

(b) whether these cases reflect the unfair labour practice by the Management of Central Coalfields Limited; and

(c) if so, what are the details thereof and the Government's reaction thereto?

THE MINISTER OF ENERGY AND THE MINISTER OF STEEL AND MINES (SHRI VASANT SATHE): The area-wise break up of prosecution cases pending against the Central Coalfield Ltd., in different courts till 1st March, 1987, is as under:

1. Bokaro and Kargali Area	7
2. Argada Area	5
3. Rajrappa Area
4. Harkakana Area	21
5. Hazaribagh Area	4
6. Dhori Area	25
7. Dakra Area	17
8. Kathara Area	2
9. Kuju Area	10

TOTAL	91
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(b) and (c) An analysis of the prosecution cases shows that a large number of them relate to alleged technical violations of laws, like, non-submission of statistical returns in time. Other prosecutions relate to alleged violations of the provisions contained in the Contract Labour (Regulation and Abolition) Act, Payment of Wages Act, Workmen's Compensation Act and Mines Act for accident occurring in the mines or for alleged non-observance of safety regulations as statutorily required. All of them do not necessarily indicate unfair labour practices. The Government is, however, keen that the Government Coal Companies Act as 'model' employees and do not commit any infringement of any law.

Loyabad colliery of BCCL

1424. SHRI SAMAR MUKHERJEE: Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that in the Central Consultative Committee of the BCCL

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it was decided on 10th May, 1986 that the Construction workers would be paid at the prescribed rates at the counter supervised by the officers of the company;

(b) what are the names of the Colliery where this system has started working in the last nine months;

(c) whether it is also a fact that in Loyabad Colliery of BCCL this rule could not be followed even for the contractual workers working underground despite the fact that it was pointed out by the Central Labour Department of Dhanbad; and

(d) if so, what are the details thereof and what action Government propose to take in the matter?

THE MINISTER OF ENERGY AND THE MINISTER OF STEEL AND MINES (SHRI VASANT SATHE): (a) Yes, Sir. It was also simultaneously decided that after some time the position will be reviewed by the company and suitable measures taken.

(b) The system has been already introduced in Bhalgora 5 and 7 pits of Pootkee-Balihari, Mine No. 3 of Moonidih and Nichitpur collieries of the BCCL.

(c) and (d) It is a fact that during the course of routine inspection of the Loyabad colliery in April, 1985, the Labour Enforcement Officer, (C) had pointed out that the contractual workers of the collieries should be paid from the colliery counter under direct supervision of the colliery officials. It has, however, not been possible to introduce this system in Loyabad colliery as yet. Payment to contractual workers is, however, supervised and ensured by the colliery management. Even then the BCCL is being directed to implement the decision within the shortest possible time.

Implementation of tribunal awards by the BCCL

1425. SHRI SAMAR MUKHERJEE: Will the Minister of ENERGY be pleased to state:

(a) the details regarding the Tribunal awards not implemented by the BCCL till

1st April 1987 giving the position of each case and the reason for non-implementation of the awards.

(b) whether it is a fact that in many cases neither appeal has been filed, nor it was implemented; and

(c) whether there is any norm or time limit given to the public sector companies in this matter; if so, what are the details thereof?

THE MINISTER OF ENERGY AND THE MINISTER OF STEEL AND MINES (SHRI VASANT SATHE): (a) and (b) There are 44 Tribunal awards which have not been implemented by the BCCL as on 1st April 1987. Thirty four of these are pending before Courts where BCCL have filed writ petitions challenging them. In 6 cases, BCCL have sought Govt.'s

permission to challenge them by filing writ petitions. These cases are being examined at the Government level for which consultation with the Ministries of Law and Labour is necessary. The remaining 4 cases, in which awards have been received recently, are under examination in the BCCI. Details of each of these categories of cases are furnished in Statements I, II and III respectively which are annexed (See below).

(c) Under the Industrial Disputes Act, industrial awards are to be normally implemented within a period of 30 days. All efforts are made by the public sector coal companies to implement industrial awards as promptly as possible unless there is some good reason to challenge them by filing writ petitions.

Statement-I

Details of 34 awards of Industrial Tribunals against which writ Petitions have been filed:

Sr. No.	Ref. No. of Award	Relating to
1	2/80	Shri Ramswaroop Paswan & 9 others of North Tisra Colliery
2	3/80	Shri Autul Mahato and others of Jeenagora Colliery.
3	51/78	Shri Jainath Bhar & 9 others of Kusunda Colliery.
4	70/97	Shri Nirmal Kumar Bose of Kooridih Colliery.
5	102/79	Sobratl Bhuni & 4 other stackers of Bhowra(S) Colliery.
6	67/79	Shri Kashi Nath Jain and 35 others of Godher Colliery.
7	2/81	Shri Suresh Mahato of Bhowrah(S) Colliery.
8	11/80	Shri Gajaddin Kewat and others of East Bhagatdih Colliery.
9	Arbitration Award of Dy. CLC Dhanbad	Shri Karu Pd. Auto mech. of C.A.V. Godher
10	Do.	Shri Hassain Ansari mech. of C.A.V Godher.
11	32/80	Shri Gopal Rajwar of Amlabad Colliery.
12	1/78	Shri S.M. Mukerjee of S. Jharia Colliery.
13	34/79	Shri Chota Mia of ena Colliery.

Sr. No.	Ref. No. of Award	Relating to
14 30/80	Workmen of D & F Rooways of Coal Board.
15 8/81	Shri Santokh Singh and others of Bhagabandh Area.
16 11/80	Shri Dhuneshwar Singh of Jogidih Colliery.
17 13/82	Diplal Singh of Bararee Ceke Plant.
18 62/81	Shri Bharik Singh of Dobari Colliery.
19 48/82	53 Sweepers of Bhuli township.
20 21/81	26 register keepers, 10 Engine Khalasi, 3 fan khalasi of Bhowra(S) Colliery.
21 15/81	Smt. Bishuni Dhobin of Govindpur Colliery.
22 32/82	Shri Shanker Singh of Katras Area.
23 30/81	Shri Bhoj Singh of Kessuragarh Colly.
24 57/82	Shri S.K. Chakraborty of Barora Colliery.
25 23/85	Shri N.K. Chouhan of Dhansar Sales Centre.
26 89/84	Shri R.K. Prasad of Katras Area.
27 43/84	Shri Brijmohan Sharma and others of Bhowra Coke Plant.
28 43/84	Shri Harro Mahato & 3 others of Bhowra Coke Plant.
29 44/85	Late Sahadeo Saw of Bhowra(N) Colliery.
30 79/84	Shri Mishri Bhuiya of East Katras Colliery.
31 15/84	Shri Kesho Prasad & Suresh Prasad of Lodna Area.
32 74/84	Shri B.N. Jha of Govindpur Area.
33 45/84	Shri Hazarat Main of Industry Colly.
34 128/85	Shri Gopal Bouri & 63 others of Basuriya Colliery.

Statement-II

Details of 6 Awards of Industrial Tribunals against which BCCL has sought permission of Govt. for filing write petitions.

Sr. No.	Ref. No of Award	Relating to
1 15/86	Shri Shyam Singh of Lodna Colly.
2 53/82	Shri Prayag Mahato of Kessuragarh Colliery.
3 90/82	Shri Abdul Rajak & 4 Others of Nudkharkee Colliery.
4 54/81	Shri Chandan Manjhi & 27 others of Kendwadih Colliery.
5 82/83	Shi J.N.P. Sinha of Project Div. BCCL.
6 56/83	Shri Chanchal K. Banerjee & 4 others of Hqrs.

Statement

Details of 4 recent Awards of Industrial Tribunal which are under examination by B.C.C.L.

Sr. No.	Ref. No.	Relating to	Position
1	71/85	Bhuneshwar Bhuiya & 19 others of Bararee Coke Works.	The Co. has decided to challenge the award and proposes to seek Govt's permission.
2	204/86	Shri Upendra Singh of Koyla Bhawan	Do.
3	34/84	Shri Badal Chand Sarkar of Khas Khsunda Colliery	Under examination.
4	119/86	Shri Kedar Nath Kallar of Simlabahal Colliery.	Do.

Contractors in Nirsa Kapasara coalfields

1426. SHRI SAMAR MUKHERJEE:
Will the Minister of ENERGY be pleased to state:

(a) the names of the top contractors engaged in the collieries of Nirsa Kapasara areas of Eastern Coalfield Limited;

(b) what is the amount paid to each of them during the last three years, year-wise;

(c) whether it is a fact that some of the contractors are raising the coal mining charges in violation of the law; and

(d) if so, what are the details thereof and what steps are being taken thereon?

THE MINISTER OF ENERGY AND THE MINISTER OF STEEL AND MINES (SHRI VASANT SATHE): (a) and (b) The information is as follows:—

Sl. No.	Name of top Contractors	Amount paid in Lakhs		
		1984-85	1985-86	1986-87
1	K.S. Atwal & Co.	90.66	187.45	318.55
2	Mercantile Constn.	118.96	177.60	149.47
3	Arvind Constr. Co.	250.11	277.60	2214.73
4	Ravi Udyog	395.15	470.49	735.88
5	Guru Mehar Constr.	114.04	257.45	266.88
6	Eastern Mineral Trading Agency	53.00	104.12	22.47
7	Khalsa Brothers	118.29	195.16	281.25
8	Jagdish Singh	..	9.15	9.22
9	Maghu Nhak	6.19	9.63	16.29
10	Jagat Mahato	..	7.83	..
11	Black Coal Carriers Service Co. Ltd.	37.19	34.50	35.15
12	Ayachi Bhar Vahak	7.35	5.10	11.22
13	Victor Transport	8.83	13.70	24.43
14	Amurjit Singh and Brothers	11.03