

SHRIMATI MANEKA GANDHI: Mr. Chairman, Sir, the hon. Member's question does not pertain to the main question. It is a straight question. Regarding offering of package, it is for the State Government to ask us for package.

श्री अनन्तराय देवशंकर दवे: सभापति महोदय, मंत्री महोदय ने जो जवाब दिया है सही बात है कि शायद कुछ परसेंटेज ट्राईबल की कम होगी। लेकिन मैं यह जानना चाहता हूँ कि सरकार द्वारा हण्ड्रेड मोस्ट पुअरेस्ट डिस्ट्रिक्ट के लिए डा. ई.एस. शर्मा कमेटी गठित की गई थी और उस कमेटी ने अपनी रिपोर्ट 1997 में दे दी थी। उससे पहले भी प्लानिंग कमीशन ने कुछ स्टडी ग्रुप बनाए थे। एक पाण्डे कमेटी गठित हुई थी, एक वान्चू कमेटी गठित हुई थी, लेकिन वह पुरानी बातें हैं। लेकिन लेटेस्ट शर्मा कमेटी ने जो क्राइटेरिया बनाया है बैकवार्ड और पुअरेस्ट हण्ड्रेड डिस्ट्रिक्ट के लिए, तो क्या वह रिपोर्ट सरकार के ध्यान में आई है और सरकार ने वह पूरी रिपोर्ट स्वीकार की है और अगर की है तो उसमें जो बैकवार्ड और ट्राईबल एरिया के लिए जो क्राइटेरिया दिया गया है उसमें कच्छ डिस्ट्रिक्ट का समावेश होता है या नहीं?

SHRIMATI MANEKA GANDHI: Mr. Chairman, Sir, this report has not come before this Ministry at all. It has come to the Planning Commission. It concerns the Planning Commission. Regarding poverty level of Kutch area, it is quite true that it is a backward area and an extraordinary poor area. We will be happy to help the Gujarat Government for development of Kutch region, in any way, the Member suggests. If he and other Members from Kutch can come and meet me either separately or meet us and tell us how we can help them, we will be happy to do that.

DR. L.M. SINGHVI: Mr. Chairman, Sir, there is a general feeling that there is a great underdevelopment in the Kutch region as nothing much has been done. I would like to know what is being done generally for the Kutch region, more particularly for the tribal people in the Kutch region of Gujarat.

SHRIMATI MANEKA GANDHI: Mr. Chairman, Sir, there is nothing in particular being done for the Kutch region. There are schemes available for the NGOs. Now, if NGO wants to take up rehabilitation of a particular tribe, we will help them. In the beginning, it

did not fall under this scheme. But now we have included it as a part of our package. Any NGO is welcome. If the State Government applies for schools, for voluntary centres, for rehabilitation, for training, for hostels, for giving our grants, we have all the mechanism. It really depends on the ability of the Government to ask for them.

डा० (श्रीमती) उर्मिलाबेन चिमनभाई पटेल: सर, कच्छ ऐसा एरिया है जिसमें दिन-प्रतिदिन बस्ती कम हो रही है। उनके बच्चे जो मनिआर्ड भेज रहे हैं उसके ऊपर ही यहाँ के लोग जी रहे हैं। क्या मंत्री जी, इसके बारे में सोचेंगे कि इस एरिया को बैकवार्ड डिक्लेयर करें और यहाँ के लोगों के लिए कोई उद्योग मिल पाए, होम इण्डस्ट्री मिल पाए तथा महिलाओं को घर में बैठकर ही कुछ काम करने को मिले। न वहाँ खेती है, न उद्योग है, न रोजगार है। तो क्या मंत्री जी, उस एरिया को बैकवार्ड डिक्लेयर करेंगे और इस मनिआर्ड इकोनॉमी से इस एरिया को बचाएँगे और जो वहाँ काम होती हुई पौपुलेशन है वह वहाँ पर सही तरीके से जी सके, ऐसी कोई सुविधा उपलब्ध कराएँगे?

SMT. MANEKA GANDHI: There is no proposal to declare any area backward, more than the ones that have been declared already. However, I fail to see how just declaring an area backward will immediately make a gallop forward in development. If Kutch is backward—of course, it is—it needs slightly more infrastructure, it needs water firstly. If we can help it in any form, and if it comes under the mandate of this Ministry, we would be happy to provide you funds and schemes which you can implement.

MR. CHAIRMAN: Next Question. Question No. 562.

CIL as a Unitary Organisation

*562. **SHRI JIBON ROY:** Will the Minister of COAL be pleased to state:

(a) whether five trade unions in coal industry have demanded that Coal India Limited should be formed as a unitary organisation on the pattern of SAIL;

(b) if so, whether Government have considered the proposal; and

(c) what is the decision of Government in the matter?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI DILIP RAY):

(a) Yes, Sir.

(b) Yes, Sir.

(c) The question of the structure of the coal companies in India has been considered by the Government several times. Four expert bodies besides the Committee on Public Undertakings had examined the matter. The Government have always considered that the present structure of Coal India Limited is the most appropriate.

SHRI JIBON ROY: Sir, they are having a holding company in the Coal India. Unlike the SAIL, the Steel Authority of India Limited, all the nine companies are free, independent, and the holding company has almost no authority to take any inter-dependent economic strategy. The companies are based on open cast, they can spend money like water. I have even information that some of the companies are constructing roads for the State Government. The companies based on underground mining are languishing or are being closed. How long will this continue? My question is, how are you going to overcome the situation because of the decision of the company not to go in the SAIL line for an independent holding strategy for the entire coal industry?

SHRI DILIP RAY: This has got nothing to do with it whether it is holding subsidiaries, the two-tier system of companies, or the unitary system. As for working, we have given total freedom to the subsidiary companies. There are various Committees, many of them. From 1980, there have been Committees on what system should be followed by the Coal Ministry. In 1980, the Fazil Committee, set up by the Planning Commission, of course, said that the CIL should be abolished and the unitary system should be adopted. This was accepted by the then Government. In 1994, the Arjun Singh Gupta Committee set up by the Finance Ministry recommended that the present system is the best system available, possible. Again in 1987, there was an Advisory Committee on Energy. It has also said that the present system is the best. Besides this, Parliamentary Committees where late Jyotirmoy Basu was chairing, have also supported the present

system saying that it is the best system that can go long. In 1991-92, Mr. Antulay was chairing that. He has given three alternatives—either continue with the present system or convert the CIL into a unitary company as suggested by the hon. Member or abolish the CIL and make subsidiaries more independent. We have opted to continue the present structure of the CIL. I can assure you, Sir, that all these units which the hon. Member has been mentioning regarding underground mining, are very old mines. I think he is more worried about the ECL, the Eastern Coalfields Limited and the BCCL. They are very old, a hundred years old. This was discussed on the floor of the House. That is one of the main reasons why they are running on a loss.

SHRI JIBON ROY: I come from a coal mine area.

MR. CHAIRMAN: This is the second supplementary.

SHRI JIBON ROY: Yes, Sir. The thing is, all the coal mine companies are having their own Boards, Chairmen and Directors-Personnel. Duplication of all jobs is taking place. They cannot use the equipment mutually. They cannot transfer orders from one coal mine to another. Sometimes, when one coal mine is starving for orders, another cannot keep or discharge the orders. How long will this continue? Trade unions will take their own positions. They have gone on strike for the three days. They are going in for another strike. I wish to know whether the Government will make arrangements at least for inter-transfer of orders, use of equipment by the companies mutually. You say that inventories, locked up inventories in one coal mine can be used by another. Could the set be used by others?

SHRI DILIP RAY: Sir, the hon. Member has given a very good suggestion regarding the inter-transfer order and the use of equipment by different subsidiaries. I assure the hon. Member that I will examine this possibility.

SHRI JIBON ROY: If you do this thing, it will reduce the cost to the extent of 10 per cent to 15 per cent.

श्री संजय निरूपम: सभापति महोदय, मैं कोयला मंत्री जी से जानना चाहता हूँ कि जब से कोल सैक्टर का

प्राइवेटाइजेशन हुआ है, तब से एक ऐसी मान्यता बनी थी कि जो कोल ब्लॉक्स हमारे देश में हैं, वह प्राइवेट पार्टीज को भी माइनिंग के लिए दिये जाएंगे। विदर्भ में जो डब्ल्यू. सी.एल. है, उसके पास पूरी जानकारी है, वह कोल इंडिया लिमिटेड का एक पार्ट है। डब्ल्यू.सी.एल. के पास पूरी जिम्मेदारी माइनिंग की है। लेकिन विदर्भ में जो कोल ब्लॉक्स हमारे पास अवेलेबल हैं, उसकी माइनिंग में डब्ल्यू. सी.एल. को तकरीबन 35 हजार करोड़ रुपये की जरूरत पड़ेगी जो कि उसके लिए रेज कर पाना पॉसिबल नहीं है। और अगर 35 हजार करोड़ रुपये उन्होंने रेज किये भी तो उसमें उन्हें 20 साल माइनिंग करने में लग जाएंगे। हमारा सवाल है कि महाराष्ट्र गवर्नमेंट की ऐसी अपेक्षा थी संभवतया एक पत्र भी सी.आई.एल. में, कोल मिनिस्ट्री में भेजा गया कि विदर्भ में जो कोल ब्लॉक्स अवेलेबल हैं, वह प्राइवेट पार्टीज को दीजिए ताकि वहां माइनिंग शुरू हो, कोल का प्रोडक्शन बढ़े और विदर्भ में जो कोल ब्लॉक्स हैं, अगर उनका प्रोडक्शन शुरू होता है, प्राइवेट पार्टीज के जरिए वहां माइनिंग शुरू होती है तो तकरीबन 6 लाख युवकों को रोजगार मिल सकता है। इसलिए मेरा यह सुझाव भी है और एक प्रश्न भी है कि महाराष्ट्र सरकार ने जो ऐसा सुझाव दिया था, सजेशन दिया था, ऐसी मांग की थी, उस मांग के संबंध में कोल मिनिस्ट्री अपनी तरफ से क्या राय रखती है, क्या जवाब देती है?

SHRI DILIP RAY: Sir, the question put by the hon. Member is a very foolish question on whether we should have a unitary system of management or a holding subsidiary two-tier system. This has nothing to do with the present question.

SHRI E. BALANANDAN: Sir, the Minister might know that in a short span of time, the country is going to face a crisis in the coal sector because the energy sector and the power sector want more coal and the coal production in the country is not sufficient to meet the demand. Have you taken any special steps to see that the increasing requirement of coal is met by the Government? Can you make this point clear?

SHRI DILIP RAY: Sir, we had already discussed this point on the floor of this House. I would like to inform the hon. Member that we have already made an assessment in this respect and found that a lot of power plants which are supposed to come up are not coming up. As per the assessment of the Ministry, by the end of the Ninth Five Year Plan, we will be

in excess of at least 10 million tonnes of coal.

SHRIMATI KAMLA SINHA: Sir, there is a practice in the Coal India Limited and in different companies that once somebody is appointed there and posted at certain place as a junior officer, he goes up and up the ladder and retires as a senior officer from the same place, as a result of which a lot of corruption is generated in the same area. So, I would like to know whether the hon. Minister is aware of this fact. If so, what is he planning to do in this regard to see to it that the present policy is changed? In the government jobs, normally, a transfer takes place after a stay of three years at a given place. But it is not happening in the CIL. I would like to know whether he will change this policy. I would also like to know whether there will be a structural change in the service pattern in the Coal India Limited because a lot of corruption take place and a lot of losses are also due to this factor.

SHRI DILIP RAY: Sir, this matter has come to my notice, and a month back, I had ordered specifically that any officer staying for more than ten years in a particular subsidiary, has to be transferred.

SHRI DIPANKAR MUKHERJEE: Sir, the hon. Minister is a very good friend of mine. So, I would request him to treat this question as a friendly question and not a hostile question. Sir, the Bharat Coking Coal stands referred to the BIFR. I am coming to that part of the question which Mr. Jibon Roy was trying to put. The Bharat Coking Coal stands referred to the BIFR as a sick company. What exactly is the BIFR supposed to do? I would like to refer to section 18 of the Sick Industrial Companies Act. Now, as per section 18 of the Act, one of the major guidelines for revival of the company is the option to see the amalgamation of the silk industrial company with any other company. This is one of the major options for making a revival scheme. Now I would like to ask of the Government and also of the Minister whether, before referring this Company BCCL or ECIL—BCCL is out now; ECIL is in to BIFR, this option, as stipulated in the Sick Industrial Companies Act, was explored by the Government. This would have been a proactive job. You are in a Government which is

pro-active, not reactive. I want to know whether this pro-active job was being done; if it was not being done, whether he will kindly do it and inform the House what type of study or exploration was done to merge such a sick Company with another profit-making company under the same Coal India. You can have some relief of tax also for the industrial company. Would you kindly examine it? Or, have you examined it?

SHRI DILIP RAY: Sir, as a result of the net-worth becoming negative in BCCL and ECIL, BCCL was referred to BIFR in 1996-97 and ECIL in 1997-98. But with the conversion of debt worth Rs. 996 crores in BCCL and Rs. 1,180 crores in ECIL into equity, the net-worth has again become positive, and of course, BCCL has come out of the BIFR, and, of course, ECIL will also come out of the BIFR. We are just waiting for the awards.

SHRI DIPANKER MUKHERJEE: It should not have been referred to BIFR. Without going into the option of seeing whether it can be merged with the healthy company under the same Coal India, the question of referring it to the BIFR should not have arisen. That is what I am asking.

SHRI DILIP RAY: Sir, regarding this tax factor, I will look into it.

SHRI PARMESHWAR KUMAR AGARWALLA: Mr. Chairman, Sir, through you, I would like to ask the Minister a question arising from his reply: "The question of the structure of the coal companies in India has been considered by the Government several times." Sir, is the Coal India enjoying the worst form of monopoly all over the world. The price is being fixed by them, the quality is being determined by them, and in the process, the consumer is the worst sufferer. In our Dhanbad fields, 33,000 workers are involved in the SSI sector producing coke without any authority, a service charge of eighty rupees has been imposed. My own feeling is that Coal India is a deadwood and it should be discarded; otherwise, the cost is increasing every day, the quality is deteriorating and the price is increasing. Would the Minister tell me what the function of Coal India as such in promoting the coal development, coal resources, pricing, quality etc.?

SHRI DILIP RAY: Sir, this Coal India is an umbrella organisation of all the subsidiaries looking after the coal production, planning, marketing, linkages and distribution. That is the basic work of Coal India, and all the subsidiaries are independent enough to look after their day-to-day affairs.

Grouping of SCs in A and B Category in Haryana

***563. SHRI GANDHI AZAD:** Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether Government have received any representation from Associations or M.Ps against the grouping of Scheduled Castes in the A and B category for appointment in services and the admission in Training Institute in Haryana;

(b) if so, the details thereof and the action taken by the Central Government;

(c) whether it is also a fact that the grouping of A and B in the Scheduled Castes category is ultra vires of Article 341 of the Constitution and void; and

(d) if the answer to (c) above be in the affirmative, what action Government are going to take against this and if not, the reasons therefor as there is no grouping in the STs, OBCs and General category?

THE MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MANEKA GANDHI): (a) No, Sir.

(b) Does not arise.

(c) The Constitution (The Scheduled Castes and Scheduled Tribes Order 1950) as amended under Article 341(1) of the Constitution does not envisage any categorisation (sub-classification) of the Scheduled Castes for the purpose of reservation. As per clause (2) of Article 341, only the Parliament has power of make modification in the list of Scheduled Castes specified by the President under Article 341(1).

(d) Under constitution of India, the Supreme Court and the High Courts have jurisdiction to declare any law or executive action ultra vires of any provision of the Constitution and void.