

(e) what steps the D.M.G.S. and the management have taken so far against the officers who have been found guilty of serious lapses leading to explosion and fire and death of a large number of miners in these places and details thereof ; and

(f) if not, the reasons thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI P. VENKATA REDDY) :

(a) The Manager, Ventilation officer and concerned supervisory officials have been held responsible for lapses which contributed to the occurrence of fire in Jealgora mine in January 1979.

(b) and (c) Yes Sir. According to the report of the Additional District Magistrate, the management of the Nirsha Colliery has been found guilty of gross negligence as well as violation of the Indian Explosives Act, 1884 as per details given below :

(i) The explosives were stored without licence.

(ii) The explosives were not stored in a magazine, but in an ordinary room, besides the cap room and the attendance room. The cap-lamp room contained electrical installations and it was gross negligence on the part of the management to store explosives besides this room.

(d) The management of ECL has been asked to take necessary action against Agent and Manager of Shankarpur Colliery who were held responsible for lapses leading to the fire in Shankarpur Colliery.

(e) and (f) The Director General, Mines safety has asked the Management to take departmental action against the officials held responsible in the cases of fire in Jealgora mine and Shankarpur Colliery. The explosion

of Nirsha Colliery does not come within the purview of an accident under the Mines Act, 1952. The Ministry of Energy (Department of Coal) is examining the question of taking departmental action against the officials found responsible for the explosion. The District Authorities have also been asked by Chief Controller of Explosives to take necessary action prosecuting concerned officials under the Indian Explosives Act, 1884 and rules framed thereunder.

2063. [*Transferred to the 15th December 1980*]

Closure of Industry by employers

2064. SHRI SRIDHAR WASUDEO DEBARE :

SHRI LADLI MOHAN NIGAM :

Will the Minister of LABOUR be pleased to state :

(a) whether Government's attention has been drawn to the Supreme Court's decision holding that the closure of an industry is a fundamental right of employers and under the provisions of Industrial Dispute Act, 1947 ; and

(b) the remedial steps taken by Government to give protection to workmen against closure by the employers ?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI P. VENKATA REDDY) :

(a) Government is aware of the decision of the Supreme Court dated 29th September, 1978, in writ Petitions 644, 917, 959 and 960 of 1977 in the case between Excel Wear and others and Union of India and others, declaring Section 25-o of the I.D. Act, 1947 as a whole and S-25-R in so far as it related to the awarding of punishment for infraction of the provisions of section 25-O as constitutionally bad and invalid for violation of Article 19 (1) (g) of the Constitution

(b) Government are considering the legislative changes necessary in the existing law in order to safeguard the interests of the workers.

Health of miners in pencil Mines

2065. SHRI JAGDISH PRASAD MATHUR :
SHRI HARISHANKAR BHABHRA :

Will the Minister of LABOUR be pleased to state :

(a) whether his attention has been drawn to a Press report that due to indifference towards the health of miners, working in pencil mines in Mandasaur district (M.P.) 2,000 workers are already reported to have died of silicosis disease which it is stated, gradually eats away the lungs and ends in spitting of blood and painful death;

(b) whether it is a fact that about 1,000 children are also working there illegally under bonded labour conditions and most of them become a victims of silicosis; and

(c) if so, the details in this regard and action taken by Government in the matter ?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI P. VENKATA REDDY) :

(a) Yes, Sir. Information regarding number of workers who have died of silicosis is not available with the State Government.

(b) According to the Government of Madhya Pradesh, no child labour is employed on this work.

(c) Following steps have been taken by the State Government:—

(i) A Medical Board has been constituted to examine workers.

(ii) Factories Act, 1948 has been made applicable to units manufacturing slate pencils.

(iii) Publicity regarding nature, causes and prevention of silicosis disease has been given.

(iv) Efforts are being made to instal dust suppression machines.

(v) Prosecutions have also been launched for violations of the Factories Act, 1948.

Workers Participation in Management

2066. SHRI JAGANNATH RAO JOSHI :
SHRI RAM LAKHAN PRASAD GUPTA :

Will the Minister of LABOUR be pleased to state :

(a) whether there is any proposal under Government's consideration for providing Legislative support for workers' participation in the management and equity;

(b) if so, the details in this regard ;

(c) whether it is a fact that a voluntary scheme was introduced in 1975 in this regard; and

(d) what progress has so far been made in private and in public sectors ?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI P. VENKATA REDDY) :

(a) and (b) The 21-Member Committee on Workers' Participation in Management and Equity, which reviewed all the existing systems of workers' participation in management had, among other a measures, suggested introduction of