-बड़े एकाधिकार वाले पूंजीपति, कम्पनियों के मालिक और उद्योगपति कानून का खुला उल्लंघन कर रहे हैं, लेकिन सरकार उनके खिलाफ कोई कार्यवाही नहीं करती। मैं अपने तर्कों को ज्यादा कान्फ़ीटाइज करने के लिए एक दो उदाहरण आपके सामने पेश करना चाहूंगा।

एक हिन्दुस्तान लीवर कंपनी है, जिस पर ब्रिटिश मल्टीनेशनल यूनीलिवर का कंट्रोल है। आप जानते हैं कि सरकार ने ऐसी कंपनियों के बारे में कानून बना रखा है कि 40 परसेंट शेयर उनके रहेंगे और बाकी शेयरज हमारे देश के होने चाहिए। इस कंपनी की 1980 की बैलेंस शीट से पता चलता है कि उसकी इन्स्टाल्ड कैपेसिटी 78,931 टन साबुन पैदा करने की है और लाइसेंस कैपेसिटी, सरकारी छूट सहित, 87,335 टन है। लेकिन आपको सुन कर ताज्जुब होगा कि 1980 में उसका प्राडक्शन 1,63,724 टन था। यह बात कैसे हुई कि गवर्नमेंट ने उसकी जो इन्स्टाल्ड कैपेसिटी और

लाइसेंस कैपेसिटी दे रखी है, उस से ज्यादा उतने पैदावार की। एक दो ही बातें हो सकती हैं: या तो उसने अपनी कैपेसिटी को छिपाया था, या उसने दूसरों का बनाया हुआ सामान अपना बता कर बाजार में भेज दिया था।

21 अगस्त, 1974 को लोक सभा में एक प्रश्न के उत्तर में सरकार ने इस बात को माना कि हिन्दुस्तान लीवर की लाइसेंस कैपेसिटी 91,000 टन साबुन पैदा करने की है, लेकिन उसने 1972 में पैदा किया 1,17,308 टन। पेट्रोलियम एंड कैमिकल्स मिनिस्टर को भी इसकी रिपोर्ट दी गई है। पता नहीं, इस बारे में अब तक क्या कार्यवाही की गई है। लेकिन इस से भी सनसनीखेज बात यह है कि पार्लियामेंट में ही 2 सितम्बर, 1981 को एक जवाब में बताया गया कि उसकी उत्पादन क्षमता का कोई रिकार्ड निर्धारित नहीं किया गया है। इनको सर्टिफिकेट आफ रजिस्ट्रेशन दिया गया, उस में बताया गया कि इन्होंने क्षमता का कोई जिक्र नहीं किया है। रजिस्ट्रेशन में भी कोई जिक्र नहीं है। अब यह देखा जाय कि पार्लियामेंट के अन्दर सरकार ही वो तारीखों में वो तरह का जवाब देती है। एक बार वह कहती है कि इनकी क्षमता है, दूसरी बार कहती है कि इनकी क्षमता का कोई रिकार्ड ही नहीं है, वह जो सर्टिफिकेट रजिस्ट्रेशन का इनको मिला है उस में इस का कोई जिक्र नहीं है, इस की छानबीन हो रही है। इसी से अंदाजा लगाया जा सकता है कि सरकार का काम करने का ढंग क्या है और कैसे यह आर्थिक अपराधों को पकड़ सकती है, जब क्षमता का कोई रिकार्ड नहीं है, जब एक्सपेंशन होता है तो उस का कोई रिकार्ड इनको नहीं दिया जाता है, इनको जानकारी होती है इस तरह की सारी

बातें होती हैं और इस तरह से ब्लैक मनी बनाने का, ज्यादा से ज्यादा प्राफिट कमाने का, ज्यादा से ज्यादा ग्रामदानी करने का, देश को धोखा देने का, मजदूरों को धोखा देने का और देश की दीवत को लूटने का काम ये मल्टी नेशनल कंपनियां और साथ साथ देश के मोनो-पलिस्ट कैपिटलिस्ट लगातार कर रहे हैं जो सरकार की नीलेज में है लेकिन सरकार उस पर कोई कार्यवाही नहीं करती है।

यही स्थिति लिपटन इंडिया लिमिटेड कंपनी की है। इनकी जो ऐन्ग्रुअल रिपोर्ट्स आफ एकाउन्ट्स है उस के मुताबिक इनका कहना है कि पांच सौ लाख रुपये का इनका एथोराइज्ड कैपिटल है जिस की कि पचास लाख शेयर्स के रूप में बिक्री होगी और दस रुपये का एक-एक शेयर होगा। रिपोर्ट में इस बात का जिक्र किया गया है कि 37.5 लाख शेयर्स बिक्री हुए हैं जो फूली पेड अप हैं। डीटेल्स में वह कहते हैं, जो सच्चाई है, वह यह है कि 25 लाख 27 हजार 100 शेयर एलाट किया गया जो फूली पेड अप कहा जाता है लेकिन कैश पेमेंट नहीं हुआ है। 14 लाख 99 हजार 999 शेयर जो हैं वह युनि लिबर लिमिटेड कंपनी जो यू० के० की है उस के हैं और बाकी 12 लाख 22 हजार 900 शेयरों का कोई हिसाब नहीं है। यह भी अन्दाजा लगाया जा सकता है और यह बातें भी सही है कि ये भी जो यू० के० की मल्टी नेशनल कंपनी है उस के कब्जे में हैं जब कि 40 परसट होना चाहिए उन के हाथ में जो विदेशी हैं। लेकिन अगर दोनों को जोड़ दिया जाय तो 27 लाख 22 हजार 899 शेयर उन के हाथ में आ जाते हैं जो 72.6 परसंट आता है। इस तरह से 40 परसंट का जो कानून है उस का

किस तरह से घोर उल्लंघन किया जा रहा है? यही नहीं इस सिलसिले में मैं यह कहना चाहूंगा कि यह जो लिपटन कंपनी है इस को एक तरह से यही युनि लिबर कंपनी इस रूप में डायरेक्टली नहीं तो इन्डायरेक्टली मैनेज कर रखी है।

मेरा कहना यह है कि कानून जो बनाते हैं उद्देश्य उसका सही है, पार्लियामेंट उस को अप्रूव करती है, लेकिन जब ऐक्शन में जाते हैं तो जाहिर बात है कि आप उन से मिले ए हैं और आप उनको पकड़ नहीं पाते हैं।

मैं इस सिलसिले में दो और चीजों का उल्लेख कर के बैठ जाऊंगा। वह बंगाल की दो कंपनियों के बारे में है। एक है बंगाल पाठरीज लिमिटेड कैलकटा और दूसरी नेशनल रबर मैन्युफैक्चरर्स लिमिटेड कैलकटा है। इन कंपनियों की हालत बहुत खराब थी। वहां का जो मैनेजमेंट था सरकार ने उस की बुरी अवस्था को देखकर उस के मैनेजमेंट को टैंक ओवर कर लिया। लेकिन इसके बाद भी प्रोडक्शन उन्होंने 50 परसंट घटा दिया और रेट बढ़ा दिया 60 परसंट। पांच हजार मजदूर वहां काम करते हैं, अच्छा सामान पैदा होता है, फारेन एक्सचेंज उस से आता था। आज सारे देश को उस से नुकसान हो रहा है।

यही स्थिति नेशनल रबर मैन्युफैक्चरर्स लिमिटेड कैलकटा की है। 32 सौ मजदूर वहां काम करते हैं। यहां भी जब इंडस्ट्री सिक होने की अवस्था में आई तो सरकार ने मैनेजमेंट को टैंक ओवर किया। लेकिन वहां भी मैनेजमेंट गड़बड़ कर रहा है, प्रोडक्शन नहीं बढ़ा रहा है मजदूरों को पूरा काम नहीं दे रहा है और स्थिति बड़ी खराब है। हमारी मांग है कि इन

[श्री विजय कुमार यादव]-

दोनों कम्पनियों को, सरकार को नेशनल-लाइज करना चाहिए जिस से देश हित में फारेन एक्सचेंज आए और जो लगभग 10 हजार मजदूर परेशान हैं उनकी परेशानी दूर हो। वह काम करना चाहते हैं अच्छा सामान पैदा करना चाहते हैं जिस से देश को फायदा हो सकता है। लेकिन चूंकि सैनेजमेंट में वहां पर गड़बड़ है इस वजह से ये सारी बातें हो रही हैं। जब तक सरकार उन को नेशनलाइज नहीं करती है तब तक ये गड़बड़ियां रहेंगी। इन्हीं शब्दों के साथ जो बिल आया है उस का उद्देश्य चूंकि अच्छा है इसलिए मैं उस को सपोर्ट करता हूँ।

SHRI A. K. ROY (Dhanbad). Mr. Chairman, this Government has earned the reputation of bringing bad laws and doing bad things. (*Interruptions*) We are used to that. We had NSA and ESMA. But we are horrified when this Government comes with a Bill stating that it is a good Bill and that they want to do some good thing.

We can understand this Government appeasing the employer. But this is a rare occasion when this Government is professing to punish the employer.

If you look very deeply into the Bill, it is a 7 line, innocent-looking Bill. It has three tentacles and it derives strength from three corners. One is the Economic Offences Limitations Act, 1974, where 22 offences are exempted from the purview of the Criminal Procedure Code and the other is Chapter 36 of Criminal Procedure Code and the third is Section 24 and Section 24A of Industries Development and Regulation Act.

I am surprised with the reasoning. Actually this entire enactment is to legalise the delay which it is claiming to be impossible to avoid. The delay is being rewarded by this punishment.

What is the punishment? What are the offences under Section 21?

Chapter 36 of Criminal Procedure Code says that the punishment would be only fine and that there should not be a gap of six months for taking cognisance on the occurrence of the offence—when it is one year, they keep one year as the gap—and for any offence, punishment should be three years. Three years' time is given for taking cognisance.

"Notwithstanding anything contained in section 36 says:

"Notwithstanding anything contained in the foregoing provision, any court may take cognisance of any offence after the expiry of the period of limitation if it is satisfied on the facts and circumstances of the case that the delay has been properly explained and it is necessary to do so in the interest of justice."

I would like to know from the Hon. Minister how Section 473 would not come to help even if they could not complete their investigation within that scheduled time.

I would like to know whether it is necessary that such a long time should be taken.

After all, under IDRA what are the things that the Government officials can probe? Those are whether proper licence is taken, proper registrations are made and whether Section 16 of the IDRA is being followed or not. I wonder how these things can be ascertained and detected. The Government takes so much time. They are coming out with this enactment actually to reward the delay.

We want that economic offenders should be caught immediately. No delay should be there because economic offences are committed by economically stronger people. If time is allowed, they have got hundreds of ways to cover up their crimes. Unlike

other crimes, in dealing with economic crimes, you must be firm.

A law should be made, an enactment should be made, to investigate cases where more time is taken. There should be fixed time-schedule within which the economic offences must be brought to book.

Many of my friends from the opposition have supported this Bill, but I suspect the very intention of this Bill; this Bill will further dilute the entire proceedings against the economic offenders and strengthen their hands by legalising the delay in the procedure because the whole system, including the government officials and Ministers, is based on appeasing the employer, the money-bag. I am opposed to this Bill because it legalises it. I will refer to one or two cases. I have referred to them earlier also.

Under section 24 or 24A, making a false statement is an offence punishable with imprisonment for three months and a fine of Rs. 2,000. Today only the Government has given the answer. In my Constituency, there is a factory, Kumardhubi Engineering Works. For more than two years, that has been lying closed. Mr. Pran Prasad, Chairman of Bird & Co., Heilgers Group, violated all provisions of section 16 of the Industries (Development & Regulation) Act, but nothing was done to him. Not only that, this Government promised to take over that factory. But you will be surprised to hear this; it is a news to the whole House, what he has said today in answer to my question. My question was:

"whether he is aware that the Chief Minister of Bihar in a radio broadcast on 7-11-80 declared that the Government had decided to take over the management of Kumardhubi Engineering Works in Dhanbad district of Bihar;"

The answer to that is: "Yes, Sir". They had promised, they had assured,

they had committed, and on that commitment, the Chief Minister of Bihar, belonging to the same Party, went on the radio and announced to the starving workers that the Government had decided. Now, what he is saying further in his answer today is this:

"The matter was initially discussed by Minister of Industry, Government of Bihar, with Minister of State of Industry, Government of India on 5-11-80, but no assurance for the takeover of the factory by the Central Government was given to the Government of Bihar."

That means, the Government of Bihar bluffed the people; they came on the radio giving false impression, false information, attracting section 24A of the IDR Act where the punishment prescribed is imprisonment for three months and a fine of Rs. 2,000. They have reduced the whole thing to such a ridiculous extent. The Minister should come out with a statement on this. I have personally talked to the officials, to the Chief Minister and to the Industries Minister. They say that they were not fools to have gone on the Radio and announced to the people. More than 2,000 workers, 20,000 family members, were starving for the last two and a half years; not only that, 60 persons died of starvation. This is the state of affairs. And this is the law that they are bringing now, an innocent-looking law! Many people are saying that this is a very progressive law, this Government wants to punish the employer, they would punish the employer! Very good things we are hearing! (interruptions) But they are actually legalising, sanctifying, the delay. To find out whether an employer has violated a provision in respect of licence or registration under section 16 or 16A of the IDR Act, they take more than a year and, therefore, they say, the provisions of the particular section of the Cr. P. C. should be diluted.

[Shri A. K. Roy]

I would like the Minister to come out clearly with a statement as to who has given wrong information, whether it is the Government of India or the Government of Bihar. The Government of India is giving information in answer to a Parliamentary question and the Government of Bihar is giving information to the people through Patna radio. Both are owned by the Government. They have been caught by today's answer; they have accepted both. I want the Minister to come out and say whether it is not an offence; I would like to know how the law should be amended to apprehend, to punish, this type of offence where 60 workers died of starvation. Had they not announced, the workers would not have waited. All these months and years they waited and they died. Their womenfolk became prostitutes and in my constituency not one or two but 2300 workmen are affected. They have come out with a policy announcement that all sick industries which have a capital of more than Rs. 2 crores and employ more than 1000 workmen will be taken over. This industry has more than Rs. 10 crores of assets and it employs, according to them, 2300 workers. They should come out with a proper policy on the sick industry. They should come out with a proper amendment of the ID Act. They should come out with how the economic offences could be quickly dealt with and the offenders punished and they do not get out of it.

With these words I warn the Minister should come out with how this was necessary. I want to know how this Section, Section 473 of Cr. P. C. would not be used. Even if there is delay, this enactment is necessary. With these words, I hope the Minister will come out and clarify all these points and more particularly the points I have raised regarding the Kumardhubi Engineering Works which has become a victim of all sorts of economic offences.

SHRIMATI GEETA MUKHERJEE

(Panskura); Many members have referred to economic offences. One thing is not very clear. To-day what is meant by an economic offence?

Certain things have been referred to by my hon. colleague, Mr. Roy. Certain other things have been referred to by my hon friend, Bapusaheb Parulekar. I want to raise one question. Under the Industries Development and Regulation Act the management is taken over of certain factories. After that often it is seen that the Government keeps some people of the old company who have actually looted and made it sick at the helm and then they go on sabotaging the industry. And this kind of loot goes on and Government gives money and afterwards they make it sick again. Now I would like to know if such practices should not be considered economic offences—cheating the State as well as deceiving the workers. This is my query.

Now with regard to this Bill itself, I do support it. But, at the same time, I also must say that I am not very hopeful about the outcome of the Bill because with the existing powers what was done was very little. At the moment I will raise some company matters for consideration of the hon. Minister as to how they should be dealt with. My hon colleague, Mr. Yadav referred to West Bengal companies. One is the National Rubber which was taken over under Section 18. This, as you will understand, is a rubber goods manufacturing company and it was one of the biggest in Asia. Now, after its management was taken over, immediately the workers got so enthused that its production went up to worth Rs. 1.30 crores. But since people who are actually not at all interested in seeing it through have been kept in the management, what is happening now is that no raw materials are available.

Even if they are available, only 10 per cent is bought. Now the result is that the production worth 1.30 crores of rupees has come down to

Rs. 16 lakhs only. The Government has to bear the burden of Rs. 35 lakhs by way of subsidies to the company every month. What is the meaning of this takeover? Once a company is nationalised forthwith Government should look to the workers' interests from the very beginning so that the production does not suffer.

I am for immediate nationalisation of the National Rubber Company as it can substantially add to the public sector, and the rubber goods sector is very important for our country. Second is the Bengal Pottery. This used to compete with any other pottery in India. It has a very good foreign market. We had been hearing very much about the necessity of exports. This was an export-earning company at one time. As usual the company was looted and ultimately the management was taken over by Government. But the thing is that after the take-over of the management, the very same people had been kept at the helm of affairs. I can name Mr. Bhagat for example who has been kept at the helm of affairs. What is the use of such a takeover?

You will be surprised to know that there are three factories in the company, one of which (No. 3) was engaged in the production of Plaster of Paris. The company is now keeping its factory number three closed. With the result, Plaster of Paris has to be got from the outside market at a very high rate thereby incurring heavy losses. People at the helm must be interested in buying in from Outside. So, this is the way deal with after the management is taken over. Why, after takeover of the management, the chance should be given to very same people to loot? It should be a straight nationalisation and the same people should not be at the helm of affairs. That is my point.

Similarly, in the case of INCHECK Tyers, you know, this was a case of nationalisation. The management was

was takenover after a long time. But it is still not nationalised. Another Company Hoogly Docking was taken over only for a year, after one year, again, it was handed over to the very same gentleman. That is the situation now. This is facing a total collapse. So, my first point is that these kinds of loot should be brought under 'economic offence' and the management should never be left at the hands of the old management. My second point is that the workers surely show/great interest after take over. For utilising that every these should be immediately nationalised.

I request the hon. Minister to inquire into the specific cases that I mentioned here and take prompt action. In future be on guard against such economic offenders.

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI CHARANJIT CHANANA): Mr. Chairman, Sir, first of all, I must thank the hon. Members who have given their support to this Bill. I also thank those hon. members who have reserved their support to this Bill. I am grateful to all the hon. Members. Under the umbrella of this Bill, they would like to talk about sickness of industry and so on and so forth. They have given their suggestions. In the light of eight-point programmes they have given many more suggestions. In fact, the hon. Members' suggestions are valuable to me. It is a different thing whether we agree with them or not. But, as far as this Bill is concerned, I would first like to clarify one thing which, to me, is very important. Those friends who have commented and reserved their support should know that the Bill has been vetted by people whose discipline is law and they would know it better and decide better. The number of lines do not decide the merit of the Bill as Mr. Roy took objection to the number of lines being seven. I hope he is not suspecting number seven to be lucky or otherwise. Sir, we do not go to the numerical strongly and, I hope, brevity is not the demerit of law.

SHRI CHARANJIT CHANANA:

Sir, Mr. Daga's objection was as to why should this Law of Limitation should hang like sword of Damocles on the head of the economic offenders and that provoked me to give a clarification when I said that an economic offender yesterday or day before yesterday would remain an economic offender because time would not absolve the offences that he has committed.

Sir, some hon. Members said that they do not want to support the amendment because they feared that it will remain only on paper. I may assure them that it is not going to be a paper document. In fact, the main object of this Bill is to put life into something which was weakening. Some friends have quoted our old replies to the Questions in the Parliament and draw our attention to the weakness of this part of the law of limitation where it takes a year for the production figures to be related. Sir, I wish there were statistical system which was having the terminals fixed with the computer all over and we had daily production figures. Mr. Chatterjee pointed out that it imposes a mere fine of Rs. 5,000 which is pittance. I agree with him. These were such penalties which could not mean anything and for that reason we wanted to remove this limitation clause which could give them umbrella of protection.

Then, Sir, while on the one hand as a matter of policy we want fuller utilisation of installed capacity, we want higher production and we want to regularise the excess capacity yet where there is clash between the interests of the small scale sector and large scale sector we would like that the small scale sector's growth is protected, promoted and assured and any economic offence which goes against the development of small scale industries would be considered as a serious economic offence and that does not deserve any limitation at all.

Sir, with this clarification, I am sure, the hon. Members would appreciate that the major object is met. Hon. Members have given instances where

X, Y and Z companies have exceeded the limit and said that we should stop them but stopping them by a penalty of Rs. 5,000 was meaningless...

If one year' lapse is there why should they go scotfree? I don't know why Daga ji does not want that the Democles' Sword should not hang on them. I want that it should not only hang on them, but fall on them! Now, Sir my friend Mr. Roy talked about Pranam Prasad Brij Mohanty. I do not want to associate my party with a name like that all. My friend talked of offences committed 2 years back. That was the period which the hon. Member gave. Now if he has committed any breach under the IDR Act, we would see to it that he is dealt with properly. The treatment would not be positive at all; it will be a fairly negative treatment to correct the economic offender. I would not like hon. Members to be reminded of their negative association with the Governments which promoted such regularisation things in the case of Kumardhubi Engineering Works. I would like the hon. Member to understand that Kumardhubi Engineering Works has been drawing our attention for the last so many years. I wish you see the whole history of it. If you come to my chamber, I will explain the whole thing. I was explaining the position in my reply to the question today on this very firm, Kumardhubi Engineering Works. We have left it to the State Government to see if they can take it over. There is one other important point and I hope my friends will appreciate this. We have decided as a matter of policy, to do this. The main thing talked about was about the sick units. We found that regarding these 53 industrial units as on 1st October, 1981, which were taken over, under the IDR Act the longevity of the taking-over period was so long that we decided that this is not going to be long at all. My hon. friend talked about National Rubber. Other hon. friends talked about Inchek, about Bengal potteries and so on. First of all we have to decide a policy on the removal of the evidence of curing the sickness of the industries and I would like to mention one particular

thing. The first thing we have done is that regarding all those units which were taken over as on 1st of October 1981 we should decide their fate within 6 months. Mr. Chattarjee talked about this. Returning the units to the private sector or to the same person etc. would not arise at all. There are alternatives left once a unit is taken over. It may be taken over as a matter coming under the Industrial Policy Statement; it may be taken over by another healthier unit. Even if it is in their own family, we would like them to take it and get the advantages of Section 72 of the IT Act. That is one. Number two is nationalisation of the unit. Number three, or part (a) of number two, is this: We want the State Government to take it over.

DR. FAROOQ ABDULLAH (SRINAGAR): Do you mean to say this will apply to all the units which have been there before 1st October, 1981 also?

SHRI CHARANJIT CHANANA: I think the hon. Member would appreciate what I said: units which were taken over as on 1st of October, 1981, before and afterwards also. Now, when we take over one unit, we must decide within 6 months as to what is going to be the fate of that unit, rather than hang on that unit for 13 years and add to so many liabilities etc. We don't want that at all.

Then the last one is denotification. That means liquidation of the unit. We do not want the basket of sick units in the hands of the public sector; it fell into them only because the offenders went away. I am not trying to plead for the offenders at all. I would like my hon. friends to appreciate this point. The most important factor which forces the Government to take over a unit is the interest of the workers, wages of workers, employment of workers, arrears of wages etc. In many cases we had to take over uneconomic units. I am not talking of the units which the hon. Member has mentioned. The fate of those units which you have mentioned will be decided and in the process of being decided within the

guidelines, we have finalised about the sick units.

श्री गिरधारी लाल व्यास (भीलवाड़ा) : मैंने जो कहा था मेवाड़ टैक्सटाइल्स मिल्स के टेक ओवर के बारे में उसके बारे में बताइये।

श्री चरणजीत चानना : उसके बारे में मैं बताऊंगा। अभी तो मैं सिक मिल्स इन जनरल की जो बात कही वह मैं ले रहा हूँ। और उसका भी वही होगा, सब का वही होगा। जो टेक ओवर नहीं है उसको भी मैं बता दूंगा।

I am glad that you have given importance to the point. The Government is already attaching high importance to that. The salient features of these guidelines are as below:

(i) The Administrative Ministries in the Central Government will have specific responsibility for prevention and remedial action in relation to sickness in industrial sector within their respective charges. They will have a central role in monitoring sickness and coordinating action for revival and rehabilitation of sick units. In suitable cases they will also establish Standing Committees for major industrial sectors where sickness is wide spread.

The hon. Members would be aware of the regular signal system, warning signal system which the financial institutions, the development institutions including the banks are supposed to keep on giving. So, we want a constant monitoring of the development of the industrial units.

(ii) In the case of units which are showing symptoms of sickness, the financial institutions will strength the monitoring system so that it is possible to take timely corrective action to prevent incipient sickness. They will obtain periodical returns from the assisted units and from the Director nominated by them on the Boards of such units.

[Shri Charanjit Chanana]

I would like the hon. Member to realise one thing that if this was done two years ago, all these sorts of things would not have come up in the picture at all. There is no exemption for the public sector units at all. The act applies to both private as well as public sector units.

(iii) The financial Institutions and Banks will initiate necessary corrective action for sick incipient sick units based in a diagnostic study to be undertaken by them. In cases of growing sickness the financial institutions will also consider assumption of management responsibility where they are confident of restoring a unit to a healthy state.

(iv) Where the Banks and Financial Institutions are unable to prevent sickness or ensure revival of a sick unit they will deal with their outstanding dues to the unit in accordance with the normal banking procedure. However before doing so, they will report the matter to the Central Government who will decide whether the unit should be nationalised or whether any other alternative including workers' participation in the management can revive the undertaking.

Now, there are case where we have in fact tried to do this. In the case of Dalmia Dabri Cement factory, we have invited the workers to set up the administrative unit as workers' management unit. But unfortunately, there could not be one like that and we had to nationalise that. Now the management can revive the undertaking.

(v) Where it is decided to nationalised the undertaking, its management may be taken over under the provisions of the Industries (Development & Regulation) Act for a period of six months to enable the Government to take necessary steps for nationalisation.

(vi) The industrial undertaking presently being managed under the

provisions of the Industries (Development and Regulation) Act, 1951 will also be dealt with in accordance with the above principles. It will be decided if the undertakings are to be nationalised or any other alternatives can provide a solution. If none of the alternatives are considered feasible, the Government may consider de-notification of the unit, in which event the Banks and Financial Institutions will deal with their outstanding dues to the undertakings in accordance with the normal banking procedures.

Now, the second common point which the hon. Members had raised was the I(D&R) Act which according to them was 30 years old and needed a revitalisation. Well, I would like to share the hon. Members' views and I have already said in this House that the Government has already started a process of identifying areas where it needs revitalisation, where there is any gap or there is need for strengthening the provisions of the law. And if it at all need be, like this, we would come with any amendment that is required in the provision of I (D&R) Act.

SHRIMATI GEETA MUKHERJEE: I want one clarification. I hope that the Companies that I have mentioned do not come under your de-notification Act. I hope that you are not considering them for de-notification. Instead, you will actively consider these companies for immediate nationalisation.

SHRI CHARANJIT CHANANA. I have informed the order of priority. This is the last resort.

MR. CHAIRMAN: That is the last resort. He has already said that.

SHRIMATI GEETA MUKHERJEE: There are 5,000 workers in one and there are 3000 workers in another. It is for them to do that.

SHRI CHARANJIT CHANANA: That is there in our priority schedule. Now, I am referring to the cases of Mr. Somnath Chatterjee and I think I have already replied to his points. Now, Mr. Roy would appreciate that his points

do not fall under the I(D&R) Act. He was talking of the code of morality and things like that. I will always appreciate if they can develop the code of morality. For example, Mr. Chatterjee reacted on the judicial systems. He himself is a person connected with the discipline and we would appreciate the hon. Member's colleagues in the House who are not belonging to that discipline would also agree with me in welcoming a code of morality developed by the legal experts or the people who are professionals in that discipline to see that they are not paid criminals. That kind of national code of morality can be evolved. The country would definitely welcome that. The hon. Member Mr. Palaniappan talked about tax evasion. He has referred to a particular case. He brought about the case of the Chief Minister of Tamil Nadu in the picture. Since it does not relate to the Industry Ministry, I would only like him to address the right Ministry.

मैंने श्री व्यास को बता दिया है कि हम एक काम्प्रिहेंसिव बिल लाने की तरफ ध्यान दे रहे हैं।

श्री गिरधारी लाल व्यास : (भीलवाड़ा):

सरकार ने मेवाड़ टैक्सटाइल मिल को टेक ओवर किया था। उस के बाद दो तीन साल तक अपने पास रखने के बाद उस ने उसको वापस कर दिया। आज उसकी कंडीशन यह है कि वे तीस लाख रूपया प्राविडेंट फंड का खा गए हैं, तीन चार लाख रूपया ई० एस० आई० का खा गए हैं और करोड़ों रूपये बैंकों के बकाया हैं। वह मिल पूरी तरह सिक हो गई है, लेकिन सरकार कोई एक्शन नहीं ले रही है। तीन चार हजार लोग बर्बाद हो जायेंगे। कोई न कोई एक्शन लेना चाहिए।

SHRI CHARANJIT CHANANA: The hon. Member has made an important point. There is already a law against misappropriation of public funds. And with that law there is a Company Law.

There are appropriate provisions of Company Law treating the breach of that Law. As far as this case is concerned, in fact since this concerns the Ministry of Commerce dealing with the Textiles, I have already referred your case to them and I would suggest that you address a separate question to the Commerce Ministry also and they would be able to tell you. I have only told you, how, as a matter of principle, we shall deal with the taken-over companies. Now, a taken-over company will know its fate within a period of six months; the period of two or three years will not be there at all.

I think, I have tried to cover as many points as I could.

SHRI A. K. ROY (Dhanbad): Suppose a company is taken over, you consider how to denotify or to nationalise it. But a company whose take-over has been assured cannot stand like that.

SHRI CHARANJIT CHANANA: As far as the taking over is concerned, there is no concept as assuring the take-over. Either a company is taken over or it is under consideration of being taken over. If by taking over you mean nationalisation, that is a separate thing.

SHRI A. K. ROY: I can quote dozens of answers where it was stated that you were considering take-over.

SHRI CHARAN CHANANA: Please try to discriminate between taking over and nationalisation. Do you mean nationalisation by taking over?

SHRI A. K. ROY: Under Section 15A of the IDR you made an investigation about the possibility of take-over. That took place one year back. The investigation report has been submitted. You are not saying this way or that way. You still say that it is under consideration. The workers are perishing with expectation.

SHRI CHARANJIT CHANANA: Which case are you referring to?

SHRI A. K. ROY: Kumardhobi Engineering Works, Dhanbad.

MR. CHAIRMAN: You examine this case early and send him a reply.

SHRI CHARANJIT CHANANA: The case is under my examination. The hon. Member knows the history of this case. We had, in fact, finalised this matter.

SHRI BAPUSAHEB PARULEKAR (Ratnagiri): I would like to know, whether according to you and the Government, the offences under Section 24 of the IDR Act are economic offences. To that pertinent question asked by me and other colleagues, you have not so far given any answer.

Further, I asked you yesterday whether you were prompted to bring this piece of legislation because you have instances before you that some prosecutions could not be filed because they were barred by law of limitation; if so, who are the accused; whether they were very high-ups?

SHRI CHARANJIT CHANANA: If IDR Act is an economic Act, the breach of that Act or provisions of that Act, would be economic offences. IDR Act is an economic Act, and, therefore, breach of any provision of this law would be economic offences.

As far as the number of cases is concerned, I do not have the list. If however; you want some instances, I can give. These were brought to our notice by our friends in this House. For instance, you know the case of Colgate Palmolive for excess production of tooth pastes. It is an item reserved for small scale industry. This is a case which was brought to our notice.

16.00 hrs.

MR. CHAIRMAN: The question is:

"That the Bill further to amend the Economic Offences (Inapplicability of Limitation) Act, 1974, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: Now, the House will take up Clause by Clause consideration of the Bill. Clause 2.

There is no amendment to this Clause. So, I put Clause 2 to the vote of the House. The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

MR. CHAIRMAN: Now I put Clause 1, the Enacting Formula and Title together to the vote of the House.

The question is:

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

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

SHRI CHARANJIT CHANANA: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

16.01 hrs.

BEEDI WORKERS WELFARE CESS
(AMENDMENT) BILL—Contd.

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI P. VENKATA REDDY): Mr. Chairman, Sir, Member's may be aware that a Fund has been created under the Beedi Workers' Welfare Fund Act, 1976 for financing measures to promote the welfare of persons engaged in beedi establishments. This fund is meant to be used for:

(a) Improvement of public health and sanitation, prevention of diseases and provision of medical care;