

the Sikh religious personalities. Minor clashes have been there since many years. But this time, they went to Amritsar with the head of their mission, the Nirankari mission, specially prepared. They took with them as many arms as possible. Then, they took out a procession there. Of course, nobody objected to this. But the slogans which were raised by the Nirankaris agitated and infuriated the religious sentiments of the Sikhs. When some people went there to protest, they were massacred by the followers of the Nirankari mission. Whoever went there were either killed or seriously wounded. Eighteen persons were killed and about eighty were injured. This Nirankari mission which has become a centre of immoral social activities should be banned. When all this were happening and when the bodies of the dead and the wounded were lying on the roads the so-called protagonists of Manav Ekta were holding discussions for more than three hours. When the head of the Nirankari mission came back he met the Prime Minister for one hour and the Prime Minister gave a hearing to this culprit, to this criminal. But after that, when we went, he was not prepared to listen to us. When the Punjab Police came here to arrest him, the Delhi Police did not co-operate with the Punjab Police. Then, he got anticipatory bail. This is certainly creating a serious law and order situation in the Punjab. The sentiments of the Sikhs are so much infuriated that anything can happen any time in Punjab and outside Punjab. Therefore, his activities should be curtailed and the Home Ministry should take a serious view of the situation. Only then can there be religious peace and harmony in Punjab at least, if not in the whole country. Thank you.

SHRI JAGJIT SINGH ANAND (Punjab): Sir, in this matter there should be a judicial inquiry. Such an inquiry was demanded by the ruling party itself. Three Ministers were present at the Working Committee meeting of the Akali Party. But now

the Government has refused to accept this despite a demand from all the parties. Sir, there are two sides to the matter. Only one side should not be presented.

THE COALMINES NATIONALISATION LAWS (AMENDMENT) BILL, 1978

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): Mr. Chairman, Sir, I beg to move:

"That the Bill further to amend the Coking Coal Mines (Nationalisation) Act, 1972 and the Coal Mines (Nationalisation) Act, 1973, as passed by the Lok Sabha, be taken into consideration."

Hon'ble Members are aware that the coal industry was nationalised in two phases. Coking coal mines were taken over under the Coking Coal Mines (Emergency Provision) Ordinance on 17-10-1971 and thereafter nationalised under the Coking Coal Mines Nationalisation Act w.e.f. 1st May, 1972. The non-coking coal mines were taken over under the Coal Mines Taking over of Management Ordinance on 31st January, 1973 and nationalised w.e.f. 1-5-1973. A few amendments were made to the Nationalisation Act in September, 1973 to overcome certain practical difficulties. In April, 1976 the Act was amended to enable the termination of illegal mining operations in coal.

In the course of the working of the Act it has been found that there is need to remove certain ambiguities and certain practical difficulties which have come to light during the implementation of the Nationalisation Act. The present Bill is intended to remove these difficulties and to expedite the payment of the amounts due to the claimants under the Act. Some of the important amendments included in this Bill are as follows:

(a) The Nationalisation Act had defined the assets which vested in

[Shri P. Ramachandran]

the Government on nationalisation. The definition in the original Act excluded certain current assets in the nature of sundry debts, investments outside the mine etc. Some doubts have been expressed about the implications of the definition. It is now proposed to state in the Act specifically that current assets which were excluded at the time of nationalisation do not vest in the Government. I may clarify here that we are not now excluding anything from the scope of nationalisation but we are only stating in clear terms what had been excluded by the previous Government at the time of taking over the mines. We are now neither adding to the assets nor taking anything away from the nationalised assets.

(b) Another provision proposed in the Act is regarding the interest payable on claims against the previous owners filed before the Commissioner of Payments appointed under the Act. Here also, I may make it clear that the original Act provided for the Payment of interest on the amounts sanctioned to the previous owners in consideration of their assets having been nationalised. We are not altering the rate of interest specified at the time of nationalisation by the previous Government. What we propose to do in this Bill is to restrict the rate of interest payable to some of the secured creditors to the interest that the amount itself earns either in deposit with the nationalised banks or in the Public Account of India. This is being done in order that the lower priority creditors, mostly Government organisations and small suppliers, may be able to get at least some part of their claim.

(c) The Nationalisation Act provides that any person who indulges in the mining of coal without a valid lease or prospecting licence

shall be punishable with imprisonment for two years and a fine of Rs. 10,000. The Bill before the House proposes to enhance the punishment to imprisonment for three years and a fine of Rs. 20,000. This is being done with a view to make the offence cognisable so that prompt and effective action can be taken by the local authorities.

The other amendments are mostly of a procedural nature and intended to hasten the process of payment of claims of the workers and other claimants. I would draw particular attention of the House to the clause which enables the Assistant Commissioners of Payments to exercise the same powers as the Commissioner of Payments, the proposal to legalise joint claims filed by the workers and the provision for reviving claims which had been rejected earlier as time-barred on the date of filling them though these were valid on the date of take-over of the mines. While commending this Bill to the House for adoption, I may repeat again that this Bill does not in any way alter the framework of nationalisation already existing, nor does it increase the compensation payable or in any other way dilute the effectiveness of the measures taken to nationalise coal mines. I have stated in the other House and I repeat here that the Government has no intention of deviating from the policy of nationalisation in so far as the coal industry is concerned. I am mentioning this in view of the speeches made by certain Members in the other House who had got the impression that the provisions regarding interest, exclusion of certain assets from the list of nationalised assets are being introduced now. I hope that the Members appreciate the object of the Bill and accept it.

The Question was proposed.

श्री रामानन्द यादव (बिहार) : सभापति जी, मैं इस बिल का विरोध करने के लिए खड़ा हुआ हूँ। कोयले की खानों का राष्ट्रीयकरण सन् 71-72 में कुछ उद्देश्यों के लिए किया गया था। राष्ट्रीयकरण करके कोयले के उत्पादन को बढ़ाना, उपभोक्ताओं अर्थात् जनता को सस्ती दर पर देना और उससे जो आमदनी हो उस आमदनी को देश के विकास में खर्च करना ये तीन इसके मुख्य उद्देश्य थे। अब हमें देखना है कि इन तीन उद्देश्यों में से क्या किसी एक की भी पूर्ति हुई। मुझे तो ऐसा लगता है कि किसी एक की भी पूर्ति नहीं हुई और खानों का, कोयला का जो विभाग है वह इस तरह से चलाया जा रहा है जैसे लगता है कि इस देश में अनारकी है, कोई मालिक नहीं है, कोई प्रबंधकर्ता नहीं है, इस एरिय में कोई ला नहीं है, कोई कानून नहीं है। मैं देखता हूँ जब से कोयले की खानों का राष्ट्रीयकरण हुआ है कोयले की कीमतें तीन दफे बढ़ायी गयी है पहले 27 रुपये टन था, फिर 70 रुपये हुआ फिर 84 रुपये और अब 90 रुपये टन है। इससे क्या हुआ? क्या हम जनता को सस्ती दरों पर कोयला दे सके? नहीं। फिर कोयले का प्रोडक्शन जो काफी मात्रा में होना चाहिए था वह ठीक राष्ट्रीयकरण के बाद घट गया और यहाँ तक घट गया कि आज स्थिति यह है कि कोयला निगम घाटे पर चल रहा है। प्रति वर्ष 80 लाख रुपये से लेकर एक करोड़ रुपये की क्षति इस निगम को है और स्थिति यह है कि यह विभाग बिजली घरों को, रेलवे को कोयला देने में असमर्थ है। हमारी स्टील मिल्स और जो बड़े बड़े लोहे के कारखाने हैं उनको कोयला सप्लाई करने में असमर्थ है। परिस्थिति यह हो गयी है कि देश में आज बिजली की कमी हो गयी है और बिजली की कमी के कारण कल कारखाने बंद होने लगे हैं। पतरातु का तापघर कोयला निगम की वजह से समय पर कोयला न होने के कारण बंद हो गया है जिसकी वजह से सारे बिहार के उद्योग

धधे कुछ ही क्षणों को चलने लगे हैं। जहाँ इनको 12 से 24 घंटे काम करना चाहिए था वहाँ ये आधा ही काम करने लगे हैं। बिजली किसानों, की औद्योगिक प्रतिष्ठानों को नहीं मिल पा रही है। लोग अंधेरे में रह रहे हैं। रेलवे को भी कोयले की सप्लाई नहीं हो रही है और स्थिति आज यह है कि भारतवर्ष में लोहे के जो बड़े-बड़े कारखाने हैं जैसे बोकारो, राउरकेला और भिलाई स्टील मिल्स इनके पास केवल आठ दिन का ही अग्रिम कोयला है जबकि पहले इनके पास तीन महीने का अग्रिम कोयला इन मिलों में रहता था। लेकिन अब प्रोडक्शन इतना गिर गया है कि आज इन कारखानों के पास 8 दिन का भी मुश्किल से कोयला है। इसी परिस्थिति से बाध्य होकर स्टील मिनिस्टर ने सरेआम एक बयान दिया कि कोयला विभाग हमको कोयले की सप्लाई नहीं कर रहा है। इसका मैनेजमेंट अच्छा नहीं है इसलिए इस विभाग को स्टील एवं साइंस विभाग के अन्तर्गत कर दिया

जाय। परन्तु इस पर तुरन्त हमारे एनर्जी मिनिस्टर रामचन्द्रन ने बयान दिया कि, नहीं। ऐसी बात नहीं है, हमारे यहाँ कोयला प्रचुर मात्रा में उपलब्ध है, हम सप्लाई करने के लिए तैयार हैं। लेकिन मैं जानना चाहता हूँ अपने एनर्जी मिनिस्टर से और सरकार से कि बात क्या है, क्या सचमुच आपके यहाँ प्रोडक्शन फाल कर गया है जिन की वजह से आप असमर्थ हैं? और नतीजा यह हुआ सभापति जी, कि स्टील मिनिस्टर ने फारेन से, बाहर से, कोयला मंगाने के लिए टेन्डर इन्वाइट किया और आस्ट्रेलिया से कोयले का टेन्डर आया और शायद वह मंजूर भी कर लिए हैं और वह कोयला कितना महंगा पड़ेगा? 700 रुपये टन महंगा पड़ेगा हिन्दुस्तान में आकर जब कि हिन्दुस्तान में जो कोयला पैदा होता है वह अगर सप्लाई होता तो मुश्किल से 150 रुपये टन पड़ता। मैं आपको बताऊँ, ऐसी बात नहीं कि उस तरह का कोयला जो भारत की स्टील मिलों में व्यवहार होता है उसकी कमी है, उस किस्म का कोयला हमारे सिन्ड्री, इरिया और आमनमोल क्षेत्रों में काफी मात्रा में मौजूद है। लेकिन क्या कारण है कि आज वह कोयला जो पैदा होता है उससे जो मिले चलती थी, आज उन्हीं मिलों को बाहर से कोयला मंगाने के लिए टेन्डर करना पड़ता है? क्या आप बताएंगे कि क्या मिसमैनेजमेंट की वजह से आप इसका उचित प्रबंध नहीं कर पा रहे हैं जिस के कारण दाम बढ़ रहा है, उसका प्रबंध ठीक से नहीं हो रहा है और सही कीमत पर आप कोयला सप्लाई नहीं कर पा रहे हैं? इसका जवाब मैं अपने मंत्री जी से चाहता हूँ।

तीसरी बात मैं यह कहना चाहता हूँ कि कोयले के कारोबार को आपने नेशनलाइज किया तो वर्कर्स के ख्याल से नहीं, ख्याल आपको मिल-मालिकों का है, कोयला मालिकों का है, जिनको आपने नेशनलाइज करने के बाद कंपेंसेशन देने के संबंध में कानून बनाया और बिल लाए हैं, लेकिन आपने कभी यह नहीं सोचा कि जो वर्कर्स काम करते हैं उन के संबंध में भी आपको चिंता करनी चाहिए। जब कोई नयी कम्पनी, पुरानी कम्पनी को टेक ओवर करती है तो उस के साथ उसमें काम करने वाले जो मजदूर होते हैं पुरानी कम्पनी के खिलाफ लड़ कर ट्राइब्यूनल में कोई अवार्ड अपने पक्ष में प्राप्त कर लेते हैं तो लाजमी होता है कि उस अवार्ड का अनुपालन, जो कम्पनी नयी कम्पनी होती है, वह करे। लेकिन आपने इस संबंध में कोई चर्चा नहीं की। क्या आप मजदूरों के हक के विषय में नहीं सोचते हैं? अगर नहीं सोचते हैं तो मैं चाहूँगा कि आप मजदूरों के हक के विषय में भी सोचिए।

सभापति जी, कोयला बहुत बड़ी मात्रा में बिहार से स्मगल होता है और उससे कोयले में घाटे का कारण प्रधान हो जाता है। कुछ दिन

[श्री रामानन्द यादव]

पहले आप अखबारों में पढ़ें होंगे कि 94,000 बैरस अवैध कोयला—क्योंकि उनकी खान का साफ हुआ कोयला, निगम का कोयला, बगिया और अरिया में अनक्लेम्ड पड़ा था—उसको अधिकारियों ने पकड़ा कि वह कोयला कहा जाता है? तो प्राइवेट व्यापारी जो ठेकेदारों से, उनके मुलाजिमों से और पुलिस विभाग से मिल कर जगह-जगह प्रान्तों में अवैध ढंग से कोयला भेजते हैं और काफी लम्बा-चौड़ा मुलाफा करते हैं—उसका सारा घाटा निगम को बर्दाश्त करना पड़ता है। मैं चाहूंगा कि आप कोयले का जो इस ढंग से अवैध व्यापार होता है—आप कोयला निकालते हैं, आप पेमेन्ट करते हैं, आप सब कुछ करते हैं लेकिन आपका कोयला प्राइवेट आदमी किस ढंग से ले लेता है, उसको स्मगल करके ले जाता है, बाहर बेचता है—यह भी घाटे का एक कारण है।

चौथी बात मैं यह बताना चाहता हूँ, क्या आपने कभी यह सोचा कि जिस वक्त कोयले की खानों का नेशनलाइजेशन हुआ था, उस वक्त उस कोयला क्षेत्र में जितने लोग काम करते थे, प्राइवेट जो मालिक थे कोयले के नेशनलाइजेशन के वक्त और जब सरकार ने निगम के द्वारा टेकओवर किया, तब उन लोगों ने जहाँ 50 आदमी काम करते थे वहाँ वर्कर्स की लिस्ट दे दी 100 की और नौकरी करने वाले लोगों की संख्या बढ़ा कर दे दी। लाजमी था कि आप उनकी सारी जिम्मेदारी अपने ऊपर ले लें। लेकिन फिक्शियस नाम उन्होंने काफी सख्या में दे दिये और वह आज तक आपके पैरों पर हैं। वह दूसरे के नाम पर पैर लेते हैं तो घाटा क्यों नहीं होगा। जहाँ 50 आदमी काम करते थे वहाँ सौ आदमियों की लिस्ट उन्होंने दे दी, सौ की जगह चार सौ की लिस्ट दे दी और इस तरह से काफी लोग बढ गये और यह घाटे का रोजगार हो गया। मैं चाहूंगा कि सरकार इस पर विचार करे।

समापित जी, सारे बिहार राज्य में अवैध ढंग से कोयला निकाला जाता है। मुझे ख़ुशी है कि आप ने इस पिन में एक प्राविजन रखा है कि अवैध ढंग से जो कोयला निकाला जा रहा है उसको रोका जाय और इसके लिए आप ने सजा भी रखी है। लेकिन मैं यह जानना चाहता हूँ कि क्या आप ने सोचा है कि अवैध कोयला क्यों निकाला जाता है और इसके निकालने वाले कौन हैं। मैं आपसे साफ कहता हूँ कि पुराने जो कोयला खानों के मालिक थे वह, बिहार सरकार की पुलिस और खान विभाग के मुलाजिम और आपकी भी मुलाजिम, कारपोरेशन के मुलाजिम, इसके लिए जिम्मेदार हैं। अगर यह तीन हस्तिया ठीक नहीं हुई तो आप निश्चय जानिये कि अवैध कोयले का व्यापार आप नहीं रोक सकते। अवैध व्यापार होने से निगम को तो घाटा है ही क्योंकि यह अवैध कोयला जो निकाला

जाता है वह निगम के कोयले से मम्ने दर पर बिकता है और दूसरी बात यह कि ऐसा करके ये लोग राष्ट्र को बहुत बड़ी क्षति करते हैं। सारी कोयले की खान जिसकी मुचारू रूप से खोदा जाना चाहिए वह इधर-उधर से खोद कर यह लोग नष्ट भ्रष्ट कर देते हैं। मैं चाहूंगा कि इस पर पूरी मुस्तेदी से, कड़ाई के साथ कार्यवाही की जाय और इस को रोका जाय।

एक बात मैं और आपको बता देना चाहता हूँ। दुःख की बात है कि 80 मिलियन टन्स कोयला अरिया और धनबाद में कुछ दिनों में जल रहा है और उसकी आग ऊपर दिखाई देती है। टैफिक उन रास्तों से बंद कर दिया गया है। विज्ञान के इनने ऊंचे स्तर पर पहुँच जाने के बाद क्या सरकार ने कभी कोशिश की कि वह इस स्वर्ण भंडार, ब्लैक गोल्ड को, जो जल रहा है इधर-उधर और जिसकी सभावना यह है कि यह आग बढ़ कर हमारी दूसरी कोयले की खानों को नुकसान पहुँचा सकती है, उसको रोका जाय। मैं चाहूंगा कि इस पर गंभीरता से विचार किया जाय और फारेन से टेनिकल लोगों को बुला कर इस जलते हुए काले स्वर्ण भंडार को रोकने की कोशिश की जाय ताकि राष्ट्र की जो अपार संपत्ति है भूमि में उसकी रक्षा की जा सके। इस पर मैं चाहूंगा कि सरकार अपने विचार रखे।

दूसरी बात एक और मैं कहना चाहता हूँ। अध्यक्ष जी, इनका एक पर्सनल डिपार्टमेंट है कारपोरेशन में लेकिन उसके जो लोग हैं उनकी तनख्वाहें हमारे जो भारत सरकार के कारपोरेशन्स हैं उनके मुकाबले बहुत कम हैं और उनकी सुविधाये भी बहुत कम हैं। उन लोगों को जंगलों में रह कर काम करना पड़ता है जहाँ उनके रहने का कोई प्रबंध नहीं होता। जहाँ उनके लिए पानी का कोई प्रबंध नहीं होता, जहाँ उनके बच्चों की पढ़ाई के लिए स्कूल नहीं होते और उनके लिए कालेजों की कोई व्यवस्था नहीं होती। वहाँ यह लोग रहते हैं। लेकिन और दूसरे कारपोरेशन्स जो सरकार की महायत्ता से चलते हैं उनके मुलाजिमों की तनख्वाह और सुविधाये इसके मुकाबले बहुत अधिक हैं। इस डिपार्टमेंट के एसोसियेशन से एक स्मरण पत्र भी मंत्री जी को दिया है और उनकी मांग है कि और दूसरे कारपोरेशन्स के समकक्ष ही उनको सुविधाये दी जाय और तनख्वाह और प्रमोशन के अवसर दिये जायें। मैं चाहूंगा कि इस पर भी आप अपने विचार रखें।

अध्यक्ष जी, यह सर्व विदित बात है कि कोयले की खानों में काम करने वाले लोगों को खानों में नीचे जाकर काम करना पड़ता है और उनका जीवन इससे कम हो जाता है। जिस आदमी को सौ बरस जीना होता है वह अपना जीवन 80 बरस में ही पूरा कर लेता है। ज्यादातर कोयले की खानों में काम करने वाले

मजदूर टी०बी० के शिकार हो जाते हैं क्योंकि कोयला निकालते वक्त जो झाई उनके सीने में पहुँचती है वह फेफड़ों को खराब कर देती है। लेकिन देखा यह गया है कि उस एरिया में जहाँ कहीं भी सरकार ने अस्पताल खोले हैं उनमें कहीं भी कायदे से दवा दारू का कोई प्रबंध नहीं है। अस्पताल में अच्छे डाक्टर नहीं, दवा का अच्छा प्रबंध नहीं, उन्हें सुविधा नहीं। तो मैं सरकार से चाहूँगा कि जो मारा अपना जीवन देकर के सीलो खान के अन्दर नीचे जाकर उबला हुआ पानी पीकर अपने जीवन का सुन्दर भाग, 20 फी सदी बर्बाद करता है, देश के विकास में, उस आदमी को मेडिकल सुविधा, आवागमन की सुविधा, पानी पीने की सुविधा, शिक्षा की सुविधा, उसके बाल-बच्चों को क्या आप उसका प्रबंध उचित ढंग से नहीं कर सकते। इस बीच मैं आपको चाहिए था कि अच्छा पानी उसे मिल पाता।

आज स्थिति यह है कि बहुत सा एरिया ऐसा है जहाँ हमारा कोयला जंगल में निकलता है। वहाँ पानी का प्रबंध नहीं है। वहाँ के लोगों को पानी उबाल करके पूरे 24 घण्टे के लिये रखना पड़ता है और उसी को पीकर वे अपना समय बिताते हैं। उनका स्वास्थ्य गिर जाता है। ऐसी स्थिति में मैं सरकार से निवेदन करूँगा कि कोयले से जो आमदनी निकले, उन गरीब मजदूरों पर अधिक मात्रा में खर्च किया जाए।

सभापति जी, मैं यह भी सरकार से माँग करूँगा और चाहूँगा कि सरकार इस बात पर गौर करे। हमारे बिहार राज्य में 234 से अधिक कोयले की खानें हैं। कोयले से आमदनी होती है। सरकार के लिए लाजमी है कि कोयला क्षेत्रों में रेल की लाइनें अधिक बिछें। उससे सरकार को फायदा होगा, निगम को फायदा होगा। रोड अच्छी बनें ताकि आपका कोयला जल्दी से जल्दी पिट्टहैड से उठा कर रेल हैड पर पहुँचाया जा सके और देश में दक्षिण से लेकर उत्तर और पूर्व से लेकर पश्चिम, चारों तरफ कोयला जल्दी से पहुँचाया जा सके। इसके लिए संस्कार की सुविधा कोयला विभाग को भी पैसा देने से और मैं चाहूँगा कि आप अपने डिपार्टमेंट के माध्यम से जो कोयला क्षेत्र की सड़के हैं, उनको बनाने और उनका नवीकरण करने में काफी योगदान दें।

सभापति जी, यह जनता सरकार जब से आई है तब से कोयला एरिया में बड़े ही मंडर हुए हैं और आपको मृत कर ताज्जुब होगा बी० पी० सिन्हा, धनवाद के एक बिहार राज्य के ऐसा मैं कहूँ, अखिल भारतीय स्तर का भी कहने में हिचकिचाहट नहीं कि वे एक ट्रेड यूनियन लीडर थे और किस तरह से दिन-दहाड़े उनकी हत्या कर दी गई और इसी तरह से कोयला एरिया में ला एण्ड आइर नाम के कोई वस्तु

रह नहीं गई है। उसी मंडर को लेकर के हम लोगों ने आपसे आग्रह किया था कि ला एण्ड आइर मिचुएशन करने के लिए हमें समय दें। उस पर आपने विचार नहीं किया। आगे आप विचार करेंगे। मैं सरकार से निवेदन करना चाहता हूँ कि सरकार थोड़े दिन के लिए सत्ता में आई है। अगर वह इस यूनियन राइवलरी में पड़ेगी और अपने-अपने गुटों की यूनियन जनता पार्टी बनाने की चेष्टा करेगी तो मैं कहता हूँ कि निश्चित रूप से कोयले का प्रोडक्शन घट जायगा। जनता पार्टी के लोग जहाँ पर उसकी यूनियन नहीं थी वहाँ भी बना रहे हैं और उसी यूनियन राइवलरी के कारण एस्टेबलिश्ड लीडर बी० पी० सिन्हा की हत्या कर दी गई और उस हत्या में सब लोग जानते हैं कि उसमें किन पार्टी के लोगों का हाथ है। मैं उम्में नदी - ना चाहता क्योंकि वह मेटर सब-ज्यूडिस है। लेकिन मैं चाहता हूँ कि क्या आप बतायेंगे कि कोयला एरिया में जनता पार्टी के सत्ता में आने के बाद से आज तक कितनी हत्याएँ हुई हैं? काफी हुई, पोलिटिकल मंडर कितने हुए, काफी हुए और आपका विभाग कारपोरेशन में अवैध ढंग से, गैर-कानूनी ढंग से कानून को ताक पर रख कर जनता पार्टी द्वारा मन्यता यूनियन को मान्यता प्रदान किया है। आज सर्रास धनवाद में लाठी के बल से, बन्दूक के बल से, बम के बल से, ट्रेड यूनियन पर कण्ट्रोल किया जा रहा है। कारपोरेशन और यह सरकार हाथ पर हाथ धर कर बैठे हुई है। आज सरकारी अफसर कोल माइंस में काम करने वाले अफसर ममझते हैं कि अनाफी है। उनका जीवन खतरे में है। तो मैं सरकार से चाहूँगा कि जो कारपोरेशन में काम करने वाले मुलाजिम हैं उनके जीवन को सैक्युरिटी प्रदान होनी चाहिए।

क्लेम देने के सम्बन्ध में इन्होंने एक प्रावधान किया है, ठीक है करना चाहिए। लेकिन मैं चाहूँगा कि सर्वप्रथम मिनिस्टर माहव को चाहिए कि टेक-ओवर करते वक्त हमें कितना मिला और कितनी लायेबिलिटी थी। मैं जानता हूँ कि जिम वक्त टेक-ओवर हो रहा था तो लायेबिलिटी बढ़ा दी गई। नेशनलाइजेशन की खबर कोयले के मालिकों को कुछ दिन पहले ही मिल गई थी। जो अच्छी-अच्छी मशीनरी थी वह उन्होंने उठा ली वैको से कर्ज ले लिया। काफी लोगों की लिस्ट बना करके काम करने वाले दिखाकर आपको दे दी। तो लायेबिलिटी आपके ऊपर अधिक और असेट्स कम हो गये। तो मैं चाहूँगा कि असेट्स और लायेबिलिटीज का पूरे रूप से अध्ययन करने के बाद क्लेम कमिशनर की रिपोर्ट की जांच करके ही कांसेशन के सम्बन्ध में आपको कुछ निर्णय करना चाहिए था। लेकिन समझ में नहीं आता कि इतनी जल्दी मैं इस बिल को क्यों लाया गया। क्या इसके अलावा आपके सामने कोई काम नहीं था? मैं इस सम्बन्ध में सरकार से दो बातें क्लियर जानना चाहता हूँ।

[श्री रामानन्द यादव]

पहली बात यह कि क्या आपका प्रोडक्शन नहीं घटा है? अगर नहीं घटा है तो स्टील मिल को आप कोयला क्यों नहीं दे रहे हैं जिसके कारण उसको बाहर से माल मगाना पड़ रहा है।

दूसरे क्या उस ग्रेड का कोयला जिसका स्टील मिल में खर्च होता है, आपके खानों में नहीं मिलता है? क्या वह पहले नहीं बिकलता था? अगर निकलता था तो क्या वह बंद हो गया? क्या इसके लिए आप जिम्मेदार नहीं हैं? अगर आप जिम्मेदार हैं तो क्या आप रेजिगनेशन देगे क्योंकि आप बिल्कुल असमर्थ हो गये हैं कोयला निगम का प्रबन्ध करने में। इन्हीं बातों के साथ मैं इस बिल का विरोध करता हूँ।

SHRI S. W. DHABE (Maharashtra):
Mr. Chairman, Sir, I welcome the provisions of this Bill. Though some steps are being taken to give relief to the claims of the workers and also to restrict the interest rates on the payments to be made, it would have been much better if this occasion had been used by the Minister to have a second look at the Coal Mines (Nationalisation) Act, 1973 and the Coking Coal Mines (Nationalisation) Act, 1972.

Firstly, Sir, my comment on the Bill is that the amendments to these two Acts should have been brought separately—the amendment to the Coking Coal Mines (Nationalisation) Act, 1972 and the amendment to the Coal Mines (Nationalisation) Act, 1973. The two Acts have got different provisions. For instance, there is difference in clause 9. This tendency to bring in several matters in one consolidated Bill does not help either the Government or the industry or the workers, and leads to great litigation.

Sir, I would like to refer to some of the difficulties at this stage. Firstly, after nationalisation of these coal mines, a large number of workers were required to file their claims. The previous owners did not pay them dearness allowance as recommended by the wage board; they paid

less. Gratuity and provident 12 Noon fund claims were not paid.

When the coal mines were taken over, the Coal Mines Authority failed to pay the provident fund, to my knowledge, more than Rs 16 crores, and the workers were required to file claims before the Claims Commissioner. In this connection the provisions of Sections 20 and 23 are working hard against the interests of the workers. I would like the Minister to clarify and amend the provisions in view of the view taken by the Claims Commissioner. The Minister should ask for a note from the Claims Commissioner as to how decisions are taken and how the matters are dealt with. Seventy-one thousand claims of the workers are pending before the Claims Commissioner all over India. The rate of disposal is very poor. At this rate it will take years and years for the workers to get back their claims. The Claims Commissioner has taken a very queer view of sub-section (3) of section 23. He interpreted sub-sections (2) and (3) to mean that the entire burden of proving the claim is on the employee. Even in the notice which is issued to the worker, the worker is required to file proof of his claim within a period specified in the advertisement. Suppose I say I have got a claim for dearness allowance. They issue a notice that I must prove my claim; I must file the accounts of the employers who are not ready to make their accounts available to me. And sub-section (3) says that every claimant who fails to file proof of his claim within the time specified by the

[The Vice-Chairman (Shri Shyam Lal Yadav) in the Chair.]

Commissioner, shall be excluded from the disbursements made by the Commission. The Court has taken the view that this is an obligation and the worker has no right to make further inquiries. Sir, this goes against the basic principle of natural justice. Unless I take evidence, unless I give notice to the employer, it is difficult for any employee, to prefer a claim of which I have no proof, and the records are

with the management. I would, therefore, like the Minister to see that the effect of sub-section (3) of section 23 does not go into debarring and dismissing a large number of claims. To my knowledge the claims are rejected under this provision. Therefore, it is necessary that you should amend the provision by an ordinance or otherwise. Secondly, the workers could not file their claims because the due date was not specified properly. This provision works very hard against the workers. A large number of claims could not be filed because of the queer provision of section 23. The limitation provision is only 30 days. Within 30 days how is it possible for the workers to prepare their claims and file? Therefore, it is necessary that sections 20 and 23 are amended suitably so that the workers are not deprived of their legitimate claims and their legitimate rights.

Similarly, with regard to penalty for illegal mining, mere enhancement of the penalty is not sufficient. This opportunity should have been used by the Government to make the penalty very severe. See what happens. Suppose, they make illegal coal worth Rs 1. lakh, and you impose a penalty of only Rs. 25,000. This means he can still go with Rs. 75,000 worth assets.. This only looks as if he has been given a bonus for illegal mining. The law should provide for forfeiture of the entire assets acquired through such illegal mining, apart from whatever other punishment, just as it is done in the case of customs. Under the Customs Act whatever is found with the person, whatever the person is in illegal possession, is forfeited. Similarly, the Government should have the right to take action, in such cases of illegal mining, by way of cancelling all other contracts of that contractor or tenders which may be in the process or any other commercial interests that the contractors may have with coal mines. And then, illegal mining is not done merely by strangers in the coal mining area. The contractors are in league with the officers or some persons con-

cerned with coal mining. Therefore, whenever a case of illegal mining comes to notice, their contracts of all other types should also be cancelled. Even under section 30 what is must be provided is forfeiture of the illegally mined coal and other properties which they acquire.

These three provisions so far as this Act is concerned, are working very hard on the workers and therefore these should have been amended earlier. At least now this opportunity should have been used by the hon. Minister for that purpose.

Secondly, there is an apprehension in the minds of coal miners on the basis of the interpretation given by the Supreme Court that the nationalisation Act will be restricted to these mines in the Schedule. Now, private miners have started operations in Bihar and some mines are jointly run by private miners and the Government. In other words, the State Government and those in whom the Janata Party Ministers are interested or others can start a joint sector in mining. I think it is very important to see that the principle of nationalisation of coal mines which is very essential for our industrial and economic development is not diluted in this fashion. This should not be left in the hands of private miners, even if the Schedule is not there. The Schedule can be amended or a blanket order can be passed by the Government that all private mining shall be prohibited. Therefore I would like to tell the Minister that merely saying that we support nationalisation is not sufficient. Necessary steps will have to be taken to see that private mining or extension of coal by private parties is not allowed.

Before I say anything else, I would like to show the picture prevailing in the industry. In this connection, it must be said to the credit of the late Shri Mohan Kumaramangalam, who was an eminent exponent of public sector, that it was the idea which he

[Shri S. W. Dhabe]

initiated led ultimately to the nationalisation of 600 coal mines. Even that he said: "I am not in favour of nationalisation for the sake of nationalisation." Speaking on the Coal Mines Nationalisation) Bill on May, 14, 1973, he said as follows:

Naturally, the responsibilities of the new Coal Mines Authority when it is set up will be very important and we shall have to see that adequate power is granted to the authority to enable it to discharge its responsibilities. Briefly, the objectives before this authority would be to formulate and recommend to Government a national policy for the conservation, development and scientific utilisation of the coal resources of the country; to act as the entrepreneur on behalf of the State in respect of the coal industry and plan and organise the production of coal; to operate on sound commercial principles and ensure utilisation of capacity in the various projects; to see that the price is reasonable both from the point of view of the consumer as well as from the point of view of the producer; and then to function as an employer who is really able to make up for all the sins that have been committed against the workers in the coal-mining area over all these years.

These were the objectives on which he spoke. From this it is very clear that not only they must see that the prices are not increased, but nationalisation should not give them any blanket authority to increase prices. The idea was to make this organisation a successful enterprise. But during the last two years what have we seen? In the coal industry there was disaster and there were a large number of accidents of which Chasnala was the worst. This was followed by a number of accidents. Therefore, these require urgent attention of the Government, in order to improve the safety arrangements in all the mines.

For this purpose a Select Committee was appointed by Parliament to study the Indian Mines Act of 1952.

A Select Committee was appointed and the Report of that Committee has been given four or five years before and it has recommended wider powers to the authorities to inspect the mines to examine the safety conditions. That Report has already been submitted. But I am sorry to say, Sir, that I will have to take this opportunity to request the Minister to see that his Government brings forward a Bill amending the Indian Mines Act so that enough powers are given to the authorities concerned to ensure safety and to remove whatever defects are there. Even after so much of disaster that has taken place in the mines, even after so many accidents have taken place in our mines and even after so many people have lost their lives in these accidents, the office of the Director of Safety functioning at Dhanbad has not been given the sufficient staff. Out of the 39 posts that are there, 23 are vacant. Either they did not do anything at all or they did not care to get the required personnel. Even in my area, the Safety Officers who have been appointed to ensure safety in the coal mines and others are so negligent about the safety of the workers under the slogan of more production and the basic thing which is necessary for the proper functioning of mines is safety and these Safety Officers are negligent about it and in certain other places these Safety Officers are not appointed. I would like to request the honourable Minister to appoint a high-power commission to find out two things which are very important, that is, why the workers are not having the proper motivation for more production, for more work, and why production is falling. I would like to quote certain figures. In 1976-77, the target was 118 million tonnes of coal production. But the actual production was 101 million tonnes. At the end of 1976-1977 the accumulated stocks were 14.6 million tonnes and at the end of the year 1978, the stocks got depleted and

came down to 3.6 million tonnes. It clearly shows that production has gone down and even stocks are not there in certain places. The other day we were discussing the position with regard to thermal power stations in Maharashtra and other places. It was found that with regard to the Koradi power station, the linkage Committee had said that the coal to be supplied should be 1.70 lakh tonnes per month. But, actually, the coal that could be provided there was only 1.39 lakhs tonnes and the position was so bad that one unit at Koradi had to be stopped. On the 4th of May, 1978, only one day's coal was available for the thermal power station. Sir, the Standing Committee that was appointed to go into this matter suggested there every thermal power station must have an accumulation of coal or coal reserves to the extent of three months's stocks. In my State of Maharashtra and in many other States like Madhya Pradesh, it is not the hydro-electric power which is there, but it is only the thermal power and even in Bihar, as Mr. Yadav has said, power generation programme is based on thermal sources. Therefore, coal should be made available to the thermal power stations to ensure power generation. In my State, Sir, there is power shortage. Our Programme for the year 1978-79 is that there should be an extra generation of power to the extent of 600 MW and the coal required per day is 22,000 tonnes. There are many other problems also. Coal is available at the pitheads at places like Sillewara and Umrer. Because the officers have some advantage, they want to transport the coal to Nasik which is about 300 miles away and the coal is not given to us. Coal has been sent to us and being sent to us from Singareni and from other places. But the coal available at our places is not made available to the power stations nearby. So, Sir, I would say that the policy that so much of pithead accumulation should be there has been sabotaged systematically and wrong figures are given always. These

figures show more production, but actually there is no production at all. Therefore, when the production has gone down and when the programme is that 11,000 tonnes is the requirement today and it has to be doubled, no more expansion has taken place. It is very essential that production reaches the target and Schedule is maintained.

One of the causes for this failure is overhead expenses. For 5,60,000 tonnes production, for every three persons who can manage, there are 5 officers, and five tier system. I will suggest to the Minister, if he is keen about the success of this undertaking, to see that unnecessary expenditure is reduced. If mines are grouped together, further expenditure can be curtailed.

One more apprehension is that coal-mine officers are interested to have another empire for the sale of coal—a Marketing Division at Calcutta level. Though it was at Nagpur, now they want it at Calcutta. I do not understand why the Government should multiply the agencies when it can be done at other companies level. There is no need to have a separate Marketing Division for sale of coal. Unnecessarily the costs will be increased.

Lastly, Sir, I want to make one more point before I conclude. Sir, it is essential that the nationalisation experiment succeeds. As a trade unionist I feel a responsibility that it is a joint venture of workers and Management. If nationalisation of coal-mine fails, then everything will fair in this country. The vested interests are keen to see that it is sabotaged I will only like to quote in this respect an authority on the subject of coal-mining—the Burrow Committee. What has been the position of coal industry in our country? This is what the Burrow Committee Report of 1937 says about coal trade:

"The coal trade in India has been rather like a race in which profit has always come in first, with safety a poor second; sound methods also ran and national welfare a dead

[Shri S. W. Dhabe]

horse entered perhaps but never likely to start. Neither the Government nor landlords can escape responsibility for allowing this state of affairs to prevail for so long, but this does not alter facts nor will it justify further inaction on the part of all concerned."

Sir, for the word 'landlords' we have only to substitute the word 'officers'. In this connection, a well-known authority and expert on this subject, Mr. Will Paynter, former National Secretary, National Union of Mine-workers, U.K., has written an interesting article about their experience of three decades in England about this nationalisation. The Study Group has made certain observations. It has made certain observations like this:

"The common factor throughout has been the subordination of the industry to unplanned economic expediency, usually dictated by short term financial considerations.

"The operating strategy for the industry is decided by Government, the Coal Board having to conform to it.

"Nationalisation is a progressive political measure in so far as it reduces the area of direct private ownership of the means of production, makes possible improved industrial relations and technical efficiency.

"There is a long way to go yet before it can be acclaimed a pillar of Socialism in Britain.

Sir, I feel that the Government cannot escape responsibility by saying that it is an autonomous corporation. The Government must have a special responsibility for economic development, and for that purpose they must see that whatever targets are given, these are implemented, otherwise the entire machinery will collapse and no further progress will be possible in the country.

I submit that the production of coal has gone down and there are so many aspects of mismanagement. Therefore, Sir, this is the time when a high-power committee should be appointed by the Minister and the Government to go into all aspects so that our planning does not fail.

SHRI SURENDRA MOHANTY (Orissa): Mr. Vice-Chairman, Sir, I rise to support the Coal Mines Nationalisation Laws (Amendment) Bill, 1978 as introduced by the hon. Minister. Sir, this Bill has some very welcome features which this House should not lose sight of. It seems that only 9,000 cases of compensation have been settled so far out of 92,000 cases. There has been inordinate delay in settling matters of compensation and this Bill seeks to expedite settlement of those cases of arrear compensation and to that extent this Bill is certainly a welcome measure.

Sir, notwithstanding all the protestations in the name of labour made by the previous regime, we find that the Coal Nationalisation Act has no provision for settlement of the arrear claims of the workers that is those workers who have accumulated arrears on the coal-mine owners. Now this Bill makes a provision to that effect. In fact it gives priority to the trade unions for settling the arrears due to the workers. To that extent, Sir, this Bill is a welcome piece of legislation.

Sir, the words "current assets" were very much disputed. By defining the 'current assets', this legislation has clarified the position so that there may not be unending litigation for determining the current assets. These are some of the welcome features of the Bill and I am sure any dispassionate critic would concede that this Bill takes a step forward in fulfilling the objectives of the coal nationalisation.

Having said that, I personally feel that there is something seriously wrong regarding nationalisation of coal and it should be looked into by the

present Government. Sir, I do not suggest that the process of coal nationalisation should be reversed or, in other words, it should be de-nationalised. Nothing is farther from this. But Sir, we find ourselves in a situation in which the production has gone down and the prices have shot up. Sir, the price of coal has been raised from Rs. 27/- to Rs. 70/- per ton. In some cases, it has been raised from Rs. 84/- to Rs. 94/- per ton. While the price of coal is shooting up as a result of nationalisation of coal, we find that coal mines are incurring heavy losses amounting to Rs. 1 crore annually. This is an anomaly and any Government must satisfy the House as to why this is so. Sir, of course, this Government cannot be held responsible for all the acts of omission and commission of the previous Government.

But, we all know the grim tragedy that took place at Chasnala. In Chasnala fake bills had been drawn by contractors and lakhs of rupees had been paid for filling the earth, which had never been done. If this is the record of our public sector undertakings under the previous regime, this Government should not be complacent but take serious measures and see that such corruption which entails a loss of precious human lives is stopped in no time.

Sir, at present consumers are being fleeced, many coal mines are being closed down and yet what we find is that smuggling of thousands of tonnes of coal is taking place. Sir, recently we have seen newspaper reports from Jharia and several other coal-fields which say that thousands of bags of coal, even coking coal, were being smuggled out. I would, in all humility, like to know from the hon. Minister what steps is he contemplating to check these malpractices. Have any inquiries been conducted in this regard and have the guilty persons been brought to book?

Sir, it can certainly not be the intention of the Houses that nationalisation of the coal industry should result in this kind of state of affairs where, we find, consumers are suffering, production is sluggish and corrupt officials are making hay while the sun shines.

Therefore, Sir, while supporting the provisions of the Bill, I earnestly plead with the hon. Minister that a commission or a high level committee should be constituted to go into the working of the nationalised mines and it should be seen that consumers' interests are safeguarded, that production is increased, that corruption is checked and that the coal-mines instead of declaring ever-increasing losses, show some profits.

Sir, as I have said earlier, the previous Coal Nationalisation Bill which had been passed by the Congress Government had made no provision for the payment of arrears to workers. Now, this Government, by giving priority to the claims of workers, has made a provision that the accumulated arrears of workers should be deducted from the amounts payable to the coal-mine owners and this Government has thus proved its credentials to protect workers' interests.

But, Sir, I am really at a loss to understand why the Government is so keen to liberalise the provisions regarding payment of compensation to coal-mine owners. As regards compensation to coal-mine owners, it is true that the previous Act had imposed a formula which was arbitrary and which could not have been subjected to any logical analysis. For instance, Sir, there were some companies, one of which was Vatsala Cola Coal Co. Ltd. which got 126 per cent amount of the book value as compensation. Whereas, there were some other companies,

[Shri Surendra Mohanty]

whose compensation was just illusory. We really do not know what the basis was for arriving at, determining, the compensation amounts payable to these coal-mine owners.

And even now the present Bill does not indicate what should be the basis of determination of the amount that would be payable for the coal-mines nationalisation and I would humbly submit and request the hon. Minister to throw some light on that; otherwise, there is a feeling gaining ground that while some coal-mine operators and some coal-mine owners have made the best bargain out of it, others have been meted out a different treatment. In the interest of natural justice, payment of compensation should be at par and it should be amenable to some logical analysis, some logical explanation and some logical structure. I do not find anything in this Bill which goes to meet the objection which is gaining ground in public mind. Sir, with these words, I support the Bill.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Shri Kalyan Roy, not here. Shri Vithal Gadgil, not here. Shri Ananda Pathak.

श्री आनन्द पाठक (पश्चिमी बंगाल) : मान्यवर, कोयला खानों के राष्ट्रीयकरण करने का जो मूल कानून था उसका हमने पहले भी स्वागत किया था और आज भी स्वागत करते हैं क्योंकि कोयला हमारे, राष्ट्रीय हित के लिए और साथ ही साथ बिजली के लिए, रेलों के लिए और हमारे महत्वपूर्ण कारखानों के लिए जरूरी है और कोयले की भूमिका बहुत महत्वपूर्ण है। इसलिए कोयले के राष्ट्रीयकरण की मांग का हमने स्वागत किया था।

अभी जो मशोधन विधेयक लाया गया है उसको इसी दृष्टिकोण से हमने देखने की चेष्टा की थी। कहा जाता है, राष्ट्रीयकृत खानों के नियम कानूनों में जो दुर्बलताएँ हैं उनको दूर करने के लिए इसमें प्रयत्न किया गया है और उपभोक्ताओं को मस्ती दर पर कोयला उपलब्ध कराने के लिए यह संशोधन विधेयक लाया गया है। और तीसरा हमारा दृष्टिकोण यह था कि हमारी जो खनिज संपदा है उसका समृद्ध करना

और राष्ट्र के हित में उसका व्यवहार करना। इन तीन दृष्टिकोणों से हम इस संशोधन विधेयक को देख रहे थे। लेकिन वास्तविकता क्या है। आज हमारी जो राष्ट्रीयकृत खानें हैं वे नुकसान पर चल रही हैं। दूसरे हम देख रहे हैं कि सरकार निजी मालिकों को और भी अधिक आर्थिक रियायतें और सुविधायें और कम्पेंसेशन आदि देने का प्रबंध कर रही है और तीसरे हम देख रहे हैं कि यद्यपि इस विधेयक का नाम राष्ट्रीयकरण से जुड़ा है लेकिन निजी कंपनियों पर सरकार का जो नियंत्रण था उसको बनाये रखने का जो प्रबंध था उसको भी आज समाप्त किया जा रहा है और टाटा की जो कोलियरी है उसका राष्ट्रीयकरण करने के बारे में कुछ भी नहीं बताया गया है। तो इस तरह से हम देखते हैं कि इसको समर्थन देने के लिए हमारे पास कोई बात नहीं रह जाती है। पहले का जो कानून था और उसमें संशोधन करने के लिए जो यह विधेयक लाया गया है उसमें कम से कम उपरोक्त दृष्टिकोण को रखा गया होता तो अच्छा होता। लेकिन उसमें हमें यह बातें नहीं मिलती हैं। इसलिए मैंने पहले ही कहा कि खान मालिकों का ज्यादा पैसा दिलाने की ओर यह विधेयक झका हुआ है और दूसरी तरफ हम देखते हैं कि हमारा जो कोयला है उसका दाम राष्ट्रीयकरण होने के बाद तीन, तीन बार बढ़ाया गया है और उसका बोझ हमारे उपभोक्ता पर, जनसाधारण पर पड़ा है, लेकिन उसके बाद भी यह नुकसान में चल रही है। यह कैसे हो सकता है। इसको समझने में हमको बड़ी कठिनाई हो रही है। एक तरफ कोयले के दाम बढ़ रहे हैं और दूसरी तरफ नुकसान हो रहा है। इसके कारण का हमें पता लगाना है। हमारे विचार में सबसे बड़ा कारण यह है कि इन खानों में जो प्रबंधकारिणी है, उसके जो ऑफिसर्स हैं उनकी भ्रष्टाचारिता ही इस नुकसान का सबसे बड़ा कारण रही है। इसको यदि हम दूर नहीं कर सकेंगे तो यह जो हमारी राष्ट्रीय सम्पत्ति है, उसको हम लोग समृद्ध नहीं कर सकेंगे। यह खत्म हो जायगी। विशेषकर के हमारा पश्चिम बंगाल का जो अनुभव है उसमें मैं कहता हूँ कि अभी भी बहुत सी ऐसी खानें हैं जो गैर-कानूनी ढंग से बेनामी ढंग से चल रही हैं। कैसे यह हो सकता है? कोई इजाजत नहीं दी गई है। कुछ लोग बेनामी तरीके से हजारों, लाखों रुपया कमाते हैं, लेकिन इसको रोकने के लिए, पता लगाने के बारे में कुछ प्रबंध नहीं किया गया है। अभी हमारे साथी भी कह रहे थे कि बिहार में भी वैसे ही गैर-कानूनी ढंग से काम चल रहा है। कितने दिन तक चलेगा? यदि इसके बारे में ठोस प्रबंध नहीं किया गया तो हमारी कोयला खानों की हालत और भी खराब होती जायगी।

हमारे आमनसोल और रानीगंज इलाके में भी इसी प्रकार चल रहा है, गैर-कानूनी ढंग से कोयला वे लोग निकाल रहे हैं। उसके बारे में पश्चिम बंगाल की सरकार ने बारम्बार केन्द्रीय

सरकार का ध्यान आकर्षित किया था क्योंकि वहां की सरकार इस बारे में बहुत चिन्तित है। लेकिन इसके बारे में अभी तक क्या किया गया है, हम लोगों को कुछ भी पता नहीं। इसका जवाब मुझे उम्मीद है कि मंत्री महोदय देंगे। उदाहरण के लिए हम कहेंगे, स्टर्न कोल फील्ड लि. में बहुत भ्रष्टाचार, मनमानी चल रही है। वहां पर हम देखते हैं कि बहुत निर्लज्ज तरीके से वहां के कोई-कोई अफसर लोग, व्यवसायी के साथ मिल कर बेनामी तरीके से, गैर-कानूनी तरीके से अपनी निजारी भर रहे हैं। मुझे उम्मीद है कि मंत्री महोदय यह नोट कर लेंगे और कुछ करेंगे। जैसेकि श्री आर० एस० माथुर, कण्ट्रोलर आफ स्टोर्स, वे सर्विम में रहते हुए भी बेनामी तरीके से काम कर रहे हैं। इसी तरह राणा सेल्स कम्पनी के साथ उनका ताल्लुक है। ऐसा ही उदाहरण श्री पी० एस० कपूर, एडिशनल चीफ इन्जीनियर का भी है। उसका भी ऐसा ही सम्बन्ध है। इसके बारे में क्या सरकार चप है? यह तो नहीं कि सरकार नहीं जानती। हमारी लोक सभा में उम इलाके के एम० पी० श्री रबीन सेन ने बार-बार हमारे मंत्री महोदय का ध्यान आकर्षित किया, उनको चिट्ठी भी दी। लेकिन इसके बारे में कोई उत्तर नहीं मिला। क्या हो रहा है, क्या सरकार जांच करेगी कि नहीं? यह सब चलते रहने से हमारे कोयला खान सर्वनाश के गंत में गिर जायगी और इस तरीके से तरक्की करने का हमारा कोई रास्ता नहीं रहेगा। यदि दरकार होगा, तो मंत्री महोदय को बहुत से ऐसे नाम दे सकेंगे। लेकिन यदि मंत्री महोदय आश्वासन देंगे कि हा हम एक्वायरी करेंगे, तब तो नाम देने का कोई मतलब होगा। नहीं तो, नाम देने से कोई फायदा नहीं होगा। इसीलिए हम चाहते हैं कि ऐसा जो गैर-कानूनी ढंग से, बेनामी तरीके से चल रहे हैं, इसके बारे में सरकार ध्यान दे।

तीसरी बात जो है, वह यह कि भ्रष्टाचार चल रहा है, मनमानी चल रही है, करोड़ों रुपया व्यवसायी तो कमा रहे हैं, लेकिन हमारे मजदूरों की हालत दिनों दिन खराब हो रही है। बहुत कठिनाई के बीच उनको काम करना पड़ता है, मिट्टी के भीतर जाना पड़ता है, उन लोगों को परिश्रम करना पड़ता है, उनको अनेक बीमारियां होती हैं, टी०बी० होती है। लेकिन उन लोगों के बारे में, उनका जीवन-स्तर का मान ऊंचा करने के बारे में, उनकी तनख्वाह बढ़ाने के बारे में, दवाई, पानी देने के बारे में, रहने के लिए अच्छे मकान देने के बारे में कुछ प्रबन्ध नहीं है। अभी तक कोयला खानों में ऐसी हालत है कि बहुत से मजदूर स्लम एरियाज में, गन्दी बस्तियों में रहते हैं और बीमारी का शिकार होते हैं। उन लोगों को रहने के लिए, बिजली के लिए, उनके बच्चों की पढ़ाई के लिए भी कोई विचार नहीं होता है। जो लोग इतना परिश्रम करके सोना निकाल रहे हैं उनकी हालत ऐसी होगी तो उनका भविष्य क्या होगा?

मान्यवर, चामनाना में जो दुर्घटना घटी उस समय इमरजेंसी चल रही थी। उसकी इक्वायरी हुई कि नहीं? इसके लिए कौन जिम्मेदार थे, उन्हें मज्जा देने का कोई बंदोबस्त हुआ कि नहीं। किम कारण से यह दुर्घटना हुई अभी तक किसी को यह पता नहीं चल रहा है। इसलिए हमारा कहना यह है कि इसके बारे में जांच होनी चाहिए। क्यों यह दुर्घटना हुई हमारे अधिकारी लोग क्या देख रहे थे, इसकी रिपोर्ट संसद के सामने पेश करनी चाहिए। अगर जांच नहीं हुई तो ऐसा ही होता रहेगा। खानों की दुर्घटना को रोकने के बारे में मैं सरकार से कहता हूँ कि इसका ठोस प्रबन्ध करें। दुर्घटना में पीड़ित लोगों को हर्जाना देने और उनके लिए विशेष प्रावधान हो और आज जो मजदूरों का जीवन मान है, उनका जो स्तर है उसको अच्छा करने के लिए प्रबन्ध हो। मजदूरों के जो गइंट्स हैं, उनके जो ट्रेड-यूनियन अधिकार हैं उनको सुनिश्चित करने का प्रबन्ध हो। साथ ही साथ खानों में जो नुकसान चल रहा है, इससे मुक्त करने का प्रबन्ध हो। इसके अनिश्चित जो उपभोक्ता हैं, उन्हें अच्छा कोयला सस्ते दामों में मिलने का प्रबन्ध होना चाहिए।

यही कह कर मैं मंत्री महोदय से निवेदन करता हूँ कि जो प्रश्न मैंने आपके सामने रखे हैं, इनके बारे में आपका क्या विचार है, सरकार क्या करने जा रही है, इस बारे में वक्तव्य दें।

धन्यवाद।

SHRI L. R. NAIK (Karnataka):
Mr. Vice-Chairman, Sir, at the outset, I would like to thank you for having given me the time to speak on an important subject like the Coal Mines Nationalisation Laws. I heartily support the Coal Mines Nationalisation Laws (Amendment) Bill, 1978. I have gone through the text of the Bill and I find that some of the amendments that have been brought forward by the Government are more of a clarificatory nature rather than introduction of any substantive law. No doubt as a result of some ambiguities that have crept in the Nationalisation Laws, there has been a lot of difficulty in streamlining the administration of the coal authorities.

Before I actually say some thing on this point, it would be necessary to examine what was the state of things as far as the coal mines were concerned before the Nationalisations Laws were enacted in this country. In

[Shri L. R. Naik]

In this respect, I would like to depend on my own experience as a Commercial Director of the Mysore Iron and Steel Ltd., Bhadrawati, Karnataka, in which capacity I was required to purchase coal worth about a crore of rupees every year. In the course of doing that, I had an occasion to visit some of these mines, especially those round about Dhanbad. What I observed was this. At that time, there was no nationalisation of these mines. They were in the private sector and many of the miners, who were private people, not belonging to that area but to far-away areas, were indeed mis-handling the mines. Profit-making was their main concern and they never used to bestow any thought to the development of those mines.

My friend, Mr. Sultan Singh said that some 80 million tonnes of coal was still under fire. I think the people who were responsible for all this were the private mine-owners. The production in the beginning was only 31 million tonnes of coal produced in this country. Of course, most of it was consumed by the Railways. But since then even the pattern of consumption has changed considerably and our coal requirement has increased enormously. This is to be noted very carefully. It is, therefore, in the fitness of things that we bestow our attention on this important source of energy for the requirement of our nation.

Sir, the coal produced in this country in 1951 was only 31 million tonnes. But at the end of every five year plan this production has gone on increasing and today after the nationalisation of these mines, both coking coal and coalmines, the production has increased tremendously. Today our production is 103 million tonnes and our requirement, as envisaged by the Draft Five Year Plan, is 150 million tonnes. The Planning Commission do think that if we were to streamline our mining affairs in a

nice manner it would be possible for the country to meet its own requirement. More so when we know that there has been tremendous increase in petroleum and petroleum products, we have to depend to a large extent on our coal energy. Now, it is to our fortune that our requirements are not many. In fact, the demand of the Railways has reduced by nearly 66 per cent. Now only one-third of the total production is required by the Railways. Others that consume coal are steel industry, cement industry and electricity industry. So you see that coal is going to be a dominant factor as far as the production of energy in this country is concerned, at any rate, by the turn of this century. Of course, we are trying our best to increase our solar energy, our hydro-electric projects and all that. But the thermal system of producing electricity is absolutely essential. I am happy recently the Government have taken a decision to establish such a thermal unit in Karnataka in the Raipur district for which I would like to take this opportunity to thank the Government on behalf of Karnataka. So it is absolutely essential that we bestow our thought on the production of coal. While doing that it is necessary that whatever impediments exist in implementing the laws should be removed.

One law refers to the Coking Coal-mines Act, 1972, which has been given effect to from 1st May 1972. The other one is the Coal Mines Act, 1973 which has been given effect to from 1st May 1973. But in giving effect to these laws there have been certain impediments. In order to get over these impediments the Government have brought this Bill. These impediments have to be got rid of.

The impediments as I see are of a very minor nature. Nevertheless, it is necessary that we get rid of them. As the hon. Minister has stated in

the Lok Sabha, the claims that have arisen are to the tune of 92,000 out of which only 9,000 have been disposed of in the last six or seven years, and if we are to go at this speed, I am afraid, we would require nearly 70 years to dispose of all these claims. Of course, the claims are there and they have to be met. These claims, as you see, pertain to very small matters for instance, dues representing the sale of coal and coal products, dues from the Coal Board, dues from sundry debtors, loans, etc., security deposits, earnest money and so on. All these were not included in the term "current assets" and hence there used to be ambiguity. I can imagine that when there are so many such cases pending, then it must have been the breeding place of corruption of a very high nature and it is for this reason and in order to streamline these that these amendments are absolutely essential.

The other provision pertains to illegal mines. Of course, I understand that the Government of India has written to the Chief Ministers to take care of these captive mines and see that they cease to exist.

SHRI KALYAN ROY (West Bengal): Not captive but illegal mines.

SHRI L. R. NAIK: I am sorry, they are illegal mines. Therefore, these illegal mines have to be got rid of. My only fear is that it may not be possible for the Chief Ministers to bestow their thoughts over this matter and put an end to such illegal mines. It would be necessary for the Government of India to create their own machinery in the form of cells and see that these cells work very diligently and efficiently and book the culprits. Of course, there are cases where even such authorities had joined with illegal mine-owners. My hon. friend, Shri Kalyan Roy, will tell in detail about them. This is what I have heard. Because I am

away from the mining areas, it would not be possible for me to know in detail. It is necessary that we get rid of such illegal mines.

I am happy that deterrent punishment has now been provided for under this Bill by way of amendment so that the culprits, instead of being punished for two years would be punished for three years and more and the offences are being made cognizable in the sense that the police can arrest these people on the spot on their own authority. This is a move in the right direction.

We hope that as soon as the Bill is passed the Government of India would move very quickly in the matter so that all the claims made are settled and the nationalisation work is streamlined.

With these few words, Sir, I support the Bill.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Shri Kalyan Roy.

SHRI KALYAN ROY: Sir, only five minutes are left now.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): You may continue after lunch.

SHRI KALYAN ROY (West Bengal): Sir, the Bill looks rather innocent and it requires some clarifications. I am a bit suspicious about it, though there are certain good clauses about punishment to the illegal mine-owners and that the trade unions can represent the workmen regarding their arrears and dues from the employers. I do not understand why the Government now, after five or six years of take-over, is adding more to the assets. It seems, Sir, that it is a kind of appeasement to the mine-owners whose lobby is quite strong in the Janata Government.

[Shri Kalyan Roy]

I may be wrong. But that is what I feel. That is my suspicion because there was a hope in the minds of the mine-owners that the mines would be returned to them because again strong speeches were made by Mr. Charan Singh and others at the time of the take-over; and even from the Congress side, there was a very strong lobby. I think some kind of appeasement has been made here. But the fact is that we know what led to the take-over. Nearly 300 coal-mines were closed down; nearly 80,000 workers were rendered unemployed, the fires were spreading from Jharia to Raniganj because of slaughter mining, unscientific mining and pillar robbing. So far as the provident fund sums are concerned, according to the Coal-mines Provident Fund Commissioner, a sum of Rs. 13 crores was due—according to us, Rs. 20 crores—and the coal-mines owners failed to pay nearly Rs. 60 crores of cess which was due to the Government of West Bengal, Bihar, Madhya Pradesh, Maharashtra and Assam. Further they have not paid regular wages of the employees—leave wages, weekly wages, monthly wages, sick wages and bonus—to the tune of Rs. 30-40 crores. These were the types of people. They were not like other owners. They were something different. They belonged to a different species. As it was pointed out as early as in thirties, greed and profit dominated their imagination, nothing else. Therefore, even the reported acts were suppressed, bodies were hushed up. In Chinnapuri coal-mine about 400 persons were killed but they showed only 200 persons as having been killed. There is a colleague of Mr. Ramachandran, who is sitting in the Lok Sabha. He was the owner of a big coal-mine called Dhari. He is no more the owner. There 400 persons were killed. And Mr. Basant Narain Singh has not been paid any compensation till today. And he is

sitting in the Janata Party. He was the owner, Raja of Ramgarh.

So, Sir, this is the background. I am not going into the background today. The position is that it is a fact that the Coal India Limited is in a bad shape. I am not comparing it to what happened before 1971 when coking coal-mines were taken over or before 1973 when the non-coking coal-mines were taken over. But Mr. Ramachandran should admit one thing, that the Coal India Limited is in a bad shape, partly because of their policy and partly because of the stupid policy of the Government which they are following doggedly. Sir, we all agree that in our country the whole basis of energy is coking coal. The Fuel Policy Committee declared that in our country, because of shortage of oil, it is coal which should be the basic source of energy. And the average growth rate of energy consumption in coal is about 17 per cent in transport, and in industry it will be about 63 per cent. About electricity you know what it is. This is the basis. So in the last five or six years what we have found is that there has been repeated increase in the price of cement, in the price of steel, in the price of oil, even in the price of the terylene shirt that we are wearing. It is surprising that you can get a ton of coal at the price you can buy a terylene shirt. It is ridiculous. Nowhere in the world, Sir, are the coal-mines profitable. You go to England. There the coal-mines are losing and the country has to support them because you have to go deeper and deeper—the shallow mines are over—and then you face gas, you face water, you face other kinds of natural hindrances. In France, they are losing. Everywhere they are losing. They cannot stand on their own legs unless the Government gives them the support. They are doing it. Nobody blames the National Coal Board in England that they are

losing. They say: Well, you 1 P.M. see that you deliver the goods.

That is most important. But in our country, Sir, it is surprising that inspite of the recommendation of the Inter-Ministerial Group which was set up by the Department of Coal in January, 1975 under the Chairmanship of Shri S. Chakravarty, Member, Planning Commission, which went deep into the problem and compared the prices of coal with the prices of other commodities, the exact amount which was recommended by the Inter-Ministerial Group was denied. In the meantime, Sir, the prices of all the inputs which are absolutely essential if you want to dig out a tonne of coal, are going up by 100 per cent, 200 per cent. The Coal India Limited is fleeced and flandered by one giant multinational company belonging to the ICI, the Indian Explosives. The Coal India pays nearly Rs. 15 crores per year to one British company to supply permitted explosives. I have the figures, but I do not have the time. You will see that in the last five years, in a year they have increased their price by 75 per cent and the Coal India Limited suffered. Why would you not find corruption? One British company can close down all the coal mines today. It can dictate its terms, it can slow down and it can create technical problems. Mr. K. C. Pant and Mr. Ramachandran were all the time assuring us that two more factories were coming up at Hyderabad and somewhere else. What has happened to them? The whole country's life is in the hands of the Indian Explosives Limited.

Take timber, the second item, which is most important in coal mines. I go down in a mine because my roof is strong, is supported by the pillars, the timber props. Who supplies the timber props? Four persons supply these in Bengal and Bihar. The Eastern Coal Fields, the Western Coal Fields, the Central Coal

Fields and the Bharat Coking Coal buy timber worth about Rs. 10 to 12 crores. A very small fraction is supplied by the various Forest Departments. The bulk, about Rs. 8 to 10 crores are monopolised by five or six bodies who fleece the Coal India. Here, there is a collusion. There is no resistance from the Coal India that it wants to pay so much price. It asks what it can do and says that it needs timber without which the mines would be closed down and that there would be unemployment.

So, the first item is explosives, the second, the timber and the third, the sand. You need sand to fill up the gaps that are created when you dig up coal. The sand is purchased from the contractors. How many contractors are there? There are 30 to 40 contractors. The labour is under them. They do not pay them the wages which have to be paid to them. They do not pay the bonus at all. So, Sir, these are the inputs of the coal mines which are today entirely in the hands of the private sector and who fleece the Coal India. The inputs prices are going up.

Take the pumps. They are a daily necessity in the mines to pump out water. The pumps are purchased from outside. The winding engines, the haulage, the mine tops, the rail lines or whatever you buy, you buy from the private sector which has increased their prices by 100 per cent in the last five years.

I have talked about the explosives, the sand and the timber. The stupid and idiotic policy followed by the Government is to deny price rise to coal. They have politics in it. You are not for the public sector. You want to show to the public and other parties that the Coal India cannot survive and say that we should have joint sector. The Birlas, the Tatas and others, you want to bring through the backdoor. Shri Biju Patnaik has

[Shri Kalyan Roy]

increased the price of the manganese ore by Rs. 20 per tonne, which has been opposed by the Janata Party itself, because it is in the private sector. He has increased the price of iron-ore by Rs. 4 per tonne, and he has admitted that this meant Rs. 3 crores per year for the MMTC which will be pocketed by four big companies. So, any amount of rise can be given to the manganese mine-owners who do not pay anything to the workers, any amount of price rise can be given to the mica mine-owners or the iron-ore mine-owners, but it would be denied to the public sector.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): I think, you will take long. So, the House adjourns till 2-00 o'clock, and you will continue.

The House then adjourned for lunch at five minutes past one of the clock.

The House reassembled after lunch at three minutes past two of the clock, The Vice-Chairman (Shri U. K. Lakshmana Gowda) in the Chair.

PAPERS LAID ON THE TABLE

—contd.

THE VICE-CHAIRMAN (SHRI U. K. LAKSHMANA GOWDA): Mr. Mandal is not here?

SHRI PRANAB MUKHERJEE (West Bengal): What is the business before the House?

THE VICE-CHAIRMAN (SHRI U. K. LAKSHMANA GOWDA): The business before the House is, Papers to be Laid on the Table.

SHRI RAMANAND YADAV (Bihar): What is the business? Who is the Minister?

SHRI SHRI KANT VERMA (Madhya Pradesh): How can the House sit without any business?

Interim Reports of Shah Commission

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): Sir, I beg to lay on the Table of the House:

(1) A copy each of the first and Second Interim Reports, dated March 13 and April 27, 1978, respectively, of the Commission of Inquiry headed by Justice J. C. Shah, enquiring into misuse of authority, excesses and malpractices committed during the Emergency together with a copy of the Memorandum of action taken on the Interim Reports.

(2) Statement (in English and Hindi) giving reasons for not laying simultaneously Hindi versions of the interim Reports and the Memorandum of action taken on the Interim Reports.

[Placed in Library. See No. LT-78 for (i) and (ii)].

SHRI RAMANAND YADAV: This is a bogus report. (Interruptions).

THE VICE-CHAIRMAN (SHRI U. K. LAKSHMANA GOWDA): Order, please. The Leader of the Opposition Mr. Kamalapati Tripathi is going to say a few words on that. He has been permitted to speak.

विपक्ष के नेता श्री कमलापति त्रिपाठी (उत्तर प्रदेश) : मान्यवर, मैं इस रिपोर्ट को सदन के पटल पर रखने का विरोध करने के लिए खड़ा हुआ हूँ। मेरी समझ में इस रिपोर्ट का उपयुक्त स्थान सदन का पटल नहीं बल्कि रही की टोकरी है। इस रिपोर्ट की बहुत सी बातें समाचार पत्रों में प्रकाशित हो चुकी हैं। सेक्रेटरीज की कमिटी की सिफारिशों का मारांश भी समाचार-पत्रों में छप चुका है। उन्हीं से यह पता चल गया कि इस रिपोर्ट में क्या है? यह रिपोर्ट एक ऐसे कमीशन ने तैयार की है मान्यवर, जो जनता पार्टी की सरकार की प्रतिशोध भावना का प्रतीक है; जनता पार्टी की सरकार ने बदला लेने की भावना से श्रोतप्रोत होकर जो षडयंत्र रचा है उसका परिणाम यह कमीशन है। देश