

15.18 hrs.

LAXMIRATTAN AND ATHERTON  
WEST COTTON MILLS (TAKING  
OVER OF MANAGEMENT) BILL

THE MINISTER OF COMMERCE  
(PROF. D. P. CHATTOPADHYA-  
YA): I beg to move\*:

"That the Bill to provide for the taking over, in the public interest, of the management of the undertakings of certain companies, pending nationalisation of such undertakings, with a view to ensuring the supply of certain varieties of cloth needed by the weaker sections of the community as also by the Defence Department and for matters connected therewith or incidental thereto, be taken into consideration".

The Laxmirattan and Atherton West Cotton Mills (Taking Over of Management) Ordinance, 1976 was promulgated on the 19th July 1976 whereby the management of the Laxmirattan Cotton Mills Co. Ltd. and the Atherton West Co. Ltd. which were lying closed was taken over by the Central Government. These two cotton textile mills had been lying closed since May 1975 causing unemployment to about 5,000 workers and prejudicially affecting the production of cloth needed by the weaker sections of the community and also by the Defence Department. The course of action provided in the Ordinance was taken after considering the various alternatives to restart these two mills and on coming to the conclusion that there was no other alternative to this course of action. Once the basic decision was taken, a genuine apprehension arose in Government's mind that unless the management of these concerned undertakings was taken over on an immediate basis, there might be large-scale frittering away of assets which would be detrimental to the public interest.

As a matter of general policy and approach, the Central Government is not inclined to take over more sick or closed mills, in view of the fact that the hands of the National Textile Corporation are already full with the management of 103 mills and now 105 mills. I do not want to take any more time of the House and I move.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to provide for the taking over, in the public interest, of the management of the undertakings of certain companies, pending nationalisation of such undertakings, with a view to ensuring the supply of certain varieties of cloth needed by the weaker sections of the community as also by the Defence Department and for matters connected therewith or incidental thereto, be taken into consideration."

†SHRI JAGDISH BHATTACHARYYA (Ghatal): Mr. Deputy Speaker, Sir, through the present legislation the Government seeks to replace an Ordinance which was promulgated on the 19th July 1976 to take over the two mills of Kanpur viz. Lakshmi Rattan Cotton Mills and Atherton West and Co. both of which were engaged in production of cloth needed for the weaker sections of the community and by the Ministry of Defence. These mills were lying closed since May 1975 resulting in the unemployment of 5000 workers and looking to the hardships of these workers and also the loss in production, I feel that the present measure though in the right direction is rather belated. The Government should have had acted earlier before the two concerns were milked dry by their present management more so when there were repeated demands made in this House, particularly by Shri S. M. Banerjee for take over. Giving reasons for the take over of the Laxmirattan Cotton Mills the Bill says and I quote:

\*Moved with the recommendation of the President.

†The original speech was delivered in Bengali.

[Shri Jagdish Bhattacharyya]

"Whereas Laxmirattan Cotton Mills Company Limited were engaged in the production (besides coarse and medium varieties of cloth needed by the weaker sections of the community) of canvas and dosuti which is needed by the Defence Department;

And whereas the closure of the Laxmirattan Cotton Mills Company Limited has prejudicially affected the supply of canvas and dosuti to the Defence Department."

In regard to the other mill the Bill states as follows:

"And whereas the Atherton West and Company Limited were mainly engaged in the production of coarse and medium varieties of cloth needed by the weaker sections of the community;

And whereas as a result of mismanagement the Atherton West and Company Limited has suffered losses exceeding the value of its available assets and has been closed down;

And whereas, in view of the adverse financial position of the Atherton West and Company Limited, some members of the Board of Directors of that company had, for some time, absconded."

From this it is very clear that both these Mills were suppliers to the Ministry of Defence. In these circumstances it would be fair to presume that these two mills had an assured market and lack of sale opportunities could not be the reason for their closure. And yet if these two mills had to be closed down the reasons could be something else and this has to be probed into carefully by the Government. My personal feeling is that management wanted to cheat the shareholders. It must also be said in this connection that these two mills were utilising Government money and Government order and yet they were not produc-

ing enough. This is, to say the least was a criminal act and I have no hesitation to suggest that the management responsible for such act should be proceeded against according to the criminal law of our country and even MISA can be made applicable in their case. There is another aspect of the matter to which I would like to lay emphasis. Obviously these two mills were supplying canvas and cloth to the Ministry of Defence for a long time and it is but legitimate that the Government should have posted themselves up-to-date about the activities of these two mills. While gross mismanagement was going on, it was unnatural that the Government should sleep over the matter for such a long time and allow the workers and other users to suffer.

In the Statement of Objects and Reasons it has been said, "...there was an apprehension that there might be large scale frittering away of assets which may prove detrimental to the public interest." This clearly shows that the Government had the suspicion that the authorities of these two mills might indulge in such anti-social acts and the Bill does not make it clear anywhere whether the erstwhile management had actually frittered away the assets of these two mills or not. I personally feel that the Government should immediately institute an inquiry into this aspect of the matter and if found true, the culprits should be dealt with severely.

I would now like to say a few words about Clause 13 of the Bill. This relates to the power given to the Custodian to terminate contracts of employment. In this Clause it has been stipulated that the Custodian will have the discretion to terminate contract if he is of the opinion that the contract of employment 'is unduly onerous'. This blanket power in the hands of the Custodian can to a great extent may go against the interest of the workers and there is no guarantee that this will not be misused. We know from

our personal experience that such powers are usually exercised to curb trade union activities and persons who take leading part in such activities are often the victims. Therefore, I feel that this clause of the Bill should be deleted.

While going through this Bill, what distressed me most is the total absence of reference in regard to the status of the present workers; whether all of them will be absorbed in the mills under the new management; whether they will be paid salary or compensation for the period during which the mill was lying closed; whether the previous management had fully paid the provident fund contributions to the Provident Fund Commissioner and if not whether the Government would contribute the same and whether the workers will be paid back their share of provident fund in full etc. These are some of the very vital issues which should have been mentioned in the Bill but since this has not been done, I would request the hon. Minister to clarify them when he gives a reply to the debate. I would also urge upon the hon. Minister to see that the existing workers are not retrenched and their interests are fully protected. An assurance to this House in this regard would be really welcome. The Objects and Reasons also mention about payments being made to the managements of these two mills. A little while ago the House was considering a Bill which dealt with the take over of another private owned manufacturing concern. There also the Minister Incharge mentioned about the compensation being paid to the erstwhile owners, because it was provided in our laws. I would request the Government to consider whether a time has not come when we should do away with the compliance of this legal provision by making suitable amendments in the relevant law particularly when an organisation was to be taken over by the Government in public interest.

I once again welcome the Bill and conclude.

श्री राय सिंह नारै (इंदौर) : श्रीमन्, जो बिल प्रस्तुत किया गया है, उसका मैं हृदय से समर्थन करता हूँ और माननीय मंत्री जी को बधाई देता हूँ कि उन्होंने बहुत पुण्य का काम किया है।

15.29 hrs.

[SHRI P. PARTHASARTHY in the Chair]

श्रीमन् इस बिल पर विचार करते हुए मुझे कुछ निवेदन करना है और वह यह है कि इन दोनों मिलों को बनाने में, खड़ा करने में लगभग 55 लाख रुपये खर्च किये गये हैं और बीनस शेयर बरीरह मिला कर इन्होंने लगभग 75 लाख रुपये का शेयर कैपिटल खड़ा कर लिया था। इनमें एक लाख स्विम्बल्ल, 1,860 लूम लगे हैं और 5,300 मजदूर काम करते हैं। इन मिलों की बड़ी प्रगती पोषितान रही है क्योंकि इनमें कुछ प्रोटो-मेट्रिक लूम भी थे और लगभग 146 के करीब ब्लैकट और केनवास लूम थे। जिन कारखानों में ब्लैकट और केनवास लूम लगे हों उनमें नुकसान होने का सवाल ही नहीं उठता। जिन कारखानों का माल सीधा मिलिट्री खरीदती हो उनको प्रच्छा पैसा मिलता है। इनके माल को बाजार की भी बची नहीं थी क्योंकि इनका मीडियम और कोर्स कपड़ा चलता था और पहाड़ी क्षेत्र में काफ़ी दूर तक इनका माल जाता था। सैकिड युद्ध में इन कम्पनियों ने भारी कमाई की और लगभग 1973 तक प्रच्छा मूनाफ़ा कमाया। लेकिन 1975 के बाद जब इन्होंने गवर्नमेंट का रुख देखा कि राष्ट्रीयकरण की हवा चल रही है तो इन्होंने इन मिलों की उपेक्षा करनी शुरू कर दी। वैसे भी इन्होंने इनके मेटिनैस में एक पैसा नहीं लगाया। जब कमाई होती थी तो डेप्रीसिएशन के लिये पैसा नहीं निकाला और जो कमाई हुई वह सारी खुद बांट कर खा गये। इन्होंने मशीनों का इम तरह से शोषण किया जैसे किसी के शरीर से

[श्री राम सिंह भाई]

खून मास निकाल लिया जाय और हड्डी ही रहने दी जाय ।

लगभग एक साल से ये मिलें बन्द पड़ी हैं । मैं माननीय बेनर्जी को मुजाय्कवाद देना हूँ (अबबवान) कि उन्होंने काफी मेहनत की । प्राइम मिनिस्टर ने लेकर, मत्र जगह तक के चक्कर काटे । मैं यह मानता हूँ कि इस एक साल के टाइम में आपने भी काफी खोया और देग ने भी काफी खोया । और ये कारखानेदार कागजाने बन्द करके फगर हो गये । मैं यह जानना चाहूँ कि आपने इस मामले में क्या किया ? (अबबवान) यह तो भयंकर गुनाह है यह एक राष्ट्रीय अराध है । एक मजदूर अगर एक हमाल नी जब में रव लेता है तो उसको कारखाने में बाहर कर दिया जाता है लेकिन ये मिल मालिक फगर हैं । उनके लिये जेल का उपाय क्यों नहीं किया जाता, उन्हें मोगा, जैये काननों के अन्तर्गत क्यों नहीं लाया जाता । उन्होंने पाव हठार मजदूरों को रोक कर दिया, इन्होंने उत्पादन को नुकसान पहुंचाया । जब पताई निकल रही थी तब तो खुद खा गये । जब वहाँ दूध भी नहीं रहा तो पलाई कहा मे निकली ।

यह जो पीरियड बन रहा है दरअसल कामर्न टिगर्मेंट ने लिये यह एक संकट का समय है । मैं यह मानता हूँ कि आपकी ईमानदारी और दूरदर्शिता के कारण ही ये कारखाने बन्द रहे हैं । अगर आपके अन्दर ईमानदारी और धैर्य नहीं होता तो हिन्दुस्तान की 103 मिले बन्द हो जाती । आज रुई का कितना अभाव है । भाव कितने बढ़ गये हैं । उसके अन्दर भी मिलावट इस तरह से चल रही है कि उसे कोई रोक नहीं पा रहा है । चारों तरफ संकट है । बैंकों का क्या है ? लाइब्रैलिटी और प्रसेट्स के मुकाबले में बैंक पैसा देने के लिये तैयार नहीं

है । तो श्रीमान् मैं यह निवेदन करना चाहूँगा कि आपने इस मामले में साहस का जो कदम उठाया है उसके लिये आपको वाद देनी चाहिये ।

श्रीमान् मैं यह निवेदन करना चाहता हूँ कि जब ये कारखानेदार ये कारखाने बन्द करके फरार हो गये हैं और आप उनके खिलाफ कुछ नहीं कर पाये हैं तो अब आपको इनका टेक-ओवर करने में, इनका राष्ट्रीयकरण करने में बहुत सावधानी बगती होगी । आपने इस बिल में डाल दिया है कि 18 सी रुपये एक साल में आप उन्हें भाडे के रूप में देंगे । यानी आप इन्हे भाडे पर ले रहे हैं । यह टेक-ओवर क्या हुआ जब आप 18 सी रुपये मान् उन्हें देंगे । मैं ऐसा मानता हूँ कि ऐंम प्राग्धियों को मिवाय दो टाइम के खाने के और कुछ नही देना चाहिये । लेकिन आप 18 सी रुपये दे रहे हैं जो कि बडे अ र्वर की बात है ।

आपने इस बिल में जो मजदूर वहाँ काम कर रहे थे, उनका जो रोविडेंट फंड उन्होंने जमा नहीं कराया, माद्री का बकाय, उनकी तरफ है नग्नमरी बचत योजना का भी पैसा बाकी है, इनके बारे में आपने कोई जानकारी नहीं दी । मैं यह मानता हूँ कि गवर्नमेंट का यह रव, यह ट्रेड अचछा नहीं है ।

आपने इसमें कह दिया है कि 1800 रुपये की सरकार की जवाबदारी है अगर आप रतना ही कह देते कि यह जो पैसा दिया जायेगा मजदूरों का जो पैसा निकलना है उसमें (अप्रैस्ट) इसको जमा कर लिया जाएगा तब भी बात बन सकती थी । अब इसके बाद जब आप राष्ट्रीयकरण का बिल लायेगे तब कह देंगे कि टेक-ओवर के पहले की रकम का उसमें जिक्र नहीं किया जा सकता है ? कल भी इसके बारे में बात हुई थी । रोज होती रहती है । आप कह देते हैं कि शेड्यूल के अनुसार दिया जाएगा और राष्ट्रीयकरण के



बाद से ही गवर्नमेंट की जवाबदारी रहेगी। जो क्या वह था।

आपने यहाँ दो मिलों की बात की है। किन्तु देश की टेक्सटाइल इंडस्ट्री की स्पर्धनग मिलों में से लगभग 75 परसेंट मिलें बुरी हालत में हैं। उनमें रिप्लेमेंट कुछ नहीं हुआ है, उनकी मटेनेंस की कोई चिन्ता नहीं की गई है। जो रकम भ्राती गई खाते और चाटते गये। जहाँ तक कॉम्पोजिट मिलों का सम्बन्ध है उनमें से पचास परसेंट ऐसी हैं जिनकी आपकी चिन्ता करनी होगी। आपके ऊपर बहुत भारी जवाबदेही है। आपने इन बिल में कहा है कि जब गवर्नमेंट टेक-ओवर कर लेगी तो गवर्नमेंट यह भी कर सकती है कि जो स्टैंडिंग आर्डर हैं, इंडस्ट्रियल डिस्प्यूट्स एक्ट है, मिनिमम वेजिज एक्ट है इनको भी वह सस्पेंड कर सकती है, इनमें भी वह तरमीम कर सकती है। यह सब आप मजदूर की कोस्ट पर कर रहे हैं। यह अच्छा नहीं है। जैसा आप कहेंगे मजदूर को तो करना ही पड़ेगा। मजदूर भी मानता है कि जो कुछ किया जा रहा है वह उसके लिये किया जा रहा है और उसको त्याग भी करना चाहिये और वह करेगा। लेकिन आपको कुछ उदारता दिखानी चाहिये थी, उसके प्रति सहानुभूति दिखानी चाहिये थी। जिसके पास कुछ नहीं है, हमारी नीति के अनुसार उसको कुछ मिलना चाहिए था। और जिसके पास है उसको आपको त्याग करने के लिये कहना चाहिये था।

इसके साथ मैं एक और निवेदन करना चाहता हूँ। इन मिलों को हाथ में लेने के बाद आप इनको कैसे चलायेंगे, यह एक मुख्य प्रश्न है। जो 103 मिलें आपने भी उसके लिये तो मैं आपको बर्खास्त देता हूँ और आपने बड़ा साहस दिखाया। आप

फाइनैस मिनिस्ट्री से लड़े, हुतारी गवर्नमेंट से लड़ें। फाटन खरीदने के लिये पैसे का प्रभाव उनको है और बिना फाटन के मशीनें बन्द रहें, मजदूरों का ले आफ्र हो तो यह ठीक नहीं है। फाटन आ जाये तो आप ओवर टाइम उनसे काम करायें तो यह भी ठीक नहीं है। किसी भी इंडस्ट्री के लिए ले आफ्र और ओवर टाइम दोनों चीजें बहुत खतरनाक होती हैं। वह उद्योगपति उद्योगपति नहीं कहलाएगा जो श्रमिकों का ले आफ्र करेगा ओवर टाइम उन से करवाएगा।

आपने प्रबन्धक भी ऐसे बिठा दिए हैं जिन्होंने इन 103 इन मिलों को बन्द कराया था। खाना बं बहुत अच्छी तरह से जानते थे। जो कपड़ा बना ही नहीं कंट्रोल कपड़ा तैयार हुआ ही नहीं, उसका भी एक लाख रुपया दिया गया है। यह मैं नहीं कहता हूँ। आपकी आडिट रिपोर्ट कहती है, आडिट बॉलेस शीट्स में यह चीज है। प्रबन्धकों ने वाउचर बनाए, दस्तखत नहीं किए, रसीद नहीं और कैश रकम का लेनदेन कर लिया और लिख दिया कि कंट्रोल कपड़ा तैयार हुआ और उसकी एक लाख दलाली दी। डबल पेमेंट होते हैं। लोफाल स्टेशन से भी घोर बम्बई से भी होना है। दो दो जगह दिखा कर लाखों की हेरा फेरी करना इन प्रबन्धकों का ही काम था।

श्रीमान् एक बात और है, मैं ने देखा है कि आप के प्रबन्धक किस तरह से काम करते हैं। एक मिल का जिन्क है कि उसने कुछ मशीनों को बदलना चाहा और लगभग 60 कार्ड्स बदलने के लिये उन्होंने कोटेशन मंगायें। हाईस्ट और लोबेस्ट कोटेशन माते हैं। हाईस्ट कोटेशन वाले को काम देते हैं और एक कार्ड के ठीके 1200 ६० उहरावे।

## [श्रीराम सिंह भाई]

लेकिन काम कौन करता है ; जिस के बोवेस्ट कोटेशन थे । हाईस्ट कोटेशन वाले ने कहा बोवेस्ट कोटेशन वाले से कि वू पार्ट्स लया और उस ने अपने पार्ट्स लगाये और इन प्रकार सारी रकम ले गये ;

मेरे यहा आप ने कुछ स्पिडल की लिफ्ट 7 इंच करने के लिये कोटेशन मंगाये, वह कोटेशन आप के पास आये । जो हायेस्ट कोटेशन था 53 50 पैसे का उस को मन्जूर किया । जो लावेस्ट कोटेशन था उस को मन्जूर नहीं किया । माननीय दमानी जानते है कि बाजार में 7 इंच के स्पिडल क्वालिटी के आधार पर 30 से 36 रु० के हिसाब से प्रति स्पिडल मिलते हैं । फिर 53 50 पैसे के हिसाब से कैसे खीदे गये ? कुछ स्पिडल को कन्वर्ट करना था कोटेशन आप के पास आते हैं 9 रु० और 4 रु० प्रति स्पिडल का हिसाब है लेकिन 4 रु० प्रति स्पिडल का कोटेशन भी रिजेक्ट कर दिया और 9 रु० प्रति स्पिडल को मन्जुरी दी । मैं मानता यह आप की जानकारी मे नहीं है और मैनेजर की भी जानकारी मे नहीं है । न तो मैनेजर से और न आपसे पूछा गया । बीच वाले ही गोलमाल कर गये । इस पर आप को ध्यान देना चाहिये । मैं ने तो आप को मध्य प्रदेश विधान सभा की रिपोर्ट दी है जिसमें बताया है कि टेक शीवर करने के बाद क्या माल मारा है लोगों ने काटन की खरीद में । आपने महाराष्ट्र काटन कोरपोरेशन से मिलकर इस बारे में अच्छा काम किया है ।

कपड़ा बेचने के बारे में जो आप की नीति है वह गलत नीति है । मैनेजिंग डायरेक्टर, मैनेजर, सेल्समैन में रोजाना

सगड़ा चल रहा है । मैनेजिंग डायरेक्टर कहता है कि फचाने आदमी को माल बेचो । मैनेजर कहता है कि दूसरे व्यापारी को बेचो । इस प्रकार हर एक के व्यापारी ठहरे हुए हैं । इसलिये इन मामले में आप की नीति बनानी पड़ेगी । जिस तरह से आपने काटन की नीति बनाई इसी प्रकार से आप को कपडा बेचने की नीति भी बनानी पड़ेगी ।

मेरा एक सुझाव है कि टैक्सटाइल इंडस्ट्री के लिये अलग और अन्य मिलों के लिये अलग अलग वकिंग ग्रुप या पार्टियां बनाइये जिसका काम यह होना चाहिये कि हर यूनिट के काम को देखे कि वह पूरी तरह से काम करनी रहे । उम पार्टी में स्पिनिंग और बीवग का एक एक्मार्ट हो, एक टैर्न कल एक्मार्ट हो टैक्सटाइल कम्पनर के मातहत, एक फाइनेस का एक्मार्ट हो, एक खरीदने बेचने का एक्मार्ट हो और एक मैनेजियल एक्मार्ट हो । और एक ही कमेटी, नदी, बन्कि अलग अलग दो तीन कमेटियां होनी चाहिये जो प्रति वरं हर एक यूनिट की जाच बने कि मैनेजिंग और रिसेलनेट उम यूनिट का कैमा है खरीद, बेचान और क्वालिटी में क्या गड़बड़ है, रूई और कपडे का ट्रेड क्या है, इन सब को खबर रखे ।

अन्त में मेरा निवेदन है कि जब तक मिसमैनेजमेन्ट पर आप कंट्रोल नहीं रखेंगे यह बनिरे भाग को भी खा जायेंगे । बनिया माल में भी मारता है, तोल में भी मारता है और बोल में भी मारता है । इसलिये उस से आप सचवान रहिये ।

SHRI S. M. BANERJEE (Kanpur):  
I congratulate the hon. Minister, Prof. D. P. Chattopadhyaya and Shri Vishwanath Pratap Singh, his Deputy, for the bold stand taken despite all opposition from various quarters.

I remember that I led a delegation to the Prime Minister about a year and a half ago and I still remember the consoling words which she uttered. And, after that, the workers of Kanpur and the workers of these two mills gave a determined fight against the mismanagement of Ram Ratan Gupta and his followers. I remember that when a slogan was given to nationalise and take over these mills, many supported it and to-day I salute those workers who went behind the bars but would not yield to pressure by Ram Ratan Gupta and his colleagues. And the entire sinister plan of Ram Ratan Gupta was exploded and exposed in this House also when I, supported by my hon friend, Shri Norasingh Narain Pandey, told the Minister that that Ram Ratan Gupta has taken this money from the bank and he was going away to Nepal. Shri Ram Ratan Gupta is a very great person of Kanpur and he will remain a great person of Kanpur. Government dues, not paid, are his capital. After Independence, I do not think whether he has paid either any income-tax or wealth-tax and his entire capital is Government dues not paid. He did his best to see that mills are not taken over till the last day. He got 135 signatures of MLAs saying that this mill should not be taken over and that Shri Ram Ratan Gupta should be given a chance and the management might be changed. I immediately pointed out to the hon. Minister and my hon friend, Shri Vishwanath Pratap Singh and I confess to-day that they told us that Shri Ram Ratan Gupta will not be allowed to run this mill and the mill will be taken over. I, therefore, congratulate not only the Minister but the entire Cabinet and I also congratulate the determined workers, 7500 to 8000 of them, and their family members for remaining determined even facing starvation and even after starvation their slogan was that this mill should be taken over by the Government.

This mill is ultimately going to be nationalised because it is in that pro-

cess of nationalisation that these two mills have been taken over. The Chairman of the State Textile Corporation, Mr. Jain, was here the other day and I had a talk with him and he promised to me that those who are likely to be selected to run this mill will be properly selected through a Board. I would request the hon. Minister to kindly see that all those officers, especially, those officers who connived at with Mr. Ram Ratan Gupta and the Board of Directors which has been thrown out ultimately, should not be kept. There should be a proper screening of those officials who were responsible for this....

SHRI INDRAJIT GUPTA (Alipore): How much compensation they are paying?

SHRI S. M. BANERJEE: About Rs. 10,000 per month.

I will only say that some of these officers are still in Delhi and with the help of the trade union leaders are knocking at every door.

They wanted to remain in employment even after take-over. It will be a sad commentary on the takeover if the very same officers are employed again. Of course 90 or 95 or 99 per cent of them are good officers; I have nothing against them. How things moved before the take over? I would like to read out from the National Herald of 11th August, 1976. It says:

'NTC takeover of closed mills to cost Rs. 1.25 crores to workers'.

This is a misleading statement given out only to confuse and demoralise workers. The news item says:

'About 5700 workers of the 2 recently nationalised textile mills in the city will have to forego earned wages and other dues amounting to Rs. 1.25 crores following their take-over. Besides the Employees State Insurance Corporation will also lose Rs. 25 lakhs which has been out-

[Shri S. M. Banerjee]

standing against these two nationalised textile mills. According to Labour Department Sources about 3,000 workers of the Lakshmi Ratan Cotton Mills have to get wage arrears amounting to Rs. 9 lakhs besides declared bonus of Rs. 8 lakhs. The management had also not paid the workers' and the employers' contribution of the provident fund amounting to Rs. 25.5 lakhs. The old management had also failed to make the payment of lay-off compensation, leave with wages and gratuity amounting to Rs. 17.5 lakhs making a total of arrears of Rs. 60 lakhs besides the ESI subscription. According to the Industrial Development (Regulation) Act, the new management, the National Textile Corporation, U.P. has no responsibility of clearing the arrears.'

This is done purposely to confuse and demoralise the workers. They want to confuse public opinion saying that they will not get their wages, they will not get their P.F. dues and so on. These are not done in good faith but only to confuse them more and more. I want to have a clear answer from the Minister. What will happen to the wages of the workers? For the past one year they have consumed all their provident fund assets, they have taken away all the money in the form of advances, in Laxmi Ratan Cotton Mills. In Atherton Mills also the same thing happened. They have taken away their PF contributions as advances. They consumed them and that is why they could survive with their family members, and avoided starvation. I request the Minister now that a part amount may be paid to them as assistance to be adjusted later on so that they may keep their body and soul together. In Kanpur actually 7500 workers have nothing to fall back upon; there are middle-class employees, clerks, supervisors and so on. Some of them had to take out their children from schools not being

able to pay the school fees. Thanks to ex-Chief Minister Mr. Bahuguna and the present Chief Minister Mr. Narayan Dutt Tiwari and last but not least Dr. Rajendra Kumari Vajpayi, Labour Minister, these men have not been evicted from their houses. Otherwise, they were given notices by the landlords and were asked to quit the houses, but thanks to this intervention, this has not been done. Their conditions excite horror rather than pity. That is why I would request the hon. Minister to tell us whether a portion out of this amount of two crores or so will be given as part of the wages of these workers. That would be a solace to them so that they may continue to live and their starvation comes to an end. The day the news was broken in Kanpur, I saw the amount of jubilation among the starving workers and their family members who had even sold their utensils during this period. I could see such an amount of jubilation and hear such an amount of slogans by those who were in a procession. There was 'Zindabad' not only for Shrimati Indira Gandhi but for the entire Cabinet Members.

The decision was taken at the appropriate time. I know the matter was delayed. But I knew the impossible hurdles which the hon. Minister had to cross and I shall remain grateful to him throughout my life for this. This was one of the greatest dreams of my life and this has now been realised. I fought Shri Ramrattan Gupta since the last 21 years and ultimately I have won, and today these two mills come under the NTC.

There is one thing in clause 12 which I could not understand. It says:

"Any transfer of property, movable or immovable, or any delivery of goods made by or on behalf of either of the two companies (not being a transfer or delivery made in the ordinary course of its business or in favour of a purchaser for valuable consideration and in good faith) if

made within a period of six months immediately preceding the appointed day, shall be void against the Central Government or the Custodian, as the case may be."

Why six months? Shri Ramrattan Gupta has been transferring his property, there have been banami transactions since the last 1½ years. So this period should be changed to one year. Six months is too small a period to cover such things. I am happy that all these big bangalows, have been vacated now and these will become the property of the NTC. But the period of six months is too short; otherwise, whatever transactions he has done before one year will not come within the purview of this legislation and he will escape. Though I have nothing personal against him, I do not believe him. He is capable of many things. When attachment orders came, he got properties attached not of his own but of other properties. This is what he has done in Kanpur. Everybody knows it. He is a very capable person, a clever person.

Then I can assure you that in so far as running these mills is concerned, Shri Surya Prasad Awasthi, the INTUC leader, Shri S. S. Yusuf, the AITUC leader and other leaders are one in this that we shall see that these two mills are run effectively. This is to the benefit of the employees and we shall see that these textile mills are run efficiently.

MR. CHAIRMAN: Your time is up.

SHRI S M. BANERJEE: I have been fighting for this for 2½ years. I have grown grey because of this.

There is another pertinent point. I can say that 90 per cent of the production of the Laxmirattan Mills and 80 per cent of the production of Atherton West, whether it is canvas, dosuti or tarpaulin is for the army. If the hon. Minister consults the Director General of Ordnance Factories, Lt. Gen. Chopra, he will confirm that even today there

is great demand for these articles from the army.

16.00 hrs.

I have requested the Prime Minister that this mill, which has been taken over by the NTC, should be an ancillary to the defence production unit. The market is ensured for this. I have talked to Shri Gadgil also. There are already five clothing and leather factories under the DGOF and the machinery installed in this mill at Kanpur is suitable for making it an ancillary of the defence production unit in Kanpur. This is my suggestion.

Those Directors of Atherton West who have absconded—whether it is Mr Bilgrami or anybody else—should not be allowed to come back at all. When you constitute the Board, some public representatives should be added. Now the apex body members are there. In future also they should be consulted.

After congratulating the Minister, I want an assurance. The workers should be paid something immediately. They have nothing left in their provident fund and they have no money. They are starving and they are paupers today. They should be paid something immediately. Though they are paupers, they are now rejoicing over this take-over, flying the national flag and thanking the Prime Minister. These paupers today are the artisans of tomorrow and I request that they should be paid something immediately.

With these words, I support the Bill.

SHRI S R DAMANI (Sholapur): Sir, I rise to support the Bill. The Laxmirattan Cotton Mills and Atherton West and Company were closed 15 months ago throwing 5000 workers out of employment. Kanpur is a big industrial city, but even then to absorb 5000 workers is difficult. The workers who were thrown out of employment were facing great difficulty. I am happy that the government has

(Shri S. R. Damani)

taken over their management and these workers will get employment again. As Mr. Banerjee said, they have suffered a lot. I congratulate the Minister on the taking over of these mills.

The statement of objects and reasons says:

"...two large-sized mills at Kanpur which were engaged in the manufacture of certain varieties of cloth needed by the weaker sections of the community and also by the Defence Department were lying closed."

I would draw the attention of the minister to one fundamental thing. The mills which are manufacturing coarse and medium varieties of cloth, whether they are under private management or under the NTC, are having a very difficult time. The NTC mills have been exempted from controlled cloth obligation, but they are still losing substantially because the prices of the cotton they are using have shot up by 100 per cent and other expenses also have gone up side by side, whereas due to slackness of demand, the prices of their products have not gone up sufficiently. The public taste has changed substantially over the years. The public now do not like the coarse and medium varieties of cloth which were very popular about 20 years back.

We know how the taste changes very often. Unless these mills change their pattern of production, the difficult situation will continue. Therefore, it should be seen how they can change their pattern of production and how they can improve their quality so that they can make both ends meet. This is a very fundamental thing. Unless this is done, the difficulty will continue and many mills which are running at present will come to difficulty and sooner or later, Government will have to come to their rescue.

The second thing is that we know that the price of controlled cloth is 40 per cent lower than the cost of pro-

duction. Even at that lower price, the offtake of cloth is very poor. A few days back, the hon. Minister had mentioned in the Rajya Sabha about the demand of this cloth. January to May is the best season for selling cloth because of marriage and harvesting seasons. But in January the delivery was 35,000 bales, in February it was 29,000 bales, in March it was 25,000 bales and in May it was 19,000 bales only. Thus the stock is accumulating with the manufacturers and the hon. Minister knows that they have had to release their stock to their distributors in order to reduce accumulation of stock with them. It means that even at less prices, the demand is not there even during the season. It is a matter to be considered whether the pattern cannot be changed and the public cannot be given better quality of cloth. There is one thing which is in the minds of many people that when people are not able to pay lower prices, how can they pay higher prices. The reply to that is when public gets cloth of their liking, of the present taste, they do not mind paying higher prices. You will be surprised to know that the offtake of tery-cotton etc which is selling at Rs 14.15.16 per metre, is very good because that cloth is of the present-day taste of the public. Therefore, the fundamental thing is that some measures are required to be taken to change the pattern. The hon. Minister is well aware of all these things and he is taking certain action by giving relief, but the relief will not help.

A change is needed in the system of controlled cloth—or poor man's cloth or the cloth for the weaker sections, by whatever name it may be called. I have suggested many times that the industry should be asked to supply 25 per cent of their production at cost price, even without adding the depreciation value. And the cost price should be fixed, not by the mill managements, but by the Textile Commissioner. That will be a real solution, and a real social obligation, because the public will get cloth of various types at concessional prices.

It will not harm the industry. It will keep the industry running; and it will serve the purpose. Otherwise, if the present system of controlled cloth continues as it is, not only will the public not get any advantage, but the obligation will put many more mills into greater difficulties. There are a few mills at present which have put up nylon, rayon or chemical industries. They can far better. Otherwise most ment does not have the responsibility for taking over many more mills.

Therefore, if you really want the public to get the cloth of their choice, there should be a change in the pattern of controlled cloth. With these words, I support the bill; and I request the hon. Minister to consider as to how to ensure, in the long run, that the industry does not become sick, the public also get the benefit and the Government does not have the responsibility for taking over many more mills

**श्री बी० आर० शुक्ल (बहराइच):**  
 सभापति जी, लक्ष्मी रतन काटन मिल और ऐशटन वेस्ट कम्पनी काटन मिल के प्रबंध को केन्द्र सरकार लेना चाहती है उस का मैं समर्थन करता हूँ ; आर्डिनेन्स द्वारा प्रबंध ले लिया गया है और अब आर्डिनेन्स के स्थान पर यह विधेनक लाया गया है पारित किये जाने के लिये इस का मैं स्वागत करता हूँ और समर्थन करता हूँ । इस देश में बहुत सी बीमारियाँ जानवरों में और इन्सानों में तो थी ही; और अब एक बड़ी भयंकर बीमारी इस देश में चल रही है कलकारखानों के बारे में मैं । इसलिये समय समय पर जो यह विधेयक लाये जाते हैं जिस से प्राइवेट कम्पनियों को सार्वजनिक क्षेत्र में लिया जाये हमेशा के लिये या थोड़े दिनों के लिये उन का प्रबन्ध लिया जाय, यह बीमारी आज कल चल रही है।

प्रश्न यह है कि यह बीमारी कैसे आती है और क्या इस के लिये कोई

पहले से रोकने का उपाय किया जा सकता है या नहीं ? मेरी समझ में बीमारियाँ कुछ तो बदइतजामी की वजह से होती हैं, कुछ जानबूझ करके प्राइवेट सेक्टर के मालिक लोग करते हैं । बैंक से वह कर्जा लेते हैं किसी खास कंपनी की उन्नति के लिये । लेकिन उस बैंक के रुपये को दूसरे उत्पादन के कार्य में लगा देते हैं जिस में उन को लाभ की आशा अधिक होती है फिर वह जो इन्कम टैक्स है या शुल्क उत्पादन है, ऐकमाइज्ड ड्यूटी है उस को भदा करना धीरे धीरे बन्द कर देते हैं । फिर मजदूरों की मजदूरी बन्द कर देते है, और प्रोवीडेंट फंड का जो रुपया है उस में मैनेजमेंट के भाग को देना बन्द कर देते हैं । नतीजा यह होता है कि उस कारखाने की आर्थिक धीरे धीरे बिगड़ती जाती है । आखिर में यह नतीजा होता है कि कल कारखाने को बन्द कर देने के लिये ले आफ की घोषणा करनी पड़ती है, जैसा कि इन मिलों में हुआ है । सरकार के जो विभिन्न विभाग हैं कम्पनियों के सुचारु रूप से संचालन के लिये जिनका दायित्व है, वह क्या करते रहते हैं ? मैं इस बात को कहने का दुस्साहस करना चाहता हूँ कि प्राइवेट फंड कमिश्नर ज्यादातर कपनियों के बारे में नहीं बरतते रहते हैं और प्राइवेट फंड का रुपया भदा न करने पर प्रबंधकों, संचालकों या मिल-मालिकों का चालान नहीं करते हैं, उन के खिलाफ कोई एक्शन नहीं लिया जाता है ।

अब यह दोनों मिले ले ली गई है, लोग काम करने लग गये हैं । लेकिन गर्बनमेंट की तरफ से इस बात का आश्वासन धाना चाहिये कि 8,10 हजार रुपया प्रति मास इस प्रबंध को अपने हाथ में रखने के लिये ग्रेजर होल्डर्स या मिल मालिकों



[श्री बी० धार० शुक्ल]

को जो दिया जायेगा उन के बारे में पहले यह चार्ज होना चाहिये जो मजदूरों का बकाया है, चाहे वह तनखवाह के रूप में हों या प्राविडेंट फंड के रूप में हो वह उन को दिया जायेगा। मुभावजे का जो प्रावधान किया गया है, उसकी भाव्यगी नकद रूप में नहीं ही जानी चाहिये। मजदूरों के बकाया का भुगतान उस से पहले किया जाना चाहिये।

एक मौलिक प्रश्न इस में यह उठना है कि जिन प्रबन्धको सचालकों या शेयर होल्डरों के कुप्रबन्ध की बजह से यह शोचनीय दशा इन कारखानों में हुई है, चाहे जन्ही भादमियों को हम प्रबन्ध में रखेंगे या नहीं? इस में यह प्रावधान किया गया है कि सारे प्रबन्धको और सारे डायरेक्टर्स की सेवार्थ समाप्त समझी जायगी, लेकिन इस बात का प्रावधान नहीं किया गया है कि उन की सेवार्थ अगर समाप्त हो गई है तो पुनः उन को लिया जायगा या नहीं? इस प्रबन्ध मंडल में या सचालकों में बहुत से ऐसे लोग हैं, जो वास्तव में ईमानदार भी रहे हैं। शायद श्री बनर्जी साहब की इस में जानकारी ज्यादा होगी, लेकिन मेरा कहना यह है कि अगर पूरे का पूरा मीनेजमेंट खराब हो तो उसमें से किसी को भी नहीं लेना चाहिए, लेकिन अगर उसमें से कुछ कुशल रहे हैं, ईमानदार रहे हैं जो अपने प्रबन्ध के अन्तर्गत भी इसकी शोचनीय दशा को सोच नहीं सके, तो उन लोगों को प्रबन्ध में हिस्सा मिलना चाहिए, उनको नौकरी मिलनी चाहिए।

एक और मौलिक प्रश्न यह उठता है कि इसी सरकार की कुछ ऐसी पद्धति ही गई है कि पहले देखती रहेंगी कि बिजली बीमार पड़ना शुरू हो। जब

देखते-देखते बिल बीमार पड़ जाता है तो एक अडमिनिस्ट्रेशन आता है, उसके बाद पार्लियामेंट से एक कानून उसके प्रबन्ध को अधिग्रहण करने के लिए और मीनेजमेंट को टेक-ओवर के लिए लाते हैं। फिर कुछ दिन के बाद मीनेजमेंट के टेक-ओवर के बाद उसका पूरा प्रबन्ध लेते हैं, उसका राष्ट्रीयकरण कर देते हैं। सभापति जो, आपके माध्यम से मेरा नम्र निवेदन यह है कि पहले से ही हम बात की देखरेख करनी चाहिए कि कब से मिल बीमार पड़ने जा रही है। ज्यादातर यह देखा गया है कि कल-कारखानों के मालिक पुरानी मशीनों के स्थान पर नई मशीनें नहीं लगाते हैं। अगर वे नई मशीनें नहीं बदलते हैं तो एक कपलसरी ऐसी व्यवस्था होनी चाहिए कि कुछ वर्षों के बाद पुरानी मशीनों की जगह प्रतिवार्य रूप से नई मशीनें चलाई जाएं और अगर कोई नई मशीन नहीं लगाता है तो गवर्नमेंट को यह अधिकार होना चाहिए कि पुरानी मशीनों को नीलाम कर के उनकी जगह नई मशीनें लगवा दे और उस कारखाने में उतना रूपया वसूल करे। यह उनकी स्वेच्छा पर नहीं छोड़ना चाहिए कि वे मशीनें लगाए या न लगायें।

इसके अलावा यह सतर्कता भी बरतनी चाहिए कि जब कमी भी इस प्रकार का विधेयक लाया जाए, तो सदन के सामने उस मिल की पूरी रिपोर्ट भी आनी चाहिए। हम इस बिल का समर्थन करने के लिए तो तैयार हैं, यह आपने बहुत अच्छा काम किया है, लेकिन सही बात तो यह है कि यह जानना चाहिए कि इसकी इतनी खराब हालत कब से शुरू हुई, क्यों शुरू हुई और इसके बारे में गवर्नमेंट, कंपनी ला एडमिनिस्ट्रेशन, इन्कम टैक्स डिपार्टमेंट आदि ने क्या कदम उठाया, प्राविडेंट फंड कमिश्नर ने उसकी बकाया

बस्ती के लिए क्या कदम उठाए? इस तरह का विधेयक लाने के साथ इस तरह की पूरी रिपोर्ट तफसील के साथ सदन में आनी चाहिए जिससे हम लोगों को माखूम हो कि वास्तव में यह सही कदम उठाया गया है। क्योंकि इससे पूरा पता नहीं चलता है।

इन शब्दों के साथ मैं इस विधेयक का पुनः स्वागत करता हूँ और आशा करता हूँ कि भविष्य में इस प्रकार के विधेयक लाने की आवश्यकता नहीं पड़ेगी, क्योंकि समय रहते ऐसे कदम उठाए जाएंगे, जिस से मजदूरों का नुकसान नहीं होगा और आसानी से महत्वपूर्ण क्षेत्रों में देश के उत्पादन को कोई क्षति नहीं पहुँचेगी।

श्री हरी सिंह (खुर्जा) : सभापति महोदय कानपुर की लक्ष्मीरतन और एबरटन वेस्ट कपड़ा मिलों के मैनैजमेंट को सरकार ने अपने हाथ में ले लिया है, क्योंकि इन मिलों के बन्द होने के कारण पाच हजार मजदूर बेरोजगार हो गए थे और इन के द्वारा फौज तथा वीकर सैकण्ड के लिए जो कपड़ा बनता था, उस का उत्पादन बन्द हो गया था।

आज हमारे देश में एक बड़ी आइन्डियोलॉजिकल वार चल पड़ी है। हैवी इंडस्ट्रीज चलाने वाले बड़े बड़े कारखानेदारों और पूँजीपतियों के काम करने के इंग और सरकार की नीतियों में तालमेल नहीं बैठता है। केवल यही मिलें बीमार नहीं हुई हैं, बल्कि आगे कई दूसरी मिलों के भी बीमार होने की आशंका है। रोजन के साथ साथ दैनिक जीवन के लिए कपड़ा एक आवश्यक कामोडिटी है। इसलिए मंत्री महोदय को इस बात पर ध्यान देना चाहिए कि कहीं और कोटन मिल्स वाले देश में कपड़े का क्रेडिट और अकाल न पैदा कर दें।

इस मंत्रालय के प्रयत्नों के कारण हमारे देश में कपड़े का उत्पादन बहुत अच्छी तरह हो रहा है और वह बड़ी मात्रा में विदेशों को भेजा जा रहा है। सरकार ने डिजाइनिंग, माड्रनाइजेशन और प्रिंटिंग आदि की सब सुविधाएँ दी हैं। मैं क्रम के साथ कह सकता हूँ कि अब हमारी कुछ मिलें ऐसा कपड़ा प्रोड्यूस कर रही हैं, जो एडवांस्ड मुल्कों के कपड़े के साथ मुकाबला कर सकती हैं, और इस लिए विदेशों में उन की माग बढ़ गई है।

समय कम होने के कारण मैं केवल कुछ मजेक्षण देना चाहता हूँ। कपड़ा मिलें समय समय पर बीमारी से पीड़ित होती रहती हैं। इस लिए एक राष्ट्रीय स्तर की कमेटी का गठन करना चाहिए, जो वक्तनकवक्तन सारी मिलों का जायजा लेती रहे, जिस से सरकार को उन की परिस्थिति का बराबर पता लगता रहे।

इस बात की भी आवश्यकता है कि ह्यूमरोकिस्म का कपड़ा न बना कर केवल पाच छ बेरायटीज बनाई जाए। उन की प्रिंटिंग डिजाइन और रंग आदि डिफरेंट हो सकते हैं। हमारे देश का लक्ष्य ममाजवाद है। इस लिए कपड़े के सम्बन्ध में भी ममानता होनी चाहिए। इस से वेस्ट आफ्र मनी भी बन्द होगा और इन क्रिजूल की बातों में जो समय लगता है, वह भी बच जाएगा।

इन मिलों के मनी-लेडज, मास्तीदारों और शेयरहोल्डर्स को भी मिलों को हुई हर्नि को भुगतना चाहिए और उन सब का रुपया राइट आफ्र और वाइप आउट कर देना चाहिए।

सरकार को इस बात पर कड़ी नजर रखनी चाहिए कि कपड़ा मिलों की यह

[श्री हरी सिंह]

स्थिति किन कारणों से पैदा होती है, और समय रहते उस को आवश्यक कार्य-वाही करनी चाहिए, ताकि हमारे देश में कपड़े का सकट पैदा न हो।

इन शब्दों के माथ में इस बिल का समर्थन करता हूँ।

श्री मूल शब्द डागा (पाली) सभा-पति महोदय मैं धन्यवाद देता हूँ कि पाच हजार मजदूरों का कल्याण हुआ है। लेकिन मैं आप का ध्यान शेड्यूल की तरफ दिलाना चाहता हूँ। आप ने शेड्यूल में यह क्या कर दिया है? हमारे लेबर लीडर स्ट्रीफेन माहब यहाँ बैठे हुए हैं, वे भी अपना भाइड इस पर अर्पनाई करेंगे। इस में आप ने यह कर दिया है

- 1 The Industrial Employment (Standing Orders) Act, '946.
- 2 The Industrial Disputes Act, 1947
3. The Minimum Wages Act, 1948. Even the Minimum Wages Act, 1948, is included here

मैं यह समझता हूँ कि जो मजदूर इतने दुखी हो चुके हैं उन के लिए आप ने मिनिमम वेजेज ऐक्ट तक के लिए यह बात इसमें लिख दी है। मैं इस से डिकर करता हूँ। जो कानून आलरेडी है और मजदूरों के हित के कानून हैं उन को सस्पेंड करने के लिए जो आप ने प्राविजन रखा है उस का मैं विरोध करता हूँ। मैं यह नहीं चाहता हूँ कि आप इस के अदर ऐसा एक शेड्यूल दें जो जिससे मजदूरों का जो हक है वह भी रोक दें।

एक बात यह है कि जब कभी सरकार कोई चीज अपने अधिकार में लेती है, मैनेजमेंट लेती है उस समय कानून

और बन जाते हैं। जो हमारे रोज के कानून हैं उन से भी आप असल हो जाते हैं आप ने इस में कह दिया :

“(a) all or any of the enactments specified in the Schedule shall not apply or shall apply with such adaptations, whether by way of modification, addition or omission ...”

मारे जो कंट्रैक्ट्स है, जो प्राबलियेशन है उन को आप चाहते हैं कि सस्पेंड कर दें। दो साल तक आप उन को सस्पेंड रखेंगे और आप ने लिखा है,

“(b) the operation of all or any of the contracts, assurances of property, agreements, settlements, awards, standing orders, or other instruments in force .. immediately before the date of issue of the notification shall remain suspended ..”

जब आप एक टूमरी मिन को ले रहे हैं तो जो कंट्रैक्ट्स बन गये हैं उन को आप कैसे सस्पेंड कर देंगे? यह भी क्या बात है कि जब कभी आप मैनेजमेंट लेते हैं तो जो मारे कानून चल रहे होते हैं, विब्रेयक के जरिए उन मारे कानूनों का हमारा अधिकार आप हम से छीन लेते हैं। मुझे मान लीजिए कंपनी से दस हजार रुपया लेना था। आप कहते हैं कि नहीं, आप को अभी नहीं दिया जाएगा। क्या नहीं दिया जाएगा? जो हमारे अधिकार हैं उन से हमें क्यों वंचित किया जाएगा। लेकिन आप कहते हैं कि नहीं, हम नहीं देंगे। आप की मेहरबानी हो गई हमारे ऊपर। मान लीजिए किसी आदमी ने कोई सौदा उस के साथ किया हो तो उस का क्या होगा? दसवीं साइड उन के पीछे बैठे हैं वह उन को ठीक तरह से समझाए। यह जगह जगह जब सरकार कानून बनाती है और मैनेजमेंट लेती है तब अपने कानून के द्वारा

जो सारे कानूनों का ढांचा है उस को बदल देती है। कांस्टीट्यूट ऐक्ट है या दूसरे ऐक्ट हैं, आप कहते हैं कि हम नहीं मानते हैं। मैं पूछता हूँ आप का भी कोई बिजनेस एथिक्स होना है या नहीं? आप व्यापारी बनना चाहते हैं तो व्यापार क्लब में ही यह जो हर चीज डिस्कट करने की पालिसी है यह क्या है? हम उस में कुछ कर भी नहीं सकते। सिविल कोर्ट में जाए ता वहा डिवाइड हैं लेबर का कोई धादमी आपन कानून को लागू करना चाहे ता वह डिवाइड हा जाता है। आप मैनेजमेंट लीजिए लेकिन जो कानून हैं उन को आप मत रोक दीजिए। इन कानून के द्वारा आप ने मजदूरों के हितों को रोक दिया और जो दूसरी लायबिलिटीज हैं उन को राग दिया। यह है आप का क्लॉज 6 ए आर बी—

"Any remedy for the enforcement of any right privilege obligation or liability referred to in clause (b) of sub-section (1) and suspended or modified and all proceedings relating thereto pending before any court, tribunal officer or other authority shall accordingly remain stayed "

जब कभी गवर्नमेंट टेक आवर करती है तो वह यह समझती है कि वेलफेयर स्टेट के अदर गवर्नमेंट की पोजीशन दूसरे धादमी से भलग है। मैं इस बात को चेंलेंज करता हूँ। वेलफेयर स्टेट के अदर इंडिविडुअल के राइट्स को करटेल करने और कर्ब करने का कोई अधिकार गवर्नमेंट को नहीं है।

आप ने कर दिया है—

shall accordingly remain or shall continue to be subject to

इस तरह से आप रोक देंगे। हमारे अधिकार से आप हमें बचित कर देंगे। मुझ्सा जी ने कहा था कि इन्स्टीज

(रैगुलेशन्स एंड डवेलपमेन्ट) ऐक्ट है, लेकिन उस में भी सरकार सोनी रहनी है। दूसरी एक और बहुत बडी गडबड है—एक मिल य० पी० के कानपूर में है और दूसरी मिल राजस्थान में है—लेकिन मभी जगह इन्जाम सेन्टर के हाथ में है। राज्य सरकारे इन का प्रबन्ध क्यों न करे? क्या बे इन्वॉल्विमेंट सरकारे है जा सारा न्ताजाम केन्द्र को दे रखा है। इस दश में 22 स्टेटमेंट है और कोई सिव मिन्ज हो, उन को फाइनन्स करना हो तो सेन्टर फाइनन्स कर सकती है, लेकिन उन का मैनेजमेंट स्टेट्स को करना चाहिए—मैं समझता हूँ वह स्थिति अच्छी रहेगी। 105 मिले शायद आप ले चके हैं—य० पी० बहुत बडी स्टेट है, हमारे बिभवनाथ प्रताप सिंह जी य० पी० के ही है, क्या उन की राज्य सरकार इतनी नाकाबिल है कि एक मिल को भी नहीं चला सकती? मैं चाहता हूँ कि सारी पावर्स आप राज्यो को दे—आप को इनका डीमेंट्रलाइजेशन करना चाहिए, सेन्ट्रलाइजेशन से कोई फायदा नहीं होगा।

हमारे राम सिंह भाई न यहा पर बहुत सी बातें कही। मैं कहना चाहता

कि आप प्रबन्धक कहा से लायेंगे। हमारे रामसिंह भाई जैसे लोग जो एक्सपर्ट है उन को काम में लगाया जाय, तो अच्छा रहेगा लेकिन आप उन को तो लेंगे नहीं, क्यों कि उन के पास कोई डिग्री नहीं है। एक भाई० ए० एस० आफिसर जो होगा, उस को वहा पर लगा देंगे, जिस ने जिन्दगी में कोई भी ऐसा

[श्री मूल चन्द डागा]

काम नहीं किया है—तो यह तरीका गलत है।

हमारे हरी सिंह जी ने कहा है कि कपड़े की दो तीन बैगडटीज होनी चाहिये, लेकिन इस देश में 22 राज्य हैं यह रंग बिरंगा देश है, मिनिस्टर साहब के कुत्ते का रंग दूसरा है और मेरी बुशट का रंग दूसरा है, यहाँ पर तो बहुत सी रंग बिरंगी बैगडटीज होनी चाहिये आप का यह कन्ट्रोल का कपड़ा टिकाऊ भी नहीं होता है तो इन सब बातों की तरफ आप ध्यान दें।

SHRI C. M. STEPHEN (Muvattu Puzha). There are only two points I would like to make. The first point to which I would like to draw the attention of the House is the Preamble part of the Bill. The closure of the Mills is supposed to have resulted in unemployment of about 5,000 workers who have been thrown out of their jobs but, going through the Preamble, I find that there is no mention about it at all. The plea on which the mills are sought to be taken over is, in the first place, that the supply of canvas and *dosuti* to the Defence Department has been affected—as if there is no other mill in this country which can supply these things to the Defence Department—and, secondly, that the supply of coarse and medium varieties of cloth needed by the weaker sections of the community is also affected—as if there is no other mill for this purpose either. Excepting for these two reasons, no other reason has been spelt out as to why the mills are sought to be taken over.

I am not against the Bill which seeks to take over these two Mills. It should have been done and it should be done. The national apex body

made a recommendation about it, five thousand workers are out. What I am stressing is that what had influenced the Government in taking this extraordinary measure is not mentioned. Government appears to be feeling shy about it. In place of that, Government are putting up certain other reasons which will not click at all, which will not appeal to the people at all. Let us be fair, frank and honest when we prepare the preamble. This was one of the points I wanted to make.

My second point is this. Is it that there are no other mills in this country which are crying for takeover? There are quite a large number, not necessarily because of mismanagement but because of certain adverse circumstances. In my own State, there is a cooperative mill remaining closed for quite a long time, and workers are out on the streets. There are quite a number of mills like that. What I am emphasizing is that Government must have, as its policy, unemployment as one of the motivating circumstance where under a mill should be taken over. That was the motivating circumstance under which the NTC Act was passed, that should be the motivating circumstance whereunder Government goes to take over mills. If that is the motivating circumstance, then the cases of those mills which are remaining closed and which should be taken over and the unemployment wiped out must be examined in great detail. Let there be no discrimination at all. Let the policy be even-handed with respect to each mill everywhere, the only motivating circumstance being enforced unemployment for which the workers are not answerable.

My third point is this. They say that a Custodian will be appointed. Here is a separate Bill for taking over two Mills. This would not have been necessary if the NTC Act had been properly framed. The NTC Act was framed limiting the number of mills which could be taken over by the NTC, the result being that, if and when Government wants to take over a mill

even under compelling circumstances, Government is forced to come to Parliament moving a Bill. This is absolutely unnecessary. I would submit that this should open the eyes of the Government to the necessity of amending the NTC Act, throwing open the area where the NTC can operate, where the NTC can go and take over the mills. The limiting factor of 103 mills or so should be taken away. Let NTC have the power to take over a mill as and when Government so decides under the Industries (Development and Regulation) Act or whatever that be, when Government, after an inquiry, feels that the mill should be taken over. Let there be no necessity for the Government to take to the extraordinary course of having to move a Bill for that purpose every time. Government must think over this and bring an amendment to the NTC Act.

Finally, certain conditions in this country are such that unemployment mounts up in textile areas, not necessarily because of any non-productivity by the workers but because of reasons beyond their control. This is a social challenge which Government have an obligation to meet. This social challenge must be met. For that, elasticity of the take-over policy must be resorted to, and there should be no track of an impression of discrimination left. The only motivating circumstance should be unemployment which is caused to a large number of workers in our country.

With these observations, I congratulate the Government for having decided to take over these mills which was so much asked for. My only plea is this. Let this policy be extended to a larger area, where take-over is justified, let Government think of taking over.

I support this Bill completely and wholeheartedly.

SHRI B. V. NAIK (Kanara) : I am completely in agreement with the learned friend who spoke before me. I see

no reason as to why we should take over a management where management has ceased to exist. Why is it not possible for us to take over the whole mills? I think, the constitutional amendments do provide for that. It is a question of principle. If you have a vehicle or a truck, somebody who drives it, is responsible for its proper running. In this case, the directors of the concerns have been even absconders and we are paying compensation or an amount for taking over of the management to those members of the Board of Directors who were outright absconders and who abdicated their duty. They have to be paid Rs. 10,000 or Rs. 3000 as has been laid down in the Statement of Objects and Reasons.

हमारे शुक्ल जी ने कहा कि यह सिकनेस बढ़ती जा रही है ।

The only thing about this sickness in which the Government is acting like a hospital for all the sick units is that here the doctor pays the patient instead of the patient paying the doctor. We are taking over a particular piece of machinery and a factory and we are committing the Government for investment of five crores of rupees.

MR. CHAIRMAN : Here, the hospital is a Government hospital where public service is rendered.

SHRI B. V. NAIK : Let the sickness be cured, but you are compensating the sick, as if his livelihood has to be paid for. Laxminrattan Mill is one of them; about Atherton West Cotton Mill I have not been able to find details. Its total assets were two crores of rupees according to the figures on the 30th September, 1971 and what are we paying for? We are going to invest only for the sake of margin money, the total bill of these mills is going to be of the order of 4.94 crores of rupees. And if we are going to invest for the sake of margin money, when the working capital of these two mills is 184 lakhs, what is the percentage margin? It is 20 per cent. I have failed to understand the

[Shri B V Naik]

economics of these two sick mills. If the question of providing a guarantee against unemployment of 5,000 workers is a sort of carrying out of the Directive Principles of State Policy regarding right to vote of these 5,000 people, it is a lofty principle. Even as a principle I cannot understand that you pay compensation and do not proceed against the management for the mismanagement. Even the public financial institutions have been unwilling to finance them.

Let us have advantages or disadvantages of one system of economy or the other. Here is it not the responsibility of the nationalised banks to take over the responsibility of these mills through a receiver? What stops in this particular case of a sick mill to liquidate it? Take it over through a receiver take it over for the purpose of management, only the pure assets. Why should the Government guarantee their previous debts previous liabilities previous commitments and previous acts of omission and commission by its management which has completely failed in its duty? Why should we do that for the purpose of rehabilitating these mills or particularly to rehabilitate the image of the two managements? At a particular point of time after two years of the entire exercise of taking over the management the assets and liabilities have to be evaluated. We will be faced with another legislation in order to pay them an amount which will be *de facto* a compensation. Your principle of taking over of the sick mills as such would be wrong. Bad in business bad in principle nobody is going to invest this much of money. Therefore kindly liquidate the sick units and their management the body corpus take over only the assets and the properties of the mills and the factories employ people and start it on a clean slate.

With these observations, I support this Bill.

श्री बाबू राम अहिरवार (कमवड):  
 सभापति महोदय, यह जो विधेयक प्रस्तुत किया गया है, इस का समर्थन करते हुए मैं अपने कुछ विचार रखना चाहता हूँ।

मैं सरकार से पहले यह पूछना चाहता हूँ कि जो यह आप ने पद्धति अपनाई है कि अभी 104 मिलों के करीब आप ले चुके हैं इसका मुद्रावर्ष आपने दिया है, इससे इन लोगों में यह प्रवृत्ति बढ़ गई है कि जो यह मुनाफा कमाते हैं उससे दूसरे कारखाने खड़े कर लेते हैं, क्या सरकार को इस बात की जानकारी है? पिछले वर्षों में इन्होंने जो मुनाफा कमाया है उस मुनाफे की रकम से इन कारखानेवालों ने दूसरे कारखाने खड़े किए हैं या नहीं, क्या आपने इस बात की जानकारी की है? अगर अपने यहां वे मुनाफे को इन्होंने अपने इन कारखानों में लगाया होता तो उससे मशीनरीज को चंच किया जाता और अपने मजदूरों को अच्छी तन्हाई दी होती जिनमें वे लोग ज्यादा काम करते और उत्पादन बढ़ाते। लेकिन जहां तक मेरी जानकारी है जितने भी ये कारखानेदार हैं जिनके कारखाने आपने लिए हैं उन्होंने मुनाफा कमा करके दूसरी इंडस्ट्रीज खड़ी कर ली हैं। वे जानते हैं कि सरकार बीमार मिल को मुद्रावर्षा लेकर ले लेगी, इसमें उनका घाटा नहीं है। फिर लेने के बाद टूटी-फूटी मशीन का आपको कम्पेंसेशन भी देना है। मेरी समझ में नहीं आता कि यह कम्पेंसेशन बाह्ये का है? आप उनकी मशीनरी को नीलाम कर दीजिए, जितने में बिके बिक जाए हमको उसका कोई पैसा नहीं देना चाहिए। वे अपनी मशीनरी चाहे जिसको नीलाम कर दें, आकेशन कर दें। आपको तो सिर्फ जितने बर्कस हैं, जितने काम करने वाले मजदूर हैं, नयी मशीनरी खरीद कर उनको काम देना है। यह सरकार की



बिन्देदारी है कि कोई मजदूर बेकार न रहे। इसके लिए आपको उन लोगों की सही मनी मशीनरी का कंसेशन नहीं देना चाहिए जिन्होंने उससे लाखों रुपया कमा कर खाया है और गरीबों का शोषण किया है। इसके लिए सरकार ने क्या किया है, यह आपको सोचना चाहिए।

श्री मनी माननीय सदस्य कह रहे हैं कि केवल प्राइवेट मिलों में कोर्म क्लाय बनता है, दसूती तथा केनवस कपड़ा बनता है। सरकार की जितनी मिलें हैं उनमें से कितनी मिलों में कोर्म कपड़ा बनता है? मैं देहात का रहने वाला हूँ। आज हम देखते हैं कि प्रोपेक्म कोअप्रेंटिव मार्केटिंग प्रोमोमायटोज में जो कोर्स का कपड़ा जमा रहा है वह भरा पड़ा है। ऐसा रही कपड़ा बनाते हैं जिसे कोई लेने को तैयार नहीं है। अब वह कहते हैं कि लोगों की परबन्द नहीं रही। जानबूझ कर मिले इस बात की चलाकी कर रही हैं कि इतना रूढ़ी कपड़ा बनाओ ताकि लोग कह दे कि हमको नहीं चाहिए और सरकार कह दे कि कोर्स क्लाय नहीं बनाओ। मुपर फाइल और मीडियम क्लाय बनाओ ताकि वे ज्यादा पैसा कमाने लगे। इनकी मिलों-भगत चल रही है। जहा घाती जांडे की जरूरत है वहा देहात में सलवार का कपड़ा जा रहा है और छीट का कपड़ा जा रहा है। जो कपड़ा जहां चलता है, वह कपड़ा वहां भेजिए, कैसे नहीं बिकेगा। आप ऐसा कपड़ा भेजिए जिससे लोग अपनी परबन्द का कपड़ा बना सकें। देहात में औरों से साडियां पहनने वाली हैं, उनके लिए घाती जोडा भेजिए किस परिये में किस तरह का कपड़ा लोग पहनते हैं उसी तरह का कपड़ा वहां भेजिए। हमको कोई भी देखता है। मिल वाले घटिया कोर्स क्लाय बनाते हैं। वे सोचते हैं कि उनको तो पता होने वाला है नहीं क्योंकि सरकार

सब सॉर्ट्स दे रही है। वे जानते हैं कि उनका नुकसान नहीं होगा। मिल वाले जो प्राजिस कर रहे हैं यह आपका रखनी चाहिए।

मिल वालों ने एक साजिश और कर रखी है कि मिल का सुधार न कर के बीमार बना दो। आपको चाहिए कि इन मिलों के बीमार होने से पहले आप प्रबंध करें। प्रिवेंशन इज बेटर देन क्योर। इनका इलाज आपको पहले से करना चाहिए। जो मिलें चल रही हैं और वास्तव में उनको जो मुनाफा हुआ है, चार, छ या दस साल पहले जो मुनाफा हुआ है और बाद में घाटा पड़ने लगा है, अगर वह घाटा 25 परसेंट तक हो तो उन मिलों को आप टेक ओवर कीजिए। मॉट परसेंट घाटे वाली मिलों को टेक ओवर करना और उनको कंसेशन देना मेरी मसल में नहीं आता। वे लोग पूरा शोषण कर लेते हैं, मशीनरी का पूरा लाभ उठा लेते हैं, लोगों की मेहनत का, मजदूरों की मेहनत का पूरा फायदा उठा लेते हैं। उनके बाद मुनाफे में दूसरी इन्डस्ट्रीज खड़ी कर लेते हैं और टूटी-फूटी मिल सरकार को दे देते हैं। आपके बड़े बड़े मिन मालिकों की सीमेंट इन्डस्ट्रीज लगी हुई है, दूसरे कारखाने लगे हुए हैं। टूटी-फूटी मिन सरकार को दे देते हैं।

मैं मेरा कहना यह है कि सरकार जो नया पैसा हम मिल-मालिकों को देनी है, वह पैसा नहीं मशीने खरीदने में लगाएं और अपने वर्कर्स को काम में लगाएं। इनको एक पैसा भी मज्राबजे का नहीं देना चाहिए। उनकी बिन्डियों के प्रतिरिक्त मशीनों को नीलाम कर दीजिए। जितना पैसा मिले, उतना दे दीजिए। लेकिन इनको एक पैसा भी ज्यादा नहीं

[श्री नाथू राम सहिश्वाह]

देना चाहिए। इन्होंने मशीनरी को मेन्टेन करने में लापरवाही की है। मेरी राय में इस लापरवाही के लिए जनता की गाढ़ी कमाई का एक पैसा भी इन हंगामखोरों के पास नहीं जाना चाहिए।

इन शब्दों के साथ मैं इस प्रस्ताव का समर्थन करता हूँ।

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA): I must thank the hon. Members who have participated in the discussion over this piece of legislation of taking over the management of these two mills viz., Laxmirattan Cotton Mills and the Atherton West Cotton Mills of Kanpur

The Laxmirattan Cotton Mills was closed on 10-5-1975. The number of spindles installed was 57,000, capacity looms—1100 and No. of workers—2570. The Atherton West Cotton Mills was closed on 2-5-1975. No of spindles installed—42000, capacity looms—approx. 900 and the number of workers—2660. The total number of workers is nearly 5500.

It was a national wastage that these two mills were lying closed. We wanted that NTC may take over or some other way could be found for re-opening the mills. We requested the State Government of U.P. to take it over. All our efforts proved unsuccessful. Because of the various genuine difficulties it was not found possible for them to re-open it. So, under the circumstances, N.T.C. was left with no other option but to take over in the larger interests of employment of workers and also resumption of production of coarse, medium varieties of cloth particularly for Defence production.

So far as Laxmirattan Cotton Mills is concerned its annual turn-over was of the order of Rs. 3 crores. Its liabilities look like Rs. 1.78 crores,

and its current assets are estimated to be Rs. 1 crore 8 lakhs. To make it viable, it is estimated that we would need Rs. 3 crores and 20 lakhs. So far as Atherton West is concerned, to make it viable, we perhaps would need Rs. 2 crores and 70 lakhs. I say 'perhaps' because accurate exact, precise calculations are not possible in the absence of further study of the available documents and whether all the essential documents will be available is not yet known.

A point was made that in the preamble of the Bill we have not referred to the unemployment angle as one of the considerations for taking it over. The reason is that this is true in respect of many other mills—composite and spinning—which are also closed. But I would draw your attention to the Statement of Objects and Reasons where we have said—'the closure has resulted in the unemployment of over 5,000 workers'. That shows unmistakably the Government's concern that the interest of the unemployed people should be looked after.

I would like to make it very clear in the beginning that it is not the Government's policy to take over the sick mills one after another indiscriminately without going into the specifics of the individual mills in question. It has been rightly pointed out by one hon member that if Government is obliged, whatever might be the considerations, to take over the sick mills one after another, the resulting picture will be that the Government is looking after only the hospital or the sick sector of the industries leaving the healthy units in the hands of the private owners, some of whom are themselves responsible for making the unit sick. This is not a very ideal way of solving the problem. That is why the Government had a very new, and I must say a deeper look at the matter. The Government Committee went into the whole question and the

related issues whether the merger could be thought of, i.e. sick units could be taken over by the good units.

Merger may be of two types—group merger and merger between the groups. Merger may be under one management or it may be between the groups under different groups of management.

So, this is another way of solving the problem. There can't be any identical or mechanical solution to every problem. There are various types of problems and different types of solutions have to be thought of. If it is possible, I welcome State Government take over. That would be an ideal solution in some cases. In Assam in respect of tea gardens, they have started taking over some of these units. Some other Governments are thinking along these lines. It is a welcome thing. Central Government take-over is not the only solution. It is not necessarily the best solution. I would like to make it clear that this government decision does not signify that every such mill will be taken over by the NTC, because, it is not Government's general policy. All practical and workable avenues should be explored.

SHRI C. M. STEPHEN: What is the line of distinction?

PROF. D. P. CHATTOPADHYAYA: It has to be gone into. Unless we look into the causes we cannot look into the treatment. You cannot treat without diagnosis, and so I cannot say offhand.

Points were made that workers' interest should be looked into. The very fact that this is taken over reflects Government's deep concern for the welfare of the workers. It should be appreciated that this take-over is an interim measure. Points were raised that provident fund dues were not paid, wages were not paid, etc. by the defaulting management. These are very relevant issues. These will be gone into on the basis of facts and

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figures. Some provisions in the Act are there. The Commissioner of Payments will look into them and scrutinise them when ultimately the question of nationalisation is taken up. Now it is an interim measure of managing it well.

SHRI S. M. BANERJEE: What will happen from the 17th of July, the day on which this has been taken over? After that will they be duly getting their salaries?

PROF. D. P. CHATTOPADHYAYA: I have already said this. We cannot on our own take all the responsibilities for the defaulting management. It is a question of looking after a sick patient. We have to nurse him. We have got to bring him back to health. Let us do now what is absolutely necessary and then other questions will be naturally looked into.

Also, it is in the interest of the workers not to insist on payment of everything which is otherwise their due, to which they are entitled. I do agree every management should give their dues. But here, it is an extraordinary situation and therefore we had to step into it. To make Government efforts successful, to nurse the units back to healthy development, the help and cooperation of workers are absolutely necessary and I request hon. Members, knowing the workers and taking interest in workers, to exercise their influence to secure their maximum cooperation so that the efforts of the Government meet with success.

17.00 hrs.

Shri Damani brought in some larger issues in this context about the NTC units and their recurring loss. My colleague and I have on several occasions referred to the matter. We have also given facts and figures showing that the 103 mills with NTC are showing steadily and increasingly better and better results. I take this opportunity to inform you and

[Prof. D. P. Chattopadhyaya]

through you the hon. House that in 1975-76, the loss of these mills was of the order of Rs. 61.12 crores. Subsequently in April 1975, it was Rs. 7.60 crores, in May 1975 it was Rs. 6.20 crores, in April 1976 it came down to Rs. 2.85 crores, in May 1976 it was Rs. 2.22 crores, in June 1976 it came down to Rs. 1.52 crores and last month the loss of NTC on account of all the 103 mills is less than a crore—Rs. 98 lakhs. This only shows how in the National Textile Corporation, a public sector unit working under so many constraints without so many liberties and, if I may say so, licences enjoyed by some other units in the private sector, our workers have been helping us and as a result we have come from annual loss of Rs. 61 crores to less than a crore for a month within one year. That shows that if we work, if our workers also co-operate, we can make our experiment successful. That is why I was emphasising the necessity of the workers and other officers supporting us in this.

**SHRI BHOGENDRA JHA** (Jainagar): This also proves that you will be more effective if you take over all the textile mills in the country.

**PROF. D. P. CHATTOPADHYAYA:** From inadequate base, I cannot jump to this generalisation. It may be fallacious.

**SHRI BHOGENDRA JHA:** Nationalisation of these mills only is not adequate.

**PROF. D. P. CHATTOPADHYAYA:** Let us hope you are correct. A point was made that we are producing only medium and coarse varieties and that is why we are incurring loss. This is one of the observations made by Shri Damani. This is not correct. It is not because of the variety we are producing that we are incurring loss. He said that some polyester fibre or blended fabrics are much in demand. Yes, they are, but if we

look into figures of the total cloth consumed in the country and the percentage of the high-priced varieties in that, you will find that the latter constitute a very small percentage of the medium and coarse varieties. High priced varieties are used in the towns; perhaps in the towns these are the only type of cloth in demand in a larger way, but we often forget that in the rural areas the majority of the people do not demand them, they cannot even dream of these because they have not the ability to pay for them.

That brings me to the point regarding controlled cloth. You will agree that controlled cloth which is being offered at below cost price sometimes remains unlifted. This is not entirely because they are not in demand. They are in demand. In some States, where the distribution systems have been well geared up like Kerala and West Bengal, these types are not only in demand, they are in further demand but because of distribution bottlenecks and other problems these are not lifted well. But this is no argument to say that the controlled cloth scheme should be scrapped.

The suggestion regarding varietal reduction is well taken. There should not be so many varieties. I have mentioned it on the floor of the House, and I reiterate it. Government has taken a policy decision in pursuance thereof. We are gradually reducing the varieties. Lesser varieties are what we are aiming at.

Mr Daga raised the question of liabilities to which I have already briefly replied. We do not like to carry on liabilities just at the moment because we do not know what are the legal characteristics of the liabilities. So, the Commissioner of Payments will look into it and we will take up those questions later on.

Several hon. members have rightly said that taking over sick mills is not perhaps the right answer and we

should have a signalling mechanism by which the causes of sickness should be anticipated and appropriate preventive measures should be taken in time. It is a very constructive suggestion. In this context, the banks and financial institutions which are in touch with these units are in a most advantageous position to know the state of health, both financial and managerial and they should take upon themselves either individually or collectively the responsibility of monitoring and evaluating the state of health of the units which are likely to fall sick. This is one of the ideas being considered by the government. I think this is absolutely necessary, so that the ultimate extreme measure of taking over, before which for a long time these units remain closed resulting in national wastage and hardship to workers, can be avoided.

With these words, I thank the hon. members who have participated and helped in understanding and having a second look at our policy matters.

**SHRI S. M. BANERJEE:** I wanted to know whether a tentative date has been fixed from which these two mills will start functioning. I also requested that a certain advance amount, whatever it may be, should be paid to the workers immediately. He has not replied to these two points.

**PROF. D. P. CHATTOPADHYAYA:** About the second point I cannot say anything just at the moment, except that they will look into the matter sympathetically. About the first question, he himself has seen that the machines are being oiled and buildings are being painted. Efforts are being made to reopen them as early as possible.

**MR. CHAIRMAN:** The question is:

"That the Bill to provide for the taking over, in the public interest, of the management of the undertakings of certain companies, pending

nationalisation of such undertakings with a view to ensuring the supply of certain varieties of cloth needed by the weaker sections of the community as also by the Defence Department and for matters connected therewith or incidental thereto, be taken into consideration."

*The motion was adopted.*

**MR CHAIRMAN:** We shall take up clause by clause consideration. There are no amendments. The question is:

"That Clauses 2 to 17, the Schedule, Clause 1, the Enacting Formula, the Preamble, the Preamble and the Title stand part of the Bill."

*The motion was adopted.*

*Clauses 2 to 17, the Schedule, Clause 1, the Enacting Formula, the Preamble and the Title were added to the Bill.*

**PROF. D. P. CHATTOPADHYAYA:**  
I beg to move:

"That the Bill be passed"

**MR. CHAIRMAN:** The question is:  
"That the Bill be passed".

*The motion was adopted.*

17.10 hrs.

**DHOTIES (ADDITIONAL EXCISE DUTY) REPEAL BILL**

**THE MINISTER OF COMMERCE**  
**PROF. D. P. CHATTOPADHYAYA:**  
I beg to move:

"That the Bill to repeal the Dhoties (Additional Excise Duty) Act, 1953, be taken into consideration."