

**Need to Revamp the Prime Minister Rozgar Yojana in Orissa**

SHRI SANATAN BISI (ORISSA): Sir, this matter is about revamping of Prime Minister's Rozgar Yojna in Orissa. Sir, as per the Economic Survey of the year 1995-96, there are about eight lakh Seventy eight thousand registered educated unemployed youth in Orissa. The target the Prime Minister's Rozgar Yojna for 1994-95 was 7,785 out of which only 1259 beneficiaries have been disbursed loans for different projects. It has been reported that applicants are being asked to produce collateral security but the scheme does not envisage for collateral security. As our State is very backward, youth are not aware of the various projects under the scheme and there are some projects which are not viable and they need more indepth discussion. Projects such as pisciculture for providing boats, nets, ponds are very viable but unfortunately the same are not included in the scheme. In fitness of things, more allocation of funds, higher targets, wider awareness and revamping of the Prime Minister's Rozgar Yojna in Orissa are the only answer for self-employment of the educated unemployed. Thank you, Sir.

**L STATUTORY RESOLUTION SEEKING DISAPPROVAL OF THE COAL MINES PROVIDENT FUND AND MISCELLANEOUS PROVISIONS (AMENDMENT) THIRD ORDINANCE, 1996**

**IL COAL MINES PROVIDENT FUND AND MISCELLANEOUS PROVISIONS (AMENDMENT) BILL, 1996**

SHRI SATISH AGARWAL (Rajasthan): I beg to move:

"That this House disapproves of the Coal Mines Provident Fund and Miscellaneous Provisions (Amendment) Third Ordinance, 1996 (No. 22 of 1996) promulgated by the President on the 20th June, 1996"

I am moving this motion motivated by the same spirit. I am against governance

of the country through Ordinances. I know and I am very well aware that this Ordinance was promulgated, for the first time, on 5th January 1996 but it could not be converted into an Act. So again on 26th March 1996 another Ordinance was promulgated continuing the provisions of this particular Ordinance. That too could not be passed by Parliament. So a Third Ordinance was promulgated on 20th June 1996 to this effect. It is now before the House for consideration.

I have moved this Statutory Resolution seeking disapproval of the Ordinance mainly because, right from the beginning, I have been, basically, opposing the promulgation of Ordinances, as I am not in favour of governance of the country or any State through Ordinances.

Apart from this, there are one or two points which I would like the hon. Minister to reply. I am not creating more problems for her because this is, perhaps, the first time that she is piloting a Bill. But I am trying to help her out in her endeavours.

This particular Bill which has been brought forward here makes a provision. I quote:

It does not provide for any superannuation pension to the employees and for widow/widower pension, children pension, orphan pension in case of death of an employee. It was, therefore, considered, necessary that the existing Family Pension Scheme should be substituted by a Pension Scheme providing for retirement benefits".

That is what the hon. Minister has said in her statement.

I am not opposed to it. I am not opposing the spirit of the Bill. I am not opposing the contents of the Bill. It is a welcome measure. It should have been brought long, long back. But here, I am seeking certain clarifications from the hon. Minister. If it is for the welfare of the employees, I would like to know

from you as to how much money is deposited in the Consolidated Fund of India which belongs to the employees in the name of Mines Welfare Fund. Then, there is another scheme which is called the Coal Mines Family Pension Scheme, 1971. There is also another scheme which is known as the Coal Mines Deposit-linked Insurance Scheme. Under all these schemes, more than Rs. 1,000 crores have been deposited in the Consolidated Fund of India. This information is contained in the Financial Accounts which are available to us for the year 1994-95. These deposits are there in the Consolidated Fund of India.

Sir, I made a mention the other day about the Railway Pension Fund. The amount therein comes to more than Rs. 5,000 crores. I also made a mention that nearly Rs. 9,000 crores was the amount accumulated in the Employees' Provident Fund.

These amounts are all deposited in the Consolidated Fund of India. On all these amounts, the Government of India is paying a meagre rate of interest; it is hardly 7 or 8 per cent. Sir, this amounts to exploitation. This amounts to cheating the employees, the workers, the labourers, whose hard-earned money is put into the Provident Fund, is deposited under these schemes which, ultimately, goes into the Consolidated Fund of India. On this, the Finance Ministry or the Government of India pays a very meagre, or, a simple, nominal, rate of interest.

I would like to know from you, in this connection, the factual position as to how much is the rate of interest being paid by the Finance Ministry, or the Government of India on the amount in these Funds.

Secondly, in the case of Coal Mines Family Pension Scheme, 1971, I find that Rs. 841,23,11,000 was the opening balance on 1.4.1994. Then, under the 'Receipts' column, there is an entry of Rs. 108,81,00,000. This was the amount added to it. But there is no disbursement. There is absolutely no disbursement. The

I total comes to Rs. 950,04,11,000. Is it J that there has been, absolutely, no disbursement? Was there no case of any payment, or, was the amount not withdrawn? Or, was it that the Government did not release any money from the Fund? What is the position in this regard? How is it that when there was a certain opening balance and when there were receipts of more than Rs. 108 crores, there have been no disbursements under the Coal Mines Family Pension Scheme, 1971? Was there no death? Was there no disablement? Was there no casualty? Was there no case at all? Nothing of the sort? I would be happy if this had been the case. But Sir, we have been reading in the newspapers now and then. Very heavy casualties are occurring in the coal mines. No proper relief is provided to them. Their condition is very poor. This is apart from the fact that there is pilferage worth hundreds of crores. This is apart from the pilferage that is going on. So far as welfare is concerned, the coal-miners are in a pitiable condition. They do a very hard job. So, I think, on these two counts the hon. Minister will be able to find out the factual position and inform this House. Because the debate will take an hour or so, in the meanwhile she can collect the information and let the House know the position.

With these words. Sir, I move my Resolution.

Thank you very much.

**कोयला मंत्रालय की राज्य मंत्री: (श्रीमती कांति सिंह):** महोदय, मैं इस माननीय सदन में विचार किए जाने हेतु कोयला खान भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1948 में और संशोधन किए जाने हेतु विधेयक, जिसे लोक सभा ने दिनांक 24 जुलाई, 1996 को स्वीकृति दे दी है, प्रस्तुत करती हूँ।

महोदय, कोयला खान भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1948 में कोयला खानों में कार्यरत व्यक्तियों के लाभ के लिए विभिन्न स्तरों को निष्पादित करने हेतु व्यवस्था है। किन्तु इसके अंतर्गत कर्मचारियों

के लिए एक सेवा-निवृत्त पेंशन स्कीम का निष्पादन किए जाने की व्यवस्था नहीं है।

इस समय एक परिवार पेंशन स्कीम लागू है जिसके अंतर्गत ऐसे कर्मचारी जिनकी सेवा काल में मृत्यु हो जाती है, उनके आश्रितों को परिवार पेंशन दी जाती है। कर्मचारियों की यह इच्छा है कि इस परिवार पेंशन स्कीम को एक सेवा-निवृत्त पेंशन स्कीम में परिवर्तित कर दिया जाए। यह प्रस्ताव है कि अन्य बातों के अलावा, अधिवार्षिकी पेंशन, सेवा-निवृत्त पेंशन, स्थाई रूप में पूर्णतः विकलांग पेंशन, विधवा पेंशन, शिशु पेंशन तथा अनाथ पेंशन दिए जाने संबंधी एक स्कीम निष्पादित की जाए। यह प्रस्तावित स्कीम विद्यमान परिवार पेंशन स्कीम के एवज में होगी और विद्यमान परिवार पेंशन निधि की सभी परिसंपत्तियों तथा देनदारियों को प्रस्तावित पेंशन निधि को स्थानान्तरित किए जाने का प्रस्ताव है।

केन्द्रीय सरकार विद्यमान परिवार पेंशन निधि की तरह ही उसी स्तर पर निधि में अंशदान जारी रखेगी। इस प्रस्तावित पेंशन स्कीम के प्रयोजन से भारत के समेकित निधि से किसी भी तरह आवर्ती तथा अनावर्ती रूप में कोई अतिरिक्त वित्तीय देनदारी नहीं होगी। अन्य शब्दों में प्रशासकीय तथा अंशदान शीर्षों के अन्तर्गत वार्षिक देनदारी कोयला खान परिवार पेंशन स्कीम के अन्तर्गत स्थापित पद्धति के अनुसार जारी रहेगी।

The questions were proposed.

पेंशन स्कीम के प्रयोजन से कोयला खान भविष्य निधि में कर्मचारियों तथा निवाजकों के अंशदान से निधियों को परिवर्तित किये जाने की पद्धति में कोई परिवर्तन नहीं किया जाएगा। कर्मचारियों की वर्तमान की तरह अंशदायी भविष्य निधि में हकदारी जारी रहेगी।

सदन के सम्मने वर्तमान विधेयक का सीमित प्रयोजन केन्द्रीय सरकार को कोयला खान पेंशन स्कीम नामक एक स्कीम निष्पादित किये जाने की शक्ति प्रदान करना है, जिसको कि निश्चित अवधि में सरकारी राजपत्र में यथावत रूप में अधिसूचित कर दिया जाएगा। चूंकि विधेयक का उद्देश्य कोयला क्षेत्र के कर्मचारियों के पूर्णतः कल्याण से संबंधित है। मुझे विश्वास है कि सदन के सभी सदस्य इस उपाय का हृदयंगम रूप में समर्थन करेंगे।

मैं सदन के विचारार्थ इस विधेयक को प्रस्तुत करती हूँ।

**उपसभाध्यक्ष (श्री मोहम्मद सलीम):** श्री परमेश्वर कुमार अग्रवाल। आपकी पार्टी का समय 11 मिनट है और दो वक्ता हैं।

SHRI PARMESHWAR KUMAR AGARWALLA (Bihar): Sir, many people are encroaching upon time. For the first time I am speaking on a very important subject.

**उपसभाध्यक्ष (श्री मोहम्मद सलीम):** आप कोयला खान के बारे में बोल दीजिए। ... (व्यवधान)...

SHRI PARMESHWAR KUMAR AGARWALLA (BIHAR): Mr. Vice-Chairman, Sir, I am grateful to you for permitting me to speak on this very important legislation because it concerns the welfare of coal mining workers, most of whom belong to the weaker sections of the society. I, therefore, wholeheartedly support any such measure which is towards amelioration of the lot of such strata of the society. However, before I come to the actual provisions of the Bill, I would, first of all, like to support the Statutory Resolution moved by hon. Shri Satish Agarwal. I support the Statutory Resolution because of the following reasons: I think, these Ordinances were issued having an eye on the 11th Lok Sabha Election as otherwise I do not find any reason why the Bill of 1993 could not be passed in Parliament. The Ordinances were issued three times on the same subject and it is a sort of record. I think, this type of practice by the Government is being criticised by everybody because of the propriety involved in view of this blatant misuse of power of issue of ordinances.

Sir, coming to the provisions of the Bill, in the new section 3E(1) of the Bill is a welcome measure inasmuch as it purports to frame the scheme for the purpose of providing for superannuation pension, retiring pension or permanent total disablement pension to the persons employed in any coal mine or class of coal mines to which this Act applies and widow or widower pension, children pension or orphan pension and life

assurance benefits, payable to the beneficiaries of such employees.

But, to make this Scheme successful, I think, introduction of safety measures in coal mines on scientific and modern lines is equally important and necessary. I have been informed by the Coal Ministry that there are as many as 70 small and big fires going on in various coal mines. Efforts are being made by the Coal Ministry to extinguish these fires. But these appear to be on paper only. I still feel that the measures being taken to extinguish these fires are yet to be undertaken with the seriousness they deserve. There is absolute lack of sincerity and purpose in proper planning for extinguishing these fires. The Safety Department of the Coal India Ltd. and its subsidiaries is inadequately staffed. There is dissatisfaction because the existing staff do not have adequate promotional avenues. They are being neglected in promotions etc.

I have also brought to the notice of the Government the loss of lives and property which took place as a result of the fire in the New Kenda Mines a few years ago. I had also given details of yet another accident due to failure of the local coal authorities in the matter of monitoring the weather reports which were sent to them by the Meteorological Department on time. As a result of lack of safety in these mines and the flooding of these mines, a large number of lives were lost. It was another coal mine accident at Ghaslitan. I understand, Sir, only six bodies have so far been recovered after a lapse of one year. This is the situation of safety in the coal mines.

What I want to emphasise is that while discussing about the Pension Scheme under the Coal Mines Provident Fund and Miscellaneous Provisions (Amendment) Bill, we cannot ignore the safety aspect of the working of the coal mines. Unless safety measures are taken, the workers may not get the relief which

they deserve in respect of introduction of the Pension Scheme.

I understand that the Ghaslitan Mine is lost for good. It cannot be worked any more. There are more such mines where safety measures could not be undertaken because of lack of funds. Sir, in my opinion, in the working of the coal industry, senior people are concerned with the performance during the period of their tenure. The coal industry lacks long-term planning and culture of looking into long-term interests of the nation. This is the reason why the workers are living in the most depleted conditions, and safety is the first victim of this culture. Yet another danger is that while major reserves are blocked in underground mines, only 27% production has been achieved by the underground mines.

Coming to sub-clause 2 of new section 3E, part (a) states that from the proposed Pension Fund there shall be payment made from time to time in respect of every employee who is a member of the Pension Scheme of such sums, not exceeding one-fourth of the amount payable to the Fund under sub-section (1) of section 10D as the employer's contribution as well as the employee's contribution, as may be specified in the Pension Scheme. The 'B' part of this subsection states about the sums to be contributed by the Central Government, which may be specified by Parliament by law.

It is really surprising that the Government calls this pension scheme as a welfare measure without specifically contributing anything to it. I do not understand why the specific provisions regarding the contribution by the Government have also not been included in the Bill. My fear, that in the name of the welfare scheme, the Government is misutilising the workers' fund without contributing a single penny to the scheme, appears to be well-founded. I would like to know from the hon.

Minister the specific contribution of the Government in this regard.

It is really surprising that the Coal India, after nationalisation, has usurped a sum of more than Rs. 30,000 crores by way of investment and Rs. 10,000 crores by way of budgetary allocation. It has further consumed over a few hundred crores of rupees by way of price increases from time to time, but the Coal India and the Coal Ministry do not have any additional single penny to contribute towards the welfare measures of the coal mining workers.

With these observations I support the Bill. I hope that the Minister will take into consideration the observations made by me.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Shri S.S. Ahluwalia. The hon. Member is not present.

SHRI BRAHMAKUMAR BHATT (GUJARAT): Sir, it is a good thing that the Central Government is to contribute about Rs. 28 crores for the purpose. But, I would like to draw the attention of the hon. House to the conditions prevailing in the mines. The injustice done to the consumers of Coal India is worth taking note of. Sir, it is a monopoly concern. All the mines are nationalised. You know, wherever there is monopoly, a lot of evils automatically creep in. In the case of the coal-mines of Coal India, it is all the more there. There are about 400 coal mines. Its different coal-mines are given different linkages to different consumers, different electricity boards, the National Thermal Power Corporation, the Government of India undertakings, the Railways and other industries and to other consumers of Coal India. Sir, what is the position? A railway wagon, which is supposed to contain 58 tonnes of coal is under-loaded at the coal-mine itself. Instead of 58 tonnes, 50 tonnes or 49 tonnes are loaded and the bill is given for 58 tonnes. The other difficulty of the consumer is that he has to pay to the Railways freight charge

for 58 tonnes, while he is actually receiving 50 tonnes or 49 tonnes. This is the most important state of affairs which

is prevailing at the concerned coal mines.

The second important thing is that the Coal Ministry and the Coal India are just not bothered about it. A number of complaints, including that of the N.T.P.C., have been made. The Chairman of the N.T.P.C., Mr. Rajinder Singh, is a friend of mine, because we have worked together. He told me that it was not only my problem, but even that of the N.T.P.C.

Then there is a problem of the grade slippage. They send the bill for 'B' grade and give 'D' grade coal and they never agree that this is so. They say, "If you, want to have proper loading of coal or proper sampling of coal, come to the mines, come to the pit head of the mines." Who would go there? Who is ruling there? There is no Government of India or any other Government there. It is only the mafia who rules there. Moreover, whoever raises his voice, he is finished. Nothing else. I am saying this because I have got concrete proof of this. At Ukai power station in Gujarat, a number of complaints have been filed against the Coal India Ltd., and the Coal Ministry. They deliver huge stones of sizes of 3 ft., 4 ft. and 5 ft. along with coal, this type of huge stones are delivered to all consumers of coal. A number of iron articles, iron materials are found from the mines. I do not know how they are found. I am very much surprised. Then, when a complaint is filed, they say, "Whatever the earth is giving, we are giving it to you."

The House would be surprised to know that they are not only delivering coal to consumers but huge stones, quarry stones and even dead bodies. Dead bodies were delivered to the consumers. Two dead bodies were delivered to the Ukai power station. It is on police record. Naturally, the police have to be informed about the delivery of dead bodies by the Coal India

Ltd. So, this type of things are happening.

Now there is a very important question of joint sampling. My simple question to the Coal India Ltd., and the Coal Minister is: Whether the Consumer Protection Act would be applicable to the Government of India or not? Why should they not be honest to the consumers of India, particularly, the NTPC and the State Electricity Boards? They send 'D' grade coal and charge for 'B' grade coal. When a demand was made that there should be a joint sampling at the power station end, Mr. Sangma, the then Coal Minister agreed to this demand, he has started it. I must appreciate it. The joint sampling was done at the power station end and wherever the coal was delivered directly to the power stations. That joint sampling has always gone against the interest of the Coal India because it was always found that the coal delivered was 'D' grade. In the joint sampling work, not only the officials of the Coal Ministry, the officials of the State Electricity Boards, officials of the NTPC but even the officials of the Coal India Ltd., were present. In all the joint sampling results, hundreds of crores of rupees were to be repaid by the Coal India Ltd., to its consumers. That was the condition. But now there is no joint sampling. This Government claims to be a honest Government, a transparent Government. If they want to be fair to the people, I would like to put one question to this Government: Is the Consumer Protection Act applicable to you or not? If you believe in honesty, if you believe in fairness, if you believe in delivery of coal of a reasonable type for which you are charging, why are you afraid of joint sampling? They are afraid of joint sampling because they would have to pay back to consumers hundreds of crores of rupees. There is no other reason for discontinuing the joint sampling. It should be started again. It was started during the time of Mr. Sangma. I feel hundreds of crores of rupees belonging to

public sector undertakings are being taken away by the Coal India Ltd., openly.

SHRI DIPANKAR MUKHERJEE (West Bengal): When was it started? When was it stopped?

SHRI BRAHMAKUMAR BHATT: It was started by Mr. Sangma. I agree that it was stopped by Mr. Panja. Therefore, I would like to know from the Coal Minister whether they would like to start the joint sampling again or not.

SHRI DIPANKAR MUKHERJEE: When it was stopped, I wrote three letters to the then Prime Minister. ...*(Interruptions)*...

SHRI BRAHMAKUMAR BHATT: But why are you so much irritated? Whatever I was mentioning was a fact. Mr. Panja discontinued it, may be two years before. I agree. But this Government, a Left Government or a Leftist Government or Left to the Centre Government or whatever it is, which claims to be fair and honest should start joint sampling work again. Or should they take hundreds of crores of rupees from the people in a dishonest way? That is the question I am raising here. That is the question I am raising to which there should be a proper reply. Therefore, my submission to the House is, whatever is happening at the coal mines should be taken note of. You give money to the mine workers. I have no objection. I am not against the workers. I am for the workers. I have always been furthering their cause and have gone to jail half a dozen times. I am not a man to oppose this motion. It is a good measure in the interest of the workers. But whatever is wrong, whatever is not honest, whatever is not fair, has also to be upheld. Therefore, I am placing the position before the House. What is happening in monsoon? In monsoon, there is some rain. Only the powder of coal is delivered to the consumer. And because of water, the powder of coal becomes so thick that even the RCC cannot compete with this material. If it is to be taken off the wagons, a

lot of persons have to be engaged to see that the wagons are emptied. Otherwise, there will be demurrage. All sorts of material are delivered from the mines. That also should be borne in mind by the Government.

Lastly, I would submit that the only way out, reasonable way out, is the washeries. If the washeries are there, you charge the consumers. There is no objection. It is a demand of the NTPC, the Government's own organisation, which is the main generating house of this country. They are also demanding washeries. Whatever is the charge, it may be taken from the consumers. If there are washeries, coal can be delivered to the consumer and the equipment may not be damaged while crushing coal.

While supporting the Bill, the spirit behind the Bill, I suggest that whatever is the other side of the whole things, whatever is the other side of the mines, may also be taken into consideration by the Government. Thank you.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Shri Vayalar Ravi. Not there. Shri Sanatan Bisi.

SHRI SANATAN BISI (Orissa): Thank you, Mr. Vice-Chairman, for giving me this opportunity.

This is a very good legislation. As you know, the United Front Government is committed to the well-being of the poor, to the well-being of the labour section of the society. As far as the Bill is concerned, the provisions originated in the year 1947. In the original Act, there was only a provision for the payment of bonus. But, subsequently, in the year 1948, it was amended. Because of premature deaths, the Family Pension Scheme was introduced. Thereafter, the old-age pension as well as the survivor benefit was given.

As far as the present legislation is concerned, it is a welcome proposal because of the fact that under section 3A, there is constitution of a Board of Trus-

tees. The functions of the Board are the follows. The Board shall administer the fund vested in it, the Board shall perform such other like functions like administering the Coal Mines Family Pension Scheme, the Second Insurance Scheme, etc. Accordingly, the Board of Trustees of the Coal Mines Provident Fund recommended the scheme. Because this scheme has to be approved by both the Houses of Parliament under section 7A, this Bill has come up before this House.

So far as safety measures that are being discussed here are concerned, I humbly submit that as per the Mines Act, 1952, special stress is being laid. Internal safety is also being monitored; alertness is also regulated; and periodic review of safety is being done. Safety audit reports are submitted from time to time by various authorities or inspectors and safety is monitored, under the Compensation Act, 1923, compensations are being paid.

When all these things are there, there is no lacuna so far as the Bill is concerned and it is for the welfare of labourers. I whole heartedly support the Bill and I am sure that the entire House will support the Bill. Thank you.

SHRI JIBON ROY (West Bengal): Sir, I rise to support the provision of pension for the coal miners. But I cannot support the Bill for the way in which it has been formulated and presented. Sir, I find that the Government is commending all the labour Bills indiscriminately prepared by the previous Government without scrutiny. I feel, Sir, it will harm the workers and their cause. Some scrutiny is necessary. Take for instance this Bill. Through this Bill, the Government sought the enabling authority to divert all the assets from the family pension scheme to a new pension scheme, and also to divert an amount equivalent to the contribution of both the employer and the employee in the family pension scheme to the Pension scheme, and it has been mentioned that a scheme will be formulated. Sir, the Government wants to give the enabling authority a power to

divert the funds blindly without providing for the scheme at all. Where is the scheme? Yesterday in the Bill which was passed by this august House, there was a clear indication of the scheme and it was tabled on the floor of this House. Now, we do not know as to what the scheme is. Where is it and what is there in the scheme? We are asked to pass this Bill giving the authority for diversion of funds. I would like to draw the attention of the hon. Minister to the fact whether she knows that there was a national level agreement, signed in the year 1984, by all the national trade unions, and finally, it was given the tripartite status. The tripartite agreement was as good as law. Now, according to that agreement, all the parties have formulated a pension scheme for the coal miners on the basis of equal contribution, both from the employer and the employee. Accordingly an amount coming to two per cent of the wage of the coal miner is deducted every month from his wage towards pension. But nothing has been mentioned in the Bill. I can understand, if two per cent is contributed by both the sides, the corpus of the fund will be small. I can agree with that suggestion also. I can also agree If all the assets of the family pension scheme and I can also agree to increase the contribution, and the abolition of the family pension scheme and that money could go to the new scheme. But where is that provision? Nothing has been mentioned in this scheme about the contribution from both the parties, as was provided in the 1984 agreement. Secondly, where has that money gone which was being recovered since 1989? Therefore, it was necessary for the Government to take some time and scrutinise the entire thing, discuss the entire thing with the trade unions, and if necessary, a House Committee could have been formed. If you so desire, we will pass the Bill. But all these questions are required to be answered. Firstly, I want the hon. Minister to assure the House that when the scheme will be finalised afterwards, it will be finalised in consultation with all the trade unions and

it will be finalised in consultation with the JPCCI—Joint Consultative Committee of Coal Workers. Secondly, I want an assurance from the hon. Minister in this august House that all monies—two per cent from the employer and two per cent from the employee—which have been recovered since 1989, will be diverted to the new pension scheme. Thirdly, the hon. Minister should assure the House that while formulating the scheme, the recommendations of the Tripartite Agreement of 1984 will be taken into account. If the hon. Minister agrees with me on these points, I will support the Bill.

**कि—** The Central Government may, by notification in the Official Gazette, frame a scheme."

**श्री गोविन्दराम मिरी (मध्य प्रदेश):** उपसभाध्यक्ष महोदय, यद्यपि मैं इस बिल का समर्थन करने के लिए खड़ा हुआ हूँ, लेकिन इस में कुछ खामियों की तरफ सरकार का ध्यान दिलाना चाहता हूँ। महोदय, जैसा कि इस में बताया गया है कई बार ऑर्डिनेंस लागू गया। पहली बार 5-1-96 को, 26-3-96 और फिर 20-3-96 को लाया गया। इस में मैं यह कहना चाहता हूँ कि ऑर्डिनेंस लाकर जहाँ एक ओर सरकार ने मजदूरों के हितों पर कुठाराघात किया है वहीं दूसरी ओर पार्लियामेंट मेंबर के चर्चा करने के जो अधिकार संविधान की धारा-123 के अंतर्गत हैं, उस से भी संसद सदस्यों को वंचित किया गया है। महोदय, यदि यह बिल पहले पास हो जाता तो मजदूरों को इस में पहले से लाभ मिलता होता।

**महोदय.** इस धारा-5 में एक बात कही गयी है महोदय, मैं कहना चाहता हूँ कि इस में डेस्लीगेटेड लेजिस्लेशन के अंदर पावर्स दिए गए हैं, लेकिन नियम नहीं बनाए गए हैं। इस का मतलब यह है कि जो भी डेस्लीगेटेड लेजिस्लेशन बनेगा, उस के अंतर्गत जो प्रेवीडेंट फंड की स्कीम बनेगी और जो असली कानून होगा, वह सदन के सामने नहीं आएगा। साथ ही उस से सदन को जो अधिकार है कि नियमों में परिवर्तन या संशोधन करने या उसे समाप्त करे, हम सदस्यों को वह चर्चा करने से वंचित होना पड़ेगा। इसलिए मैं कहना चाहता हूँ कि इस में "may" शब्द है उस की जगह "shall" शब्द उपयोग होता, मेंडेटरी होता और उस में एक बात निश्चित हो जाती कि मजदूरों को वास्तव में उस की पेंशन मिलेगी या नहीं। मैं सरकार से जानना चाहता हूँ कि यह एम्प्रीप्रेशन की जो बात कही गयी है, उस में



कितनी राशि निर्धारित की गयी है, यह इस में स्पष्ट नहीं है। इसलिए सरकार यह बताए कि जो रकम पेंशन में दी जाएगी, उस के क्या-क्या प्रावधान हैं? कर्मचारियों की जो कटौती होती है या कंटीब्यूशन होता है, उस की रकम जो पड़ी रहेगी उस के ब्याज और इस में सरकार यदि भागीदार बन जाती है तो उस के लिए बजट में प्रावधान करना चाहिए।

दूसरी बात, कोयला खान के जो मजदूर अपना जीवन दाव पर लगाकर कोयला खदानों में काम करते हैं, अपने गाढ़े पसीने से कमाई करते हैं, सुनने में आता है कि उस का दुरुपयोग होता है और कंसेल माईस में कहना चाहिए कि "स्किम" होता है या स्कैंडल होता है।

महोदय, इस में 52 करोड़ का घाटा बताया गया है और इस श्रम की गाढ़ी कमाई से गेस्ट हाउस में जो गुलछें उड़ाए जाते हैं, उस के दुरुपयोग को रोकने के लिए इस में कोई उपाय नहीं बताया गया है। मुझे शंका होती है कि जो पेंशन की रकम है, वह वास्तव में मजदूरों को मिलेगी या नहीं? इस के लिए इस में कोई "टाइम बाउंड" प्रोग्राम नहीं दिया गया है क्योंकि देखने में यह आता है कि जब एक श्रमिक सेवानिवृत्त होता है या उस की मृत्यु हो जाती है तो उस के जो आश्रित हैं, वह पेंशन पाने के लिए जगह-जगह भटकते रहते हैं। उन को दर-दर टरकाया जाता है और उन्हें भारी कठिनाई का सामना करना पड़ता है। महोदय, इस में ऐसी कोई स्कीम नहीं बतायी गयी है कि जिस दिन श्रमिक रिटायर होगा या उस की मृत्यु होगी तो इतनी अवधि में उस के पेंशन पेपर्स दे दिए जाएंगे। ..... इसी तरह बोर्ड आफ ट्रेडी के कौन-कौन से सदस्य हैं, क्या हैं? इन सब बातों का उल्लेख इसमें नहीं किया गया है। मैं चाहता हूँ कि इन कमियों की ओर मंत्री महोदय ध्यान देंगी और इन कमियों को दूर करेंगी।

उपसभाध्यक्ष महोदय, मैं यह कहना चाहता हूँ कि जब खदान निजी क्षेत्र में था तो खदान मालिक बहुत पैसा रखता था, लेकिन जैसे ही सरकारी क्षेत्र में आया तो कई कंपनियां घाटे में चलने के समाचार मिलते हैं और इसलिए कोयला-माफिया जैसे शब्दों का उपयोग किया जाता है। एक बात यह कहना चाहता हूँ कि जिन क्षेत्रों में खदान खोले जाते हैं वहां जिनकी जमीन ली जाती है, जो लैण्डलेस हो जाते हैं उनके लोगों को नौकरी नहीं मिलती बल्कि जो ज्यादा जमीन वाले हैं उनको नौकरी मिलती है और एक फर्जी प्रमाणपत्र देकर के सरकारी कर्मचारियों की मदद से वहां के निवासी का प्रमाणपत्र ले लिया जाता है, जिसके कारण से जो वास्तव में रोजगार

के हक्दार होते हैं उनको रोजगार नहीं मिलता, दूसरों को मिल जाता है। महोदय, खासकर जो अनुसूचित जाति, जनजाति, बीकर सेक्सन के लोग हैं वह इस लाभ से वंचित रह जाते हैं।

महोदय, जो खदान मजदूर हैं, वह नारकीय जीवन जीते हैं। उनके न रहने के लिए मकान हैं, न उनके पीने के लिए स्वच्छ पानी है, न उनके लिए प्रकाश की व्यवस्था है। वह मजदूर झुगी-झोपड़ी बनाकर रहते हैं। मैं चाहता हूँ कि यह जो सरकार है, वह उनकी ओर भी ध्यान दे।

उपाध्यक्ष महोदय, इसमें एक बात और कहना चाहता हूँ कि इसमें ऐज को स्पेसिफाई किया गया है कि 18 साल की सर्विस होना जरूरी है, लेकिन मृत्यु का कोई समय नहीं होता कि कब मृत्यु हो जाए। इसलिए इसमें ऐसा कोई नियम नहीं होना चाहिए कि इतनी अवधि तक उसकी सर्विस हो तभी उसको पेंशन मिलेगा। यदि एक बार कोई कर्मचारी भरती हो गया है तो उसको इस नियम के तहत लाया जाकर इसका लाभ मिलना चाहिए।

उपाध्यक्ष महोदय, इसमें यह नहीं बताया गया कि कितने केस पेंडिंग हैं और उनका निपटारा कब तक हो जाएगा। मैं चाहता हूँ कि इसको गंभीरता से लिया जाना चाहिए और एक टाइम-बाउण्ड प्रोग्राम इसके लिए फिक्स करें।

अन्त में, उपाध्यक्ष महोदय, मैं मंत्री महोदय को धन्यवाद देना चाहता हूँ कि उन्होंने एक अच्छा बिल यहां लाया है, एक अच्छी स्कीम लाई है, लेकिन मैं यह अपेक्षा करूंगा कि यह खाली कागजी कार्यवाही न बने बल्कि इसका प्रोपर इम्प्लीमेंट और टाइम बाउण्ड इम्प्लीमेंट हो जाए ताकि जो मजदूर हैं, जिसके लिए यह कानून बनाया जा रहा है, वह अपने इस अधिकार से वंचित न हो पाए।

धन्यवाद।

THE VICE-CHAIRMAN (SHRI MD. SALIM): Shri Margabandu.

SHRI SATISH AGARWAL: Sir, today is his birthday. So he should be given two minutes more.

SHRI R. MARGABANDU (TAMIL NADU): Sir, I would like to move an amendment. I want that the words 'who is a member of the Pension Scheme' should be deleted from Clause 3(2). The reason is this. It is a beneficial legislation.

It provides superannuation pension, retiring pension, permanent total disablement pension, widow or widower pension, children pension or orphan pension, etc. There is a clause that if an employee is a member of the Pension Scheme then only he will get the benefit. I want that all the employees should be given this benefit. It should not be restricted to only those employees who become members of the Pension Scheme. Then it will be of no use. If an employee does not become a member of the Pension Scheme, whether knowing or unknowingly, he will be deprived of the benefits which accrue to him. That clause has to be deleted. There are mines owned by the Government. There are quasi-Government mines and there are private mines. This Bill provides for employer's contribution and employee's contribution. No mention has been made about Government's contribution. If the quasi-Government mines and the private mines run into losses, the workers will suffer. The Government should also contribute so as to safeguard the workers' interests. A suitable amendment to this effect should be made in the Bill. The original Act of 1948 was amended in 1971 and Section 3E was introduced. There was no classification. It applied to all employees. By amending this, it is now restricted to the members only. So, this clause should be removed. The Employees Provident Funds and Miscellaneous Provisions (Amendment) Bill was referred to a Select Committee of the Rajya Sabha. This Bill should also be referred to a Select Committee. I am dealing with certain cases in respect of Neyveli coal mines. Lands were acquired for the mines but the land owners were not paid proper compensation. Under Section 18 of the Land acquisition Act, they have to go to the court. If a house is taken, an alternative house site has to be provided. If land is taken, an alternative piece of land should be provided for cultivation by the owners. But lands have been taken and houses have been taken and the owners have been left without land or house. They are seeking jobs *m*

these mines. But they are not being given jobs. So, they are jobless, landless and without a house. There is a lot of agitation. The people who have lost their lands are agitated. On several occasions I brought this to the notice of this House. But it has not been taken into consideration. I appeal to the hon. Minister to pay special attention to the Neyveli lignite Corporation. The Corporation is being looted by the officers there. People who are seeking jobs are not being given jobs. If special attention is not paid to the Neyveli Lignite Corporation, it will go into liquidation. With these words I welcome this Bill.

Thank you.

**श्री गया सिंह (बिहार):** उपसभाध्यक्ष महोदय, मैं इस बिल का समर्थन करते हुए कुछ बातें आपके सामने रखता हूँ। इस हाऊस में अभी चर्चा के दौरान माननीय सदस्यों ने जो बातें कही हैं, मैं भी उनसे सहमत हूँ कि इस सरकार के आने से पहले और कोल माईस के राष्ट्रीयकरण के बाद आज तक जो भी सरकार रही और जो भी मंत्री रहे, इस क्षेत्र में हमेशा मिस-मैनेजमेंट रहा। यह सरकार तो अभी एक महीना पहले ही आई है। बी०सी०सी०एल० से लेकर कई कोल इंडस्ट्रीज़ आज सिक लेने जा रही हैं। इस बारे में सभी बातों की चर्चा हम नहीं कर सकते क्योंकि समय कम है। मंत्री महोदया को भी इस मंत्रालय का कार्यभार सँभाले हुए ज्यादा समय नहीं हुआ है। मैं मंत्री महोदया से निवेदन करना चाहता हूँ कि आज कोल माईस की हालत बहुत खराब है। इन्होंने इस बिल के अंदर वैलफेयर की बात की है। इसका मैं स्वागत करता हूँ।

महोदय, अभी माननीय जीवन राय जी ने जो चर्चा की है, मैं उनसे कई बातों में सहमति व्यक्त करता हूँ। मैं माननीय मंत्री महोदया को यह बताना चाहता हूँ कि 1.4.89 से 2 परसेंट मजदूरों का वेतन कट रहा है पेशन के लिए। उसके बाद 1.6.94 से 2 परसेंट +2 परसेंट का एग्रीमेंट हुआ। सरकार का इसमें कोई कंट्रीब्यूशन नहीं है। जनवरी में जल्दबाजी में यह अध्यादेश सरकार ने जारी किया जब मजदूरों ने हड़ताल की धमकी दी थी और चुनाव सामने था और उन्हें कोयला मजदूरों से वोट लेने थे। वोट मिले कि नहीं मिले, यह अलग बात है। वोट मिल गए अग्रवाल साहब को क्योंकि मजदूर उससे बहुत सहमत नहीं थे और उसका लाभ अग्रवाल साहब ने उठाया धनबाद में। अब पुरानी सरकार का यह मिस-मैनेजमेंट मंत्री महोदया के सामने है। इसलिए इनके

लिए मुश्किल है कोल माईंस को चलाना। हम इसमें मंत्री महोदया को पूरा सहयोग देंगे। नयी सरकार में और हमारी माननीय मंत्री यशोदया कान्ति सिंह जी में इच्छा शक्ति है। हमें भरोसा है कि जो कमजोरियाँ इसमें रही हैं, इसको वे दूर करेंगी।

आज कोल माईंस में बाहर से कोयला लाने के लिए इयूटी हटाई गई है। अगर हम उसके कंपीटीशन में नहीं आएंगे तो कोल माईंस को और नुकसान होगा। हम स्टील इंडस्ट्री को अच्छा कोयला नहीं देते हैं, हम पावर सैक्टर को अच्छा कोयला नहीं देते हैं। हमें उम्मीद है कि मंत्री महोदया इन कमियों को दूर करेंगी। हम लोगों को इसमें पूरा सहयोग रहेगा और मजदूरों का भी पूरा सहयोग रहेगा। आपने यह बिल लाकर इन कमजोरियों को दूर करने का प्रयास किया है। हमें भरोसा है कि आप कुछ दिनों के बाद इसका रिज्यू करेंगी। अभी तक इस बारे में पूरी स्कीम नहीं बनी है। वह ट्रस्ट के सामने है। उसमें मजदूरों और मालिकों के प्रतिनिधि बैठे हैं; कितनी पेंशन मिलेगी, कब से मिलेगी और इस पेंशन का एमाउंट कितना होगा, ये तमाम चीजें अभी तय करनी बाकी हैं। मेरा आपसे अनुरोध है कि आप तमाम ट्रेड यूनियन के लोगों और सेंट्रल ट्रेड यूनियन के लोगों के साथ मीटिंग करिए ताकि ये सब बातें तय की जा सकें।

हमारे अग्रवाल साहब ने जो सवाल उठाया है, मैं उनसे सहमत हूँ कि आज कोल माईंस के अंदर सेफ्टी का सवाल है, ऐनवायरनमेंट का सवाल है, हैल्थ का सवाल है, वेलफेयर का सवाल है। इन बातों पर भी आपको ध्यान देना चाहिए। हम दोनों धनबाद से आते हैं और वे तो इस विषय के एक्सपर्ट हैं। उनके विचारों को हम कई बार सुनते हैं। आज बड़े पैमाने पर कोयले में आग लगी हुई है और बहुत सी दुर्घटनाएं हो रही हैं, लगभगवाही हो रही है। एक और जानकारी मैं आपको देना चाहता हूँ कि कोल इंडिया का सबसे बड़ा अधिकारी एक लाख रुपये की घूस लेते हुए पकड़ा गया। तो अधिकारियों के अंदर कर्प्शन है ऊपर से लेकर नीचे तक। जैसा कि कहा गया है 58 टन को 50 टन कर देते हैं, पत्थर आदि डाल देते हैं। तो ये पुणनी सरकार की पुणनी चीजें हैं। उनको तो पूरी जानकारी है। बिहार के कई साल मुख्य मंत्री रहे हैं। वह जो माफिया के सारे लोग हैं, हमको भरोसा है अपनी मंत्री महोदया पर कि इसमें जो इच्छा शक्ति है लोगों के अंदर अभी विश्वास पैदा करायेंगी। कुछ लोगों को आश्चर्य भी है। लेकिन अभी एक घण्टा ही घूमकर आई है। मजदूरों और वहां के लोगों ने जो विचार दिए हैं, वत्साह बढ़ाया है। मैं

हूँ। दूंगा कि मंत्री महोदया, एश्योरेंस हम लोगों को दें कि जो इसकी कमी है इसको दूर करेंगे। हम लोगों का पूरा सहयोग इनके साथ है।

**उपसभाध्यक्ष (श्री मोहम्मद सलीम):** अग्रवाल जी, आपको जवाब में कुछ कहना है?

**श्री सतीश अग्रवाल:** कायदे से तो उनके जवाब बाद में विद्वो करने की बात है।

**उपसभाध्यक्ष (श्री मोहम्मद सलीम):** आप तो बहुत वरिष्ठ सदस्य हैं, क्योंकि आपने रिजोल्यूशन मूव किया और हम क्लब-टू-गैदर करके डिस्कशन कर रहे

Since you moved the Resolution, you have to reply to it first and then the Minister will reply to the debate

**SHRI SATISH AGARWAL:** Mr. Vice-Chairman, Sir, at the very outset, I have made it abundantly clear that we, as a party, are supporting the provisions of the Bill. But the Statutory Resolution

which I moved is on account of certain of my basic instincts—I am opposed to promulgation of Ordinances and governance of the country through Ordinances. This is one point.

There are certain other points which were raised by other hon. Members, lastly by Mr. Gaya Singh. Mr. Jibon Roy, Mr. P.K. Agarwal and Shri Brahmakumar Bhatt, who is an experienced hand in coal matters, also spoke.

The problems with regard to coal industry as such are stupendous. I do hope that—of course, I am going to seek the leave of the House to withdraw my Resolution—the Minister would bear in mind the specific points raised by the Members during the debate on the Bill because experience over the years has proved that the nationalisation of the coal industry has not brought about the desired results which were expected of such a move. Unfortunately, this is one of those areas where we have practically failed.

You ask any Member who comes from that side of the country, from Bihar and its adjoining areas. It is well known—you ask anyone, from your own party, Mr.

Vice-Chairman—that mafia gangs are ruling the roost in Dhanbad. There is a shortage of coal. Mr. Bhatt has said that if you pay for 58 tonnes of coal, they will load 50 tonnes. In addition, there is pilferage during transit. I, as the Chairman of the PAC, submitted reports for 1981, 1982 and 1983 and commented on the bad quality of coal being supplied by them even though the price charged was high. So, there are many problems. Mr. P.K. Agarwal comes from that area. He is a master on the coal subject. Mr. Gaya Singh, Mr. Jibon Roy and Mr. Bhatt have also raised very valid points. Even if the Minister is not able to reply to them, we are not going to insist on it because we know it is for the first time that she is piloting a Bill. But there are certain important questions such as the rate of interest being paid on the deposits. Lakhs of workers are being exploited. Thousands of crores of rupees are being locked up in the pension funds of the Government. Only yesterday I made that point during the debate on the Railway Budget. I said that more than Rs. 5,000 crores was locked up in one of the government of India's pension funds. In the earlier pension scheme also, more than Rs. 9,000 crores was locked up. In this particular case, more than Rs. 1,000 crores was locked up. Overall, about Rs. 20,000 crores under three schemes which belong to the labourers is deposited in the Consolidated Fund of India administered by the Ministry of Finance. The Government is paying 14% interest on its market borrowings. But it is paying on the pension funds of the labourers a meagre rate of interest. For whom are these pensions meant? These are meant for widows. These are meant for the disabled. These are meant for the orphans. Sp, this is highly criminal on the part of the Government of India to pay a very meagre rate of interest of 7-8% on these pension funds which belong to the labourers, coal miners and other workers. Do you know under what circumstances the coal miners work? We can see it on the television. Imagine the plight of these

people when there is a tragedy or when there are floods in the coal mines. We cannot bear the sight of it. Some time ago, when there were floods in the coal mines, I think Mr. Jagdish Tytler went there. The coal miners work under very pitiable conditions. Therefore, do something for them. If you cannot manage it, then the time has come for parallel functioning of the workers in the management of these funds. You put the workers themselves in charge of a particular coal field area, or you de-nationalise the coal industry. Now we are, in fact, putting an additional burden on the exchequer. We are not bringing happiness to the coal miners. We are not adding anything to the Consolidated Fund of India.

This is a very pitiable condition. I hope you will come forward with your assurances. All the Members have supported the provisions. My party has also supported it. I support it. I am not opposed to the contents of the Bill, the spirit behind this Bill. It is in the interests of widows, orphans and mine workers.

So, thank you, Mr. Vice-Chairman. I seek leave of the House to withdraw my Statutory Resolution disapproving the Coal Mines Provident Fund and Miscellaneous Provisions (Amendment) Third Ordinance, 1996.

*The Statutory Resolution was, by leave, withdrawn.*

**उपसभाध्यक्ष (श्री मोहम्मद सलीम):** मंत्री महोदया जवाब दें।

**श्री परमेश्वर कुमार अग्रवाल:** महोदय, मैं मंत्री जी के जवाब देने से पहले कुछ कहना चाहता हूँ। एक छोटी सी बात छूट गई है जो मजदूरों के हक में है। यदि आप एक मिनट का समय दें तो मैं अपनी बात कह दूँ।

**उपसभाध्यक्ष (श्री मोहम्मद सलीम):** एक मिनट में आप कुछ बोलना चाहते हैं तो बोल दीजिए।

**श्री परमेश्वर कुमार अग्रवाल:** महोदय, मैं आपके माध्यम से मंत्री महोदया का ध्यान इस बात की ओर आकर्षित करना चाहता हूँ कि यदि संभव हो तो इस पेशान स्कीम में आप ऐसे प्रावधान रखें कि मजदूरों को, खास कर जो आदिवासी मजदूर हैं, जब उनके यहाँ कोई

पर्व होता है, त्यौहार होता है, शादी-ब्याह होता है तो उनको ऐडवांस की जरूरत पड़ती है, वह उनको मिल सके। सारी कोल-फैक्ट्स में सुदखोरी का आतंक है। क्या आप ऐसा प्रावधान कर सकती हैं कि उनको उनकी जरूरत के मुताबिक उन्हीं के द्वारा कटाए गए रूपए में से ऐडवांस मिल सके ताकि वे सुदखोरों के चंगुल से बच सकें? मुझे बस इतना ही कहना है।

**उपसभाध्यक्ष (श्री मोहम्मद सलीम):** मंत्री महोदया, इन बातों को ध्यान में रखकर जवाब दीजिए।

**श्रीमती कांति सिंह:** उपसभाध्यक्ष महोदय, अभी जिन माननीय सदस्यों ने अपने विचार प्रकट किए और विधेयक पर अपनी सहमति जताई, उसके लिए मैं तमाम माननीय सांसदों की आभारी हूँ और उन्होंने यह बताने का काम किया है हमारी खदानों में किस तरह से मजदूर रहते हैं, उनकी सुरक्षा की व्यवस्था, उनके घरों की व्यवस्था, उनके साज-सामान की व्यवस्था कैसी है। मैं जब से इस मंत्रालय में आई हूँ, तब से मेरी धिंता लगातार इस विषय पर लगी रहती है कि हमारे गरीब मजदूर, हमारे वर्कर जो वहाँ काम करते हैं, उनके पसीने की एक-एक बूंद मुझे खून का एक-एक कतरा दिखाई देती है। सारा देश आज जिस पर आश्रित है, उन मजदूरों को उनके वेलफेयर के लिए सही तरीके से सुविधा दी जानी चाहिए। तमाम माननीय सांसदों के जो सुझाव हैं, मैं उन्हें ग्रहण करती हूँ हमेशा प्रयासरत रहूँगी। यदि आपका सहयोग मिलता रहा तो मैं कमयाबी हासिल करूँगी।

माननीय सांसदों ने अभी सुझाव दिए। यह अध्यादेश क्यों जारी करना पड़ा? यह कोयला मजदूरों को आश्वस्त करने के लिए जारी करना पड़ा क्योंकि वे लोग चेतावनी दे चुके थे कि हम लोग हड़ताल पर जाएंगे और उन्हें आश्वस्त करने के लिए कि सरकार उनके प्रति विचार रखती है, उनकी मांगों को रखने के लिए इस अध्यादेश को लाना पड़ा।

लोक लेखा में पारिवारिक पेंशन फंड में कोरपस की राशि 8.1/2 प्रतिशत ब्याज मिलता है। ब्याज की दर वित्त मंत्रालय तय करता है। यह राशि मार्च, 95 में लगभग 1000 करोड़ रुपये थी। इस योजना के तहत भुगतान जमा से कम होने के कारण कोरपस की राशि बढ़ रही है। अतः इस योजना के तहत अधिक लाभ देने की मांग हो रही है। भारत सरकार का वर्तमान पेंशन योजना में अंशदान कर्मचारियों के वेतन (1600 रूपए तक सीमित) का 1.2/3 प्रतिशत है। इसके अलावा

इस योजना का प्रशासनिक व्यय भी भारत सरकार देती है। प्रस्तावित योजना में भी भारत सरकार का यही अंशदान होगा। खानों में सुरक्षा व्यवस्था के लिए और उसे सुदृढ़ करने के लिए मैंने बहुत सारे कड़े निर्देश दिये हैं और यदि इसमें पदाधिकारियों द्वारा कोई लापरवाही की गयी तो उन्हें सख्त से सख्त सजा दी जाएगी, उन्हें छोड़ा नहीं जाएगा। सुरक्षा उपायों पर हम लोग निरन्तर ध्यान दे रहे हैं। विद्युत तापघरों एवं अन्य उपभोक्ताओं को अच्छी गुणवत्ता के कोयले की आपूर्ति हो, इसका भी ध्यान रखा जाएगा इसके लिए कोल कंट्रोलर संगठन को सुदृढ़ किये जाने का विचार है। इसकी भविष्य में आवश्यकतानुसार पुनः समीक्षा भी की जाएगी। कर्मचारियों के द्वारा स्वेच्छ से अंशदान की गयी राशि को कोयला कम्पनियों ने अपने खाते में जमा कर रखा है एवं उस पर 12 प्रतिशत ब्याज मिलता है। जैसा कि माननीय सदस्य ने कहा कि बोर्ड ऑफ ट्रस्टीज के कौन-कौन मैबर हैं, उसकी जानकारी नहीं दी गयी है। बोर्ड ऑफ ट्रस्टीज में राष्ट्रीय कोयलरी मजदूर संघ के श्री एस०के० राय हैं। भारतीय कोयला मजदूर संघ के श्री बी०के० राय हैं। संयुक्त खदान मजदूर संघ के श्री मोहन झा जी हैं। इंडियन नेशनल माइन वर्कर्स के श्री आर०के० चिन हैं। माइन्स मैनेजर असोसिएशन के श्री आर०के० मरवाहा हैं। कोल इंडिया के श्री सी०एच० डिश्टी हैं। कोल इंडिया के श्री अशोक मेहता जी और कोल माइन्स प्रॉवीडेंट फंड आर्गेनाइजेशन के श्री एस०बी० दास जी उप समिति एक्जुअरी प्रॉवीडेंट फंड कमिशनर एवं कोल इंडिया लिमिटेड, सभी चलने योग्य एवं सस्टेनेबल योजना के गठन में लगे हैं।

एक माननीय सदस्य: ट्रस्टी बोर्ड में हैं।

**उपसभाध्यक्ष (श्री मोहम्मद सलीम):** पहले मंत्री महोदया को बोलने दीजिए। उसके बाद आप प्रश्न कीजिएगा। उसे बाद में करेंगे।

**श्रीमती कांति सिंह:** उप समिति द्वारा बनाया गया पहला प्रारूप बोर्ड ऑफ ट्रस्टीज की मीटिंग में विचार किया जाएगा और व्यापक विचार-विमर्श के बाद ही योजना को अंतिम रूप दिया जाएगा। इसकी समय सीमा निर्धारित करना संभव नहीं है। कोयला खान भविष्य निधि एवं प्रकीर्ण (संशोधन) विधेयक, 1996 के साथ विषय तथा कारण संबंधी संलग्न विवरण-पत्र में यह उल्लेख किया गया है कि "विद्यमान परिवार पेंशन में अंशदान की निहित पद्धति, जिसे कि कामगारों द्वारा स्वेच्छिक रूप में सहमति हुए अतिरिक्त अंशदान द्वारा तथा विद्यमान परिवार पेंशन निधि में उपलब्ध अतिरिक्त

एशि से पूरा किया जाएगा”, उक्त से पेंशन निधि का गठन किया जाएगा।

अतः अंशदानों की पद्धति में परिवर्तन किये जाने संबंधी प्रस्तावित संशोधन को स्वीकार नहीं किया जा सकता है किन्तु इस विधेयक में केन्द्रीय सरकार के पूर्व अनुमोदन से “किसी अन्य अंशदान” प्राप्त किये जाने की व्यवस्था है। इस स्कीम को तैयार करते समय इस पहलु को ध्यान में रखा जाएगा। वर्तमान में कोयला उद्योग, राष्ट्रीय कोयला मजदूरी कोयला सं—IV द्वारा मार्ग निर्देशित है। इस समझौते को अतिरिक्त अंशदानों द्वारा निधि को पूरक करते समय ध्यान में रखा जाएगा।

महोदया, माननीय सदस्यों ने जो भी मुझे सुझाव देने का काम किया है, उसे मैं तत्परता से करूंगी और मैं चाहूंगी कि समय समय पर आप मुझे कुछ इसी तरह से विचार देते रहे ताकि जो यह आज तक बंदनाम होता रहा है, लोग आरोप लगाते रहे हैं कि इसमें माफिया लोग हैं, मैं चाहूंगी कि आप सब लोगों के सहयोग से इस माफिया को समाप्त किया जा सके। जो भी गलती हो रही है, उन्हें समाप्त किया जा सके।

**उपसभाध्यक्ष (श्री मोहम्मद सलीम):** सतीश अग्रवाल जी, आपने मंत्री महोदया का जवाब सुन लिया, अब क्या आप अपने रेज़ोल्यूशन को वापिस लेंगे?

**श्री सतीश अग्रवाल:** चतुर्वेदी जी कह रहे हैं कि वह कहेंगे तो वापिस लेंगे। ऐसा आवश्यक नहीं है। मैं मानकर चलता हूँ कि उनकी इच्छा है कि मैं इसे वापिस ले लूँ इसलिए मैं अपने इस रेज़ोल्यूशन को वापिस लेने की सदन से अनुमति चाहता हूँ।

*The Statutory Resolution was- by leave, withdrawal!*

THE VICE-CHAIRMAN (SHRI MD. SALIM): I shall now put the motion moved by Smt. Kami Singh to vote.

the question is

"That the Bill further to amend the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948, as passed by Lok Sabha, be taken into consideration."

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRI MD. SALIM): We shall now take up clause-by-clause consideration of the Bill.

*Clause 2 to 4 were added to the Bill.*

*Clause 5 (Substitution of new section for section 3E)*

SHRI JIBON ROY (WEST BENGAL): Sir I move:

1. That at page 2, line 26, *after* the word "Scheme" the following words and figures be *inserted*, namely:—

"and an amount equivalent to 2% of wage of the employee being the employees' contribution alongwith a matching contribution by employers as formulated by National Coal Wage Agreement 111, 1984."

2. That at page 2, *after* line 32, the following be *inserted*, namely:—

"(e) the amount lying accumulated with the management of Coal India Limited on account of deduction of 2% of wage of employees per month from 1-1-89 towards pension fund with interest alongwith the matching contribution of employers on that accumulation."

*The questions were put and the motions were negatived.*

*Clause 5 was added to the Bill. Clauses 6 to 8 were added to the Bill.*

*Clause 9 (Substitution of new Schedule for the Second Schedule)*

SHRI JIBON ROY: Sir, I move:

3. That at page 3, line 18, *after* words "contribution to the Fund" the words and figures "as formulated by National Coal Wage Agreement 111, 1984" be *inserted*.

*The question was put and the motion was negative.*

(Amdt.) Bill. 1995

*Clause 9 was added to the Bill.  
Clause 10 was added to the Bill.*

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

SHRIMATI KANTI  
SINGH: Sir, I move that the Bill  
be passed.

*The question was put and the  
motion was adopted.*

**THE WORKING JOURNALISTS AND  
OTHER NEWSPAPER EMPLOYEES  
(CONDITIONS OF SERVICE) AND  
MISCELLANEOUS PROVISIONS  
(AMENDMENT) BILL, 1995**

THE MINISTER OF LABOUR (SHRI M.  
ARUNACHALAM): Sir, I move:

"That the Bill further to amend the  
Working Journalists and other  
Newspaper Employees (Conditions of  
Service) and Miscellaneous provisions  
Act, 1955, be taken into consideration."

Sir, the Working Journalists and Other  
Newspaper Employees (Conditions of  
Service) and Miscellaneous Provisions Act,  
1955 provides for regulation of conditions of  
service of working journalists and other  
persons employed in newspaper  
establishments. Section 9 of the Act provides  
for the constitution of a Wage Board for fixing  
or revising the wages in respect of working  
journalists, and 13C of the Act provides for the  
constitution of a similar Board in respect of  
non-journalist newspaper employees. Under  
the provisions of these sections, each Board  
shall consist of two persons representing  
employers in relation to newspaper  
establishments, two persons representing  
working journalists or, as

the case may be, non-journalist newspaper  
employees, and three independent persons,  
one of whom shall be a person who is, or has  
been a Judge of a High Court of the Supreme  
Court and who shall be appointed by the  
Central Government as the Chairman of the  
Board. The Central Government had  
constituted on 2nd September, 1994 two  
Wage Boards, one for working journalists and  
the other for non-journalist newspaper  
employees. There have been demands from  
employers, working journalists and non-  
journalist newspaper employees to increase  
the representation for each category in the  
Wage Boards to provide for wider  
representation. It is, therefore, proposed to  
amend clauses (a) to (c) of sections 9 and 13C  
of the Act to provide for wider representation  
to all the constituents of the Wage Boards by  
increasing the number of representative by  
one for each such category. The amendment  
will enable the Central Government to  
provide broad base not only to the existing  
Wage Boards but also to the Wage Boards  
that may be constituted in future. The  
amending Bill has been introduced for this  
purpose. Sir, I would request the House to  
take it for consideration and pass it without  
any discussion.

*The question was proposed.*

THE VICE-CHAIRMAN (SHRI MD.  
SLIM): Mr. V. Narayanasamy. He is not here.

SHRI N. GIRI PRASAD: Sir, it is  
already delayed. (Interruptions) .....

THE VICE-CHAIRMAN (SHRI MD.  
SALIM): But, some names are there.  
.....(Interruptions)..... Dr. Mahesh  
Chandra Sharma.

डा० महेश चन्द्र शर्मा। शर्मा जी, शुरू करने से पहले मैं  
सदन से अनुमति लूँगा अगर आप सब सदस्य सहमत हों  
तो हमारे वरिष्ठ साथी श्री ईश दत्त यादव से मैं अनुरोध  
करूँगा कि वे आकर चेयर पर बैठें।

(श्री ईश दत्त यादव पीठासीन हुए)