[श्री इसहाक सम्भली]

बिल को इसी सेशन में लाया जाये और मुझे खुशी है कि आप ने उस पर तवज्जुह फरमाई थी। मैं चाहता हूं कि उसी शक्ल में बिल लाया जाये और जो डिमांस्ट्रेटर्ज आये हुए हैं सरकार के कोई साहब उनके पास जायें और उनसे मेमोरेंडम वसूल करें।

[شری اسحاق سمبھلی (اسروہہ): اسپیکر صاحب آپ نے آج اخباروں میں پڑھا ہوگا کہ علی گڑھ مسلم یونیورسیٹی کے اسٹوڈینٹس یہاں ڈمانسٹریشن کر رہے ہیں— اُنکی سیدھی سادھی مانگ ہے کہ علی گڑھ مسلم یونیورسیٹی بل، جو کافی دنوں سے یہاں پینڈنگ ہے، اِسی سیشن میں پیش کر دیا جائے—اگر میں بھول نہیں کر رہا ہوں تو جس لسٹ میں یہ بتایا گیا تھا کہ اِس سیشن میں کون کون سے بل آئینگے، اُس میں اِس بل کا نمبر غالباً 30 تھا—لیکن مجھے نعلم ہے کہ سیشن ختم ہونے جارہا ہے، لیکن وہ بل ابھی تک نہیں لایا گیا ہے—میری درخواست ہے کہ آپ مہربانی کرکے سرکار کی توجہ دلائیں کہ وہ اس معاملے میں زیادہ بےچینی ہونے کا موقع نہ دے اور وہ یونیورسیٹی کا صحیح کیریکٹر قائم رکھتے ہوئے جلدی سے جلدی بل لائے، جیسا کہ پرائم منسٹر اور سرکار کا وعدہ ہے اور جیسی کہ سب تیموکریٹک پارٹیوں کی مانگ ہے- پچھلے دنوں شری ایم-ایس- مکرجی، شری ایس-ایم-بنرجی اور میں نے یہ مطالبہ کیا تھا کہ اس بل کو اسی سیشن میں لایا جائے اور مجھے خوشی ہے کہ آپ نے اُس پر توجہ فرمائی تھی— میں چاہتا ہوں کہ اُسی شکل میں بل لایا جائے اور جو ڈمانسٹریٹرز آئے ہوئے ہیں سرکار کے کوئی صاحب اُن کے پاس جائیں اور اُن سے میمورینڈم وصول کریں—]

SHRI N. SREEKANTAN NAIR (Quilon) : Sir, you said. I may raise the issue about the flood situation in Kerala.

MR. SPEAKER : This morning I received a letter from Dr. K. L. Rao, that he has received full information and all the details about the flood situation there and that he is going to make a statement. Because he is absent today, he has asked his Deputy to make the statement. So I allowed. But I am told now, he is going to make it not today, but tomorrow morning. Now Shri Khadilkar.

12.56 hrs.

MOTION UNDER RULE 388

SUSPENSION OF PROVISO TO RULE 74 IN RESPECT OF MINES (AMENDMENT) BILL

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : I beg to move:

> "That this House do suspend the first proviso to Rule 74 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for reference of the Bill further to amend the Mines Act, 1952, to a Joint Committee of the Houses."

MR. SPEAKER : The question is :

> "That this House do suspend the first proviso to Rule 74 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for reference of the Bill further to amend the Mines Act, 1952, to a Joint Committee of the Houses.

The motion was adopted.

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12 56½ hrs.

MINES (AMENDMENT) BILL

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : Sir, with your permission, I would like to change one name, that is the name at item No. 3. Instead of Shri Somnath Chatterjee, the name to be incorporated is Shri Dinen Bhattacharyya. All the other names are the same and there are no changes.

MR. SPEAKER : All right. He should be congratulated also .

SHRI R. K. KHADILKAR : I beg to move :

> "That the Bill further to amend the Mines Act, 1952, be referred to a Joint Committe of the Houses consisting of 45 members, 30 from this House, namely :
>
> Shri Bhagirath Bhanwar,
> Shri Chapalendu Bhattacharyya,
> Shri Dinen Bhattacharyya,
> Shri Khemchandbhai Chavda,
> Shri M. C. Daga,
> Shri Anadi Charan Das,
> Shri K. G. Deshmukh,
> Shri C. D. Gautam,
> Shri Bhogendra Jha,
> Shrimati Sheila Kual,
> Shri Surendra Mohanty,
> Shri Baksi Nayak,
> Shri Paripoornanand Painuli,
> Shri Damodar Pandey,
> Shri Prabhudas Patel,
> Shri R. Balakrishna Pillai,
> Shri Ramji Ram,
> Ch. Ram Prakash,
> Shri Bhola Raut,
> Shri P. Antony Reddi,
> Ch. Sadhu Ram,
> Shri Anant Prasad Sharma,
> Shri R. N. Sharma,
> Shri T. Sohan Lal,
> Sardar Swaran Singh Sokhi,
> Shri R. P. Ulaganambi,
> Shri T. V. Chandrashekharappa Veerabasappa,
> Shri Balgovind Verma,
> Shri G. P. Yadav,
> Shri R. K. Khadilkar,
>
> and 15 from Rajya Sabha ;
>
> that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee ;
>
> that the Committee shall make a report to this House by the last day of the first week of the next session ;
>
> that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make ; and that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 Members to be appointed by Rajya Sabha to the Joint Committee."

MR. SPEAKER : The question is :

> "That the Bill further to amend the Mines Act, 1952, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely :
>
> Shri Bhagirath Bhanwar,
> Shri Chapalendu Bhattacharyya,
> Shri Dinen Bhattacharyya,
> Shri Khemchandbhai Chavda,
> Shri M. C. Daga,
> Shri Anadi Charan Das,
> Shri K. G. Deshmukh,
> Shri C. D. Gautam,
> Shri Bhogendra Jha,
> Shrimati Sheila Kaul,
> Shri Surendra Mohanty,
> Shri Baksi Nayak,
> Shri Paripoornanand Painuli,
> Shri Damodar Pandey,
> Shri Prabhudas Patel,
> Shri R. Balakrishna Pillai
> Shri Ramji Ram,
> Ch. Ram Prakash,
> Shri Bhola Raut,
> Shri P Antony Reddi,
> Ch. Sadhu Ram,
> Shri Anant Prasad Sharma,
> Shri R. N. Sharma
> Shri T. Sohan Lal,
> Sardar Swaran Singh Sokhi,
> Shri R. P. Ulaganambi,
> Shri T. V. Chandrashekharappa Veerabasappa,
> Shri Balgovind Verma,
> Shri G P. Yadav,
> Shri R. K. Khadilkar,
>
> and 15 from Rajya Sabha ;
>
> that in order to constitute a sitting of the

[Mr. Speaker]

Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee ;

that the Committee shall make a report to this House by the last day of the first week of the next session.

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make ; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

12.58 hrs.

INDUSTRIAL DISPUTES (AMENDMENT) BILL

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : Sir, I beg to move :

> "That the Bill further to amend the Industrial Disputes Act, 1947, as passed by Rajya Sabha, be taken into consideration."

Sir, we have of late seen the disturbing spectacle of the closure of industrial undertakings leading to loss of production and unemployment of large number of workmen. Employers have declared these closures suddenly without notice or advance intimation to the Government.

The provisions of the Industries (Development and Regulation) Act are not adequate to prevent sudden closures. At best, the provisions of that Act provide for an investigation into the affairs of the company before it has actually closed down This lacunae has been under consideration for quite some time past and has been discussed at a number of tripartite conferences, when it was felt that no total closure should take place without three months' notice to the workers as well as to Government.

Closures at the present juncture result not only in loss of production but also in accentuating the problem of unemployment. It is, therefore, necessary to consider whether suitable legislative measures can be evolved to prevent such closures by requiring an undertaking (1) to give prior notice of its intention to close and (2) not to close before expiry of the period of notice. The notice period can be utilised by Government to undertake a speedy investigation into the affairs of the unit in order to decide what remedial measures can be taken to prevent closure.

13 hrs.

The Indian Labour Conference at its meeting in October last generally endorsed the proposal for Central legislation although employers did contend that it may not be poisible to give notice in all cases. The Conference was also of the view that notice by itself would not help prevent closures, and that Government should take powers to take over the industrial units which are on the point of closing down or have closed down. The question whether a 60 days' notice or a 90 days' notice should be given also came up for consideration.

It was pointed out in the discussions that a longer notice period may defeat the very purpose which we all have in mind. It was argued that the moment you put up a notice of three months, the financial institutions would be prompted to stop or delay the financing of the company concerned from that very day. Hypothecation arrangements would come to a standstill, the raw materials would not be supplied and in fact all the creditors would make a rush on the sick unit in order to realise their dues. The consensus of opinion, therefore, was that a two-month period should be adequate and should suffice to meet the situation. Clause 2 of the Bill, therefore, makes this provision.

Clause 3 of the Bill prescribes the penalty for closure without notice. This is imprisonment for a term which may extend to six months or with fine which may extend up to Rs. 5000 or both. This is the maximum punishment provided for any offence under the Industrial Disputes Act. But if by experience it is found to be inadequate, I would assure the House that we will review this penal clause.

With these few words, I move that the Bill further to amend the Industrial Disputes