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SLP(C)No. 16732 OF 1997
ITEM No.201

Court No. 5

SECTION XV
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.16732/1997

(From the judgement and order dated 24/06/1997 in WP 43/97
of The HIGH COURT OF BOMBAY)

N T C (IDA) EMP.ASSOCIATION

Petitioner (s)

VERSUS

U O I & ORS

Respondent (s)

(With Appln(s). for intervention and directions and
permission to submit additional document(s)
(For Final Disposal)
(With Office Report)
With

T.P.(C) No.489/1997,T.P.(C) No.490/1997
(With appln.(s) for ex-parte stay)(For final disposal)

Date : 16/08/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE U.C. BANERJEE
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s) Mr. N.B. Shetye, Sr. Adv.
Mr. A.P. Mayee, Adv.
Ms. Asha Gopalan Nair,Adv.

In TP(C) 489 & 490/97 Mr. Satyajit Saha, Adv.
Mrs. V.D. Khanna, Adv.

For Respondent (s)

Mrs.B.Sunita Rao,Adv.
Mr. Ashok Kumar Singh,Adv.
Mr. B.S. Banthia,Adv.
Mr. B.V. Balaram Das,Adv.
Ms. Suruchii Aggarwal,Adv.
Mr. Deba Prasad Mukherjee, Adv.
Mr. R.C. Verma, Adv.
Mr. A.N. Bardiyar,Adv.
Mr. Annam D.N. Rao,Adv.

Mr. Altaf Ahmad, ASG
Mr. S.Wasim A. Qadri, Adv.
Mr. D.S. Mahra,Adv.
Ms. Sunita Sharma, Adv.
Mr. Hemant Sharma, Adv.

M/s. Corporate Law Group, Adv.
Mr. Rajeev Kumar Sharma,Adv.

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Mr. H.K. Puri,Adv.

Mr. S.K. Puri, Adv.
Mr. Ujjwal Banerjee, Adv.
Ms. Anindita Gupta, Adv.

Mr. V.G. Pragasam, Adv.
Mr. Sushil Kumar Jain, Adv.
M/s I.M. Nanavati Associates, Adv.
Mr. Sanjay R. Hegde, Adv.

Mr. P.C. Sen, Adv.
Mr. Satish K. Agnihotri, Adv.

Mr. S.M. Yadhav, Adv.
Mr. Naresh Kumar, Adv. for
Mr. V.N. Raghupathy, Adv.

Mr. R.S. Suri, Adv.

Mr. R.N. Poddar, Adv.
Mr. Satpal Singh, Adv.

Mr. S.B. Sanyal, Sr. Adv.

UPON hearing counsel the Court made the following

O R D E R

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Be it placed on record that at an earlier point of time BIFR recommended four subsidiaries of NTC to be viable and four others not being so viable. Subsequently, as appears from the records, show cause notices were issued for the non-viable units as to why the units would not be wound up. But on consideration of the matter in detail and upon hearing the contentions as raised by the units concerned, BIFR felt it proper to alter their views as regards viability of units and by reason whereof an amended scheme was circulated approving the rehabilitation of all the eight units subsidiaries of NTC.

Mr. Altaf Ahmad, learned Additional Solicitor General of India, upon instructions, submitted that the Government is prepared to accept the recommendations of BIFR resulting in the revival of 44 units representing eight subsidiary units. As regards the time frame, Mr.

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Additional Solicitor-General of India, has stated that the time frame as appears from the Scheme, would be duly observed and there would not be any difficulty on that score. Such a statement is recorded. Be it noted that Mr. A.D.N. Rao, appearing for BIFR clarified that apart from these 44 units there are other non-viable mills and units. Incidentally, BIFR has also recommended introduction of VRS in all the units covering eight subsidiaries of NTC.

Mr. ADN Rao further submitted that nearly 30 thousand surplus employees would be given VRS within the ambit of the VRS scheme and such scheme would be implemented within two years i.e. by March, 2004.

Mr. Additional Solicitor-General further stated that the Central Government is not in a position to give additional financial assistance to meet the increased demands but in the event NTC improves its performance and generate additional amount required for revision of scales, Government would be implementing such a revision.

The statement of Mr. Additional Solicitor-General is thereby recorded.

Let these matters appear on 29-8-2002.

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(R.K. Dhawan)
Court Master

(Shelly Sengupta)
Court Master