

11.27 hrs.

SUGAR UNDERTAKINGS (TAKING OVER OF MANAGEMENT) AMENDMENT BILL

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI BHANU PRATAP SINGH): Sir, I beg to move:

"That the Bill to amend the Sugar Undertakings (Taking over of Management) Act, 1978, be taken into consideration."

For maintaining the continuity of production of sugar, for avoiding undue hardship to cane producing farmers who were not getting prompt payment of cane supplied by them to the sugar factories and to best subserve the interests of all sections of the people, the Sugar Undertakings (Taking Over of Management) Ordinance, 1978 was promulgated on the 9th November, 1978. The Ordinance was replaced by the Sugar Undertakings (Taking Over of Management) Act, 1978 (49 of 1978). The Act, provided for the vesting of the management of the sugar undertakings in Central Government under certain circumstances.

Immediately after the Act, was promulgated, action was taken according to the provisions of the Act on the erring sugar mills and as of today 10 sugar mills have been taken over. However, while administering the provisions of the Act, it was noticed that the original wording of a particular section of the Act had given rise to some ambiguity which needed clarification. Under section 3(1) (b) of the Ordinance, where the Central Government is satisfied that on any date in any sugar year any sugar undertaking has, in relation to the cane purchased before that date for the purposes of the under-

taking, arrears of cane dues to the extent of more than ten percent of the total price of the cane so purchased during the immediately preceding year, the Central Government may issue a notice to the owner of such sugar undertakings calling upon him, among other things, to show cause as to why the management of such undertaking should not be taken over by the Central Government. A view has been put forth that arrears of cane dues referred to in this section refer only to the arrears of cane dues which will accrue in the current sugar year. However, this was not the intention of the Government while framing the Act. This interpretation would in fact undermine the very object with which the Act was framed, i.e., with a view to give relief to the cane growers who have to wait indefinitely for getting back the price of their produce from the factories. Hence, it was felt that it would be desirable to amend section 3(1) (b) of the Act to bring out clearly the sense behind the words and protect the interest of the cane growers. As Parliament was not in Session and immediate action was necessary not only to continue effective action under the Act but also to validate action already taken, the Sugar Undertakings (Taking Over of Management) Amendment Ordinance, 1979, was promulgated by the President on 31-1-79. The present Bill is to replace the above Ordinance.

The present amendment is a necessary concomitant for the smooth administration for the provisions of the Act. As such, I commend the Bill for the consideration of the House and its early passing.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to amend the Sugar Undertakings (Taking over of

*Moved with the recommendation of the President.

[Mr. Dy. Speaker]
Management) Act, 1978, be taken
into consideration."

Now we will take up Private Mem-
bers' Bills.

15.31 hrs.

INDIAN FISHERIES (AMEND-
MENT) BILL*

(Amendment of Sections , 4, etc.)

SHRI PIUS TIRKEY (Alipurduar):
I beg to move for leave to introduce
a Bill further to amend the Indian
Fisheries Act, 1897.

MR. DEPUTY-SPEAKER: The
question is:

"That leave be granted to intro-
duce a Bill further to amend the
Indian Fisheries Act, 1897".

The motion was adopted.

SHRI PIUS TIRKEY: I beg to in-
troduce the Bill.

15.32 hrs.

CONSTITUTION (AMENDMENT)
BILL*

Amendment of Article 324

SHRI EDUARDO FALEIRO (Mar-
mugao): I beg to move for leave to
introduce a Bill further to amend the
Constitution of India.

MR. DEPUTY-SPEAKER: The
question is:

"That leave be granted to intro-
duce a Bill further to amend the
Constitution of India."

The motion was adopted.

SHRI EDUARDO FALEIRO: I intro-
duce the Bill.

POLYGAMY PROHIBITION BILL*

SHRI P. RAJAGOPAL NAIDU
(Chittoor): I beg to move for leave to
introduce a Bill to provide for prohi-
bition on polygamy in India.

MR. DEPUTY-SPEAKER: The
question is:

"That leave be granted to intro-
duce a Bill to provide for prohibition
on polygamy in India."

The motion was adopted.

SHRI P. RAJAGOPAL NAIDU: I
introduce the Bill.

15.33 hrs.

PREVENTION OF SOCIAL DISABI-
LITIES BILL—contd.

DR. VASANT KUMAR PANDIT
(Rajgarh): Last time I had moved:

"That the Bill to prevent the im-
position of social disabilities by a
member or members of a communi-
ty on a member or members of his
or their own community, to provide
for penalties for such an act or acts