

[Shri Subodh Sen]

nowhere that point has been given. Though it is late, I would still hope that the Minister should see and devise some ways and means so that the connotation could be given. I would not have said it but yesterday some hon. member from that side rubbed West Bengal. I do not know why he rubbed West Bengal. How West Bengal came into the picture? But for the knowledge of this House I should say that during the tenure of the left front government during the last four years, the workers have been able to wrest from the employer's hands that much money which they could not get during the period of the last 100 years.

On the eve of 1977, in Duars, West Bengal the workers had

14.58 hrs.

[MR. DEPUTY SPEAKER in the Chair]

been getting Rs. 4.20, and in between the period of 1977 upto 1981, in the course of these four years, workers have got another increment of Rs. 4.80, what the workers could get during the preceding period spreading over 100 years they got it within four years, that is due to the unity of the working class including INTUC and the lending hands of the left front government. He does not know anything about it. He has unnecessarily raised the point which does not arise here.

श्रीमती राम बल्लारी सिन्हा : सभापति जी, मैं सर्वश्री रामावतार शास्त्री, बार. एल. पी वर्मा, सुबोध सेन को धन्यवाद देना चाहती हूँ। लेकिन एक आश्चर्य भी प्रकट करना चाहती हूँ कि कल मैंने अपने प्रारम्भिक भाषण में जिन बातों का तर्जकिया किया था और बयान दिया था तथा माननीय सदस्यों ने जो भाषण दिये और कुछ राय जाहिर की उसके सम्बन्ध में भी मैंने अपना विस्तृत उत्तर दिया। उसके बावजूद भी वही बातें माननीय सदस्यों ने अभी कही। मैं

कहना चाहती हूँ जहाँ तक शास्त्री जी की प्लान्टेशन लेबर से संबंधित हर राज्य की शिक्षा से सम्बन्धित है इन्हें मैं शिक्षा विभाग को विचार करने के लिए भेज दूंगी।

इन शब्दों के साथ मैं कहना चाहती हूँ 1951 का बिल तरमीम के लिए 1973 में आया और संयुक्त प्रवर समिति को सुपुर्द किया गया जिसकी रिक्मण्डेशन 1975 में आयी और हमप्रूव्ड तरीके से उस बिल को आज सदन में रखा है। इसके पहले ही यह बिल पिछले महीने राज्य सभा में पारित हो चुका है इसलिये माननीय सदस्य एक मत से उसे अपनी स्वीकृति दे दें। ताकि मजदूरों का भला हो सके।

MR. DEPUTY SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

15.00 hrs.

INDIAN IRON AND STEEL COMPANY (ACQUISITION OF SHARES) AMENDMENT BILL

MR. DEPUTY-SPEAKER: Now we take up Indian Iron and Steel Company (Acquisition of Shares) Amendment Bill. Time allotted is one hour. I want hon. Members' cooperation in completing the Bill today.

THE MINISTER OF COMMERCE AND STEEL AND MINES (SHRI PRANAB MUKHERJEE): I seek consideration by the Lok Sabha of an amendment to the Indian Iron & Steel Company (Acquisition of Shares) Act, 1976, which will help alleviate the sufferings of the genuine ex-share holders who could not file their claims in time. The hon. Members are aware that the management of the Indian Iron & Steel Company Limited was taken over by the Government of India in public interest, with effect from

the 14 July, 1972, initially for a period of two years, to ensure the proper management of the Company and with a view to arresting the precipitous fall in its production due to ineffective and unresponsive management at the top. This period was further extended by three years w.e.f. 14 July, 1974.

During the period of take-over, a number of steps were taken to improve the performance of the Company but when a stage was reached when substantial financial assistance from Government became necessary for sustained operations, it was decided to acquire the shares of the company held by parties other than the State Governments and public sector institutions. This was achieved under the Indian Iron & Steel Company (Acquisition of Shares) Act, 1976.

Subsequently, the remaining shares of IISCO held by public financial institutions, nationalised insurance companies, and State Governments were also purchased and transferred to the Steel Authority of India Limited (SAIL) w.e.f. 30 March, 1979.

SHRI PIUS TIRKEY (Alipurduar): There is no quorum in the House.

MR. DEPUTY-SPEAKER: Let the quorum bell be rung.

Now there is quorum. The Minister may continue.

SHRI PRANAB MUKHERJEE: Section 7(i) of the Act provides that every shareholder having a claim in relation to any share acquired under the Act shall prefer such claim before the Commissioner of Payments on or before the 30 November, 1977. It further enables the Commissioner of Payments, if he is satisfied that the claimant was prevented by sufficient cause from preferring the claim before the 30 November, 1977 to entertain the claim within a further period of 30 days, i.e. upto 30 December, 1977 but not thereafter.

Section 11 of the Act provides that any money paid to the Commissioner which remains undisbursed or unclaimed for a period of three years from the last day on which the disbursement was made, shall be transferred by the Commissioner to the general revenue account of the Central Government, but a claim to any money so transferred may be preferred to the Central Government.

The net result of these two sections is that any genuine claim holder, who could not submit his claim within the specified date has to wait for a long time to file a claim with the Central Government. hon. Members will note that no date has been specified by which the Commissioner for Payments should complete the disbursements. This may take a long time and, even after that date, the genuine claim holders will have to wait for three more years to file a claim with the Central Government. The Government never had the intention of denying the payment at the prescribed rates to any genuine shareholder. This is borne out by the fact that in section 6 of the Act a provision was made for the transfer of the total payable amount of Rs. 7,23,95,137.15 to the Commissioner of Payments on the appointed day in the beginning. A number of representations have been received by the Central Government from such share holders, whose claims have been rejected by the Commissioner as time-barred. The Act does not empower the Central Government to examine or condone delay in the filing of claims, and it has not been possible to provide any relief to such share holders. A survey of 793 holders of rejected claims revealed that as many as 258 held 100 equity shares and 441 held 100 to 500 equity shares. These small ex-share holders obviously feel that the waiting period for filing an appeal with the Central Government is too long and it is causing hardship to them.

After carefully examining the above issue in consultation with the

[Shri Prana'b Mukherjee]

Law Ministry, it has been decided to give a final opportunity to all the shareholders, who could not file their claims within the prescribed time before the Commissioner, by extending the time limit within which claims for compensation can be considered by the Commissioner, till the date of expiry of a period of 120 days from the date of commencement of this proposed Amendment Act, and to authorise the Commissioner of Payments to entertain claims within a further period of 120 days, if he is satisfied that the claimant was prevented by sufficient cause from preferring the claim within the period to be notified under the Amendment Act. It is also proposed to provide that every claim preferred, before commencement of the proposed legislation and after the specified period, shall be deemed to have been preferred under the provisions proposed to be amended, so as to enable the claims, which have become time-barred, being considered without the ex-shareholders having to file fresh claims in respect of such shares.

Section 11 of the Act is also being amended to reduce the period of three years mentioned therein for preferring appeals to the Central Government to six months for the purpose of the Commissioner transferring the unclaimed and undischarged amounts to the General Revenue Account of the Central Government, as it is felt that this period of three years is unduly long and would cause avoidable hardship to the claimants, who are unable to prefer their claims even after opportunity is afforded to them.

There are no financial implications of the amendment Bill. I move:

"That the Bill further to amend the Indian Iron and Steel Company (Acquisition of Shares) Act, 1976, as passed by Rajya Sabha, be taken into consideration"

MR. DEPUTY-SPEAKER: Motion moved.

"That the Bill further to amend the Indian Iron and Steel Company (Acquisition of Shares) Act, 1976, as passed by Rajya Sabha, be taken into consideration".

SHRI KRISHNA CHANDRA HALDER (Durgapur) : Sir, the hon. Minister, while moving the Bill, stated that IISCO was taken over by the Government of India with effect from the 14th July 1972, initially for two years and then on 14th July 1974 it was extended by another three years. In the year 1976 the Indian Iron & Steel Company (Acquisition of Shares) Act was passed. The Minister has stated that under the earlier Act the share holders could prefer their claims upto 30th November 1977 but if the Claims Commissioner was convinced that there were genuine causes which prevented the shareholders from preferring their claims within the stipulated time, he can extend it upto 30 days, i.e. 30th December, 1977. He said that the claim put forth by the share holders was time barred and again after three years they can put their demand to the Central Government.

He has said that in the year 1979 the Government took over and purchased the shares of the public institutions and national insurance company of IISCO. Again they have brought this amendment Bill. I want to say that frequent amendments of this manner raise certain doubts. The Bill came as an Act in 1976. The share holders had the time to file claim upto 30-12-1977. The Minister in the Statement of Objects and Reasons has stated that :

"Although wide publicity was given and individual notices were sent to all the registered shareholders of the Company by the Commissioner of Payment."

Then he says that a large number of share holders have not filed their claims, etc. I want to know when wide publicity was given and individual notices were also issued to

the share holders, still they did not prefer their claim before the Claim Commissioner. This Company was in the private sector. It became sick. We heard many stories regarding the irregularities of this Company. Therefore, this Company became sick. I want to mention integrated Steel Plant at Durgapur and Alloy Steel Plant, these plants have no captive coal mine. But IISCO has its own captive coal mine and Captive Iron ore mine But still it became sick. There was mismanagement and there were other reasons and the Company become sick. Why were the genuine share holders not able to file their claims before the Commissioner ? I have every doubt whether those share holders who did not file their claim are genuine or not. Stock markets are operating in Calcutta, Bombay and other places. We have to see whether these claimants are benami share holders or not. What is the nature of representation made by those people ? What made them not to file their claim in time according to law ? They were supposed to file their claim upto 30th November, 1977 and then upto 30th December 1977. This is very important point. After submitting this representation, did you find out as to who are the benami shareholders and who are the genuine shareholders ? What type of enquiry did he make ? I want to know this. When this Bill is passed, it will become an Act and it will have a retrospective effect. I totally oppose this. I say this is being made in a haphazardly and ad-hoc manner and it is being given a retrospective effect for preferring the claim of shares. This is my objection and I totally oppose.

Again, I want to know what will be the mode of verification to determine the benami and genuine shareholders. This is a very important point. You know, in private sector, what type of corruption is there. I do not want to take much of the time. But this point should be conceded. In Section 11 of the

principal Act, a period of three years has been brought in for six months, through this amendment. It is good. But I would not support this type of ad-hoc manner in which the Bill has been brought in and giving it retrospective effect. You know, how benami persons had taken the shares in a fraudulent manner. I oppose this.

In IISCO, the perennial type of jobs are being done by contract labour and casual labour. This sometimes creates industrial problem. I demand that in the integrated steel plants, the contract system should be abolished and the perennial job done by the contract labour and casual labour should be regularised.

I would like to know from the hon. Minister whether the Government has sanctioned to instal a sintering plant in IISCO which will cost Rs. 126.5 crores. But I am given to understand that it has been approved by the Government. If so, when will it be commissioned ?

Now, it is regarding the modernisation and expansion of the plants. The Minister will agree with me that since there is a Left Front Government in West Bengal, the industrial problem in IISCO or Durgapur Steel Plant or Alloy Steel Plant has been improved. So modernisation and expansion is necessary to make these plants viable. In this connection, I may say that I come from Durgapur. I would like to know from the hon. Minister whether the modernisation and expansion of Durgapur Steel

[Shri Krishan Chandra Halder]

Plant and Alloy Steel Plant has been approved and if so, when are you undertaking it? When will he take up this matter?

In this connection, I want to say that in West Bengal, there are so many engineering industries. Coal is there; iron ore is available in Bihar. So, Haldia is the best place for a coastal-based iron and steel plant. I want to know whether at Haldia such a plant is going to be established or not.

MR. DEPUTY SPEAKER : Shri T.R. Shamanna—not here. Now, the Minister will reply.

SHRI PRANAB MUKHERJEE: Mr. Deputy-Speaker, Sir, this Bill is a very simple one because it is an enabling provision in the Amendment Bill to provide authority to the Government to adjust the claims from the persons who have not filed their claims till 30th November, 1977. This is the only relevant portion.

The hon. Member, Shri K.C. Halder, expressed his doubt as to how to ensure that the claimants are genuine. I can assure him that this is not for the first time that we are going to give compensation to the claimants. On earlier occasions also, the claimants have filed their claims and compensation has been paid to them. The same care will be taken for them.

Secondly, as I explained while making my introductory remarks, most of them are small claimants. Some of them are having 100 shares; some are having more than 100 shares. This is the reason why we had to do it because in law itself the Government did not have the authority to entertain the claims from a defaulter if he has not complied with the returns within the prescribed period. This is the only point here.

In regard to other points which the hon. Member has mentioned, that is, relating to modernisation, expansion and development of Durgapur steel plant, IISCO, Alloy Steel Plant, departmentalisation of contract labour and so on and so forth, all these matters have been discussed on a number of times. I hope, this is not the last occasion that we are going to discuss the Steel Ministry. We will have future opportunities to discuss it. Sir, as we are approaching 3.30 P.M. when you are going to start the Private Members' Business, I would not like to take much time of the House.

I would like to draw the attention of the hon. Member and, through you, Sir, to the whole House that in spite of injecting huge amount of money, in spite of taking measures to improve the technical health of the unit, the fact remains that every year we are incurring loss, sometimes Rs. 30 crores, sometimes Rs. 35 crores and like that. The capacity utilisation is extremely poor. This is one of the major reasons.

Perhaps, the hon. Member will share my experience that so far as this unit is concerned, it has a larger number of manpower which we do not require. Therefore, if we just departmentalise all the jobs of perennial nature a situation may arise that ultimately you will ensure the job but there will be nothing left to do and the plant itself will have to be closed. Let us not go in for that.

So far as this industry is concerned, the hon. Member will appreciate that we have a system where the industrial relationship—it is not merely Burnpur or Durgapur—is better. By and large, in the entire steel industry, we have been able to institutionalise the machinery to sort out the outstanding issues by sitting across the table. Therefore, the industrial relations here are satisfactory, so far as the steel industry is concerned. From that point of view also, we have taken it up. The hon. Member is aware that.

recently I have sorted out one such issue in Durgapur plant. Gradually we are doing it and, therefore, it will be taken care of.

With these words, I have nothing more to add.

MR. DEPUTY SPEAKER :
The question is :

"That the Bill further to amend the Indian Iron and Steel Company (Acquisition of Shares) Act, 1976, as passed by Rajya Sabha, be taken into consideration.

The motion was adopted.

MR. DEPUTY SPEAKER :
The House will now take up Clause-by Clause consideration of the Bill. Clauses 2 to 4 ; no amendment.

The question is :

"That Clauses 2 to 4 stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

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

SHRI PRANAB MUKHERJEE:
Sir, I beg to move :

"That the Bill be passed.

MR. DEPUTY SPEAKER : Motion moved."

"That the Bill be passed."

MR. RAMAVTAR SHASTRI:
He will take only 3 mts.

श्री रामावतार शास्त्री (पटना): उपाध्यक्ष जी, मैं तो प्रथम वाचन में बोलना चाहता था, लेकिन आपने कहा कि तीसरे वाचन में बोलें तो मैं सिर्फ एक सवाल उठाना चाहता हूँ, क्योंकि विधेयक बहुत सीमित है।

मंत्री जी जानते हैं कि पिछले साल से "टिस्को" ने जमशेदपुर में 10 हजार कंट्रैक्ट लेबर को नौकरों से निकाल दिया, जिसमें 7 हजार आदिवासी हैं और उसमें आधे से ज्यादा औरतें हैं। हरिजन-आदिवासियों की बात सरकार करती है। समझौता हो चुका था कि जो लोग पैरैनियल नेबर का काम करते हैं, उनको रेगुलर बना लिया जाएगा। टाटा के प्रतिनिधि राजी हो गए थे, बिहार सरकार भी राजी हो गई थी, यूनियन के लोग भी राजी थे, सबने मिलकर यह फैसला किया था, लेकिन जब यूनियन की तरफ से यह मांग की गई तो मजदूरों पर हमला किया गया और इस आन्दोलन में उस समय वहाँ के बड़े लोक प्रिय नेता क्केदार दास पर लाठी से प्रहार हुआ और दो-तीन दिन बाद उनकी मृत्यु हो गई। इतना गंभीर मामला है। आप टाटा से इतना डरते क्यों हैं। आप कम से कम उन पर दबाव तो डाल सकते हैं कि इस महंगाई में लोगों को बेकार बनाना ठीक नहीं है। जहाँ सरकार बेकारों को काम देने की बात कह रही है वहीं जिनको पास काम है उनको बेकार बनाया जा रहा है। मेरा निवेदन है कि कोई रास्ता निकाल कर इन 10 हजार आदिवासी और दूसरे मजदूरों को काम पर लिया जाए तथा उन्हें दर-दर का भिखारी न बनाया जाए। कई बार यह सवाल उठा, लेकिन अभी तक कोई रास्ता नहीं निकाला गया। अतः मैं चाहता हूँ कि कोई रास्ता निकालिए।

SHRI PRANAB MUKHERJEE:
I am not afraid of Tata, but I am really afraid whether, within two minutes, I can travel from Burnpur to Jamshedpur; that is my real difficulty.

So far as the question of departmentalisation of the perennial nature of the job is concerned, as I have already mentioned, we are fully aware of it and we are gradually doing it. But in regard to Tata, you cannot expect that, when I am piloting a Bill about IISCO, I can switch over to TISCO. Let it be reserved for the next time.

MR. DEPUTY-SPEAKER: The question is :

"That the Bill be passed."

The motion was adopted.

15.29 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

Thirty-Fourth Report

SHRI RAMNATH DUBEY (Banda) : Sir, I beg to move :

"That this House do agree with the Thirty-fourth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 22nd December, 1981."

MR. DEPUTY SPEAKER : The question is :

"That this House do agree with the Thirty-fourth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 22nd December, 1981."

The motion was adopted.

MR. DEPUTY SPEAKER : Dr. Subramaniam Swamy;

DR. SUBRAMANIAM SWAMY: (Bombay North East) Can I say something....

MR. DEPUTY SPEAKER : You have only to move for leave.

श्री मनीराम बागड़ी (हिसार) : उपाध्यक्ष महोदय, इससे पहले मेरी एक बात सुन

लिए। अभी बोट-क्लब पर 2000 लोग, 4 संसद-सदस्य और 5-6 सौ महिलाओं को गिरफ्तार कर लिया गया है। इसके बारे में कुछ....

SHRI HARIKESH BAHADUR (Gorakhpur) : It is very serious, Sir.

MR. DEPUTY SPEAKER : Unless it is serious you will not raise it here ; I know it.

श्री रामाबतार शास्त्री (पटना) : प्रधान मंत्री जी कुछ कहेंगी ?

(Interruptions)

DR. SUBRAMANIAM SWAMY: The Bill is so important that even the Prime Minister has turned up in the House.

(Interruptions)

श्री मनी राम बागड़ी: प्रधान मंत्री जी कुछ कहने की इच्छा रखती हैं क्या? वहां महिला पुलिस नहीं है। लंडोज को मद पुलिस गिरफ्तार कर रही है। प्रधान मंत्री के राज में आदमी गिरफ्तार कर रहे हैं औरतों को। बचाओ किसी तरह।

MR. DEPUTY SPEAKER : Dr. Subramaniam Swamy.

DR. SUBRAMANIAM SWAMY: Can I speak also ?

MR. DEPUTY SPEAKER : Only introduction of the Bill.

15.31 hrs

EMBASSIES, CONSULATES AND UNITED NATIONS AGENCIES EMPLOYEES

(CONDITIONS OF SERVICE) BILL. *

DR. SUBRAMANIAM SWAMY (Bombay North East) : I beg to move for leave to introduce a Bill to