

SHRI L. N. MISHRA : Lastly, I say that a mistake has been committed on the part of some officers and there is no doubt about it. The whole thing came about as a result of three factors, as I said. An inquiry will be made and guilty persons will be brought to book. No mercy will be shown to anybody. There will be no effort on anybody's part to hide anybody or shield anybody. I say this on the floor of the House.

SHRI BHUPESH GUPTA : What about the small units ? You have not said anything about them.

MR. DEPUTY CHAIRMAN : That is enough. Please sit down. We will take up the next item.

THE AUTHORISED TRANSLATIONS (CENTRAL LAWS) BILL, 1972

THE DEPUTY MINISTER IN THE
MINISTRY OF HOME AFFAIRS (SHRI
F. H. MOHSIN) : Sir, I move :

"I have leave to introduce a Bill to provide for authorised translations of Central Laws in certain languages, be granted."

The question was put and the motion was adopted.

SHRI F. H. MOHSIN : Sir, I introduce the Bill.

THE CINEMATOGRAPH (AMENDMENT) BILL, 1972

THE MINISTER OF STATE IN THE
MINISTRY OF INFORMATION AND
BROADCASTING (SHRI I. K. GUJRAL) :
Sir, I move :

"That leave to introduce a Bill further to amend the Cinematograph Act, 1952, be granted."

The question was put and the motion was adopted.

SHRI I. K. GUJRAL : Sir, I introduce the Bill.

RE : POLICE FIRING IN ANDHRA PRADESH

SHRI BHUPESH GUPTA (West Bengal)
We should like to know what has happened to our Calling Attention Notice about the Andhra firing. Tomorrow we must have it because thirteen people more have been killed. This is scandalous and Central Government is not doing anything when people are being shot at.

MR. DEPUTY CHAIRMAN : That is under consideration. Tomorrow we will have it.

The House stands adjourned till 2.15 P. M.

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

The House reassembled after lunch at fifteen minutes past two of the clock, MR. DEPUTY CHAIRMAN in the Chair.

THE LIMESTONE AND DOLOMITE MINES LABOUR WELFARE FUND BILL, 1972

THE MINISTER OF LABOUR AND
REHABILITATION (SHRI R. K. KHADH-
KAR) : Sir, I beg to move :

"I have the Bill to provide for the levy and collection of a cess on limestone and dolomite for the financing of activities to promote the welfare of persons employed in the limestone and dolomite mines, as passed by the Lok Sabha, be taken into consideration."

Sir, as the honourable Members are aware, in the coal, mica and iron ore mines statutory Welfare Funds have been set up for the financing of activities to promote the welfare of labour. The welfare organisations set up are not intended to be substitutes either for the employer or for the State Governments. But the intention is to supplement the efforts of both. It has become necessary to set up now a similar fund for the limestone and dolomite mines. There are 14 States in the country where limestone and dolomite are produced. The more important States producing these minerals are Orissa, Madhya Pradesh, Bihar, Mysore, Tamil Nadu, Andhra Pradesh and Uttar Pradesh. The proposed Bill provides

for the setting up of a common Welfare Fund for the workers employed in the limestone as well as the dolomite mines as these are generally located near each other. According to the latest available figures, there are about 58,000 workers employed in the extraction of these minerals. Taking the average number of dependants as three for every worker, the total number of beneficiaries will be over two lakhs. The Bill proposes to levy as a cess a duty of excise on so much of limestone or dolomite produced in any mine either sold or otherwise disposed of to any factory or is used by the owner of such mine for any purpose in connection with the manufacture of cement, iron and steel.

The rate of cess will be fixed by the Government from time to time within a ceiling of Re. 1/- per tonne of limestone or dolomite. For the present, we are making a small beginning with a levy of 20 paise per tonne so that the proposed cess does not affect materially the prevailing prices of cement, iron and steel and limestone. The consumption of limestone and dolomite by the cement and iron and steel industries is estimated to be about 22 million tonnes. The duty levied at the rate of 20 paise per tonne is expected to be about Rs. 41 lakhs. The proceeds thus collected will be paid into the Consolidated Fund of India and thereafter transferred to a Fund to be called the Limestone and Dolomite Mines Labour Welfare Fund.

As in the case of other similar Funds, the proposed Fund will also be administered in consultation with a tripartite Advisory Committee which, to begin with, may be set up in each of the major limestone and dolomite-producing States. Besides the employers and the workers, it is our intention to associate the State Governments also in the functioning of these Committees. If necessary, there may be an Advisory Committee for two or more of the limestone and dolomite-producing States. The Central Government may also set up a tripartite Central Advisory Committee to co-ordinate the activities of the State Advisory Committees and ensure effective functioning. Ninety per cent of the limestone and dolomite produced in the country is consumed in the manufacture of cement and iron and steel. In order to keep the administrative expenditure to the minimum, the Bill proposes to entrust the task of collection of the cess to these factories.

Care has been taken to broaden the definition of "employee" and to enforce the recovery

of welfare cess expeditiously. As in the Income-tax Act, a person in default shall have to pay interest at 12% per annum and will also be liable to penalty equal to cess in arrears. Conviction for wilful evasion of cess is also provided.

Government are aware that some employers are providing certain facilities to the workers employed in the limestone and dolomite mines. The Bill provides for the payment of grants-in-aid to employers, within a prescribed ceiling, to bring various existing facilities like housing, dispensary services maternity centres, schools, etc., to the prescribed standards to be laid down in the rules to be framed under the Act. The grants will be released only after an officer of the Government authorised for the purpose has inspected and certified that the services are to the prescribed standard. This provision will enable Government to pay more attention to those areas where no facilities exist at present.

The problem of welfare of mine workers and the working of the existing Welfare Organisations was considered by the National Commission on Labour. It has recommended that Welfare Funds for individual minerals which are under consideration of the Government may be set up and this should be followed by a General Mine Labour Welfare Fund which will undertake welfare activities in respect of workers in all mines. The Government is already considering the proposal to set up a Welfare Fund for workers in Manganese mining industry. The proposal to set up a Common Welfare Fund is also under consideration of the Government. It is hoped that when the Common Welfare Fund is set up the existing Welfare Funds with their resources will be pooled together so as to provide the mine workers with an integrated system of welfare facilities. This would also mean saving on administrative expenditure.

It is to be hoped that with the cooperation of the employers and the State Government it should be possible in not too distant future to ensure reasonably acceptable living conditions for these workers, where they and their dependants can grow up in healthy surroundings.

I do not think that there is anything else which needs specific comment. The Bill is of a non-controversial character and I hope it will be put in the Statute Book as early as possible.

Sir, I move :

The question was proposed

SHRI KALYAN ROY (West Bengal) : Mr. Deputy Chairman, Sir, while participating in the discussion on this Bill, I would be failing in my duties if I do not welcome this particular Bill, because for a long time the miners, particularly in limestone and dolomite mines, working in various States which have been pointed out by the hon. Labour Minister, were agitating for setting up some body which can look after their basic human needs, that is, in the form of housing, medical facilities, sanitation, maternity, etc. But then, Sir, the trouble with the Labour Ministry is this that with all the best intentions the performance is rather, if I may use a very mild term, miserable. I welcome this Bill. But at the same time I would expect the Minister of Labour to take lessons from other Welfare Advisory Committees which have been set up and are functioning, as he points out, in coal mines, iron ore mines and mica mines for quite a few years. Is he satisfied with their functioning or do his functions and duties stop after setting up a body or would he investigate why today there is so much discontent among the workers of coal mines, mica mines and iron ore mines regarding their housing facilities, their sanitation, water and other minimum facilities? As a matter of fact, Sir, I think the hon. Minister is aware that in the last Advisory Committee of the Coal Mines Labour Welfare Organisation, the INTUC, the Hind Mazdoor Sabha and the AITUC did not join or rather they walked out of it. Mr. Khadilkar is aware of it. They walked out on the ground that the welfare share should be increased from the present rate of 8 annas to one rupee. That is one of the reasons of their boycott. The other reason is that the whole Coal Mines Welfare Advisory Committee has been paralysed because of the inaction of that particular body. Mr. Khadilkar knows that Coal Mines Welfare Advisory Committee has been functioning for a pretty long time. Mr. Khadilkar has just now stated that this Welfare Advisory Body is being set up in pursuance of the recommendations of the National Labour Commission. It is very good. But has he taken care to look into the other reports of the National Labour Commission and various Study Groups regarding the activities of this Labour Advisory Committee? Sir, I would read a few lines from the Study Group Report on Coal which will be very relevant, particularly in relation to other miners which are going to have this sort of body. It states that "the Study Group feels that the existing arrangements for the diagnosis and treatment of

occupational diseases are far from satisfactory. There is even dearth of competent doctors who can determine, for the purpose of compensation under the Workmen's Compensation Act, the percentage of disability under these occupational diseases." This is regarding occupational diseases. Regarding housing, Sir, it states that even after functioning of the Labour Advisory Body in Coal Mines, "about 81% of the workers had not been provided with any accommodation in Mugma coalfield in Bihar, 77% in Sambalpur coalfield in Orissa and 68% in Chanda coalfield in Maharashtra. In 7 out of 13 coalfields surveyed, more than 50% of the workers were not provided with any accommodation." It further states on page 52 that, "the Study Group views with seriousness the existing indifference to one of the basic needs of the colliery workers regarding water and recommends that the Central Government must now take a hand in the matter and draw up and implement a phased scheme of development of water supply in the coalfields."

If this is the position of a Labour Advisory Board in relation to the biggest group of miners, then, Sir, you can understand what may happen to these dolomite and limestone workers who are less organised today in relation to iron ore and coal workers. Then the question was raised in this House regarding the contract workers. We have raised again and again that the Iron Ore Labour Advisory Body is not looking after the needs of the contract workers employed in the private and the public sector mines who constitute nearly 50%. So, may I ask the hon. Labour Minister that this is the position today in relation to iron ore workers and dolomite and limestone workers, is this advisory body going to look into the questions of housing, sanitation, water, maternity, etc.? Are they also going to build up houses for the contract workers because bulk of the workers here are under contractors except in the public sector, or even in the private sector? That is one aspect of it. The other aspect is about safety and on safety there are two points. One is safety on the surface and the other is safety underground or in the quarries in relation to limestone and dolomite. The worker's productivity depends not on the conditions created underground or in the quarries but also on the other facilities available to him. Here I find in the non-coal mines, particularly dolomite, iron ore and limestone, the rate of death is going up alarmingly every year. And

here under the Labour Ministry there is a huge Department called the Director-General of Mines Safety. I will give you some statistics which will show how the Departments under Mr. Khadilkar are working. According to the latest figures in iron ore mines the number of people killed in 1970 was 6, in 1971 the provisional number of people killed is 18. You are talking about welfare, about sanitation and so on but what about the death of workers? The rate has increased 300 per cent. This is the increase in the iron ore mine and similar is the situation in the dolomite and limestone mines. In 1969 the total number of people killed in limestone quarries was 15 and out of these 15 in eight cases the responsibility was directly fixed on the management. I can read out a few names. There is one quarry belonging to Sardari Lal Oberoi and there one person was killed and the management was held responsible. Kuchwa Limestone Co. —one person was killed and the responsibility was squarely fixed on the management. One of the biggest monopopoly houses, Sone Valley Portland Cement Co. —one person was killed and the responsibility was fixed on the management. What has happened to these cases? Will the people be killed in this manner in the quarries of limestone and dolomite? That was the figure in respect of iron ore mines. In dolomite the number of people killed was 1 in 1969. The latest figure is not available and I would request the hon. Minister to tell us whether the figure is same in 1970-71 or the figure has gone up. In limestone in 1970 the number of deaths is 16 and up till November 1972 the number was 10. Two months' figures are not available. So you see on the one hand the Minister comes here and takes the applause by saying that he is setting up these institutions. Everybody is charmed, after all the Minister is thinking hard about these miners scattered in 14 States from Tamil Nadu to Orissa, from Orissa to Madhya Pradesh and from Madhya Pradesh to Bihar. On the other hand very skilfully he avoids the straight question: all that he is doing is good but what about the death figures which are going up? What about the serious accidents which are going up? You are going to create new institutions but do you know that the old institution which you have already is disintegrating? Your Department of Mines Safety is hardly working. They are not able to investigate into the accidents in coal mines and how do you expect them to look after the dolomite and limestone quarries? The accidents in dolomite and limestone

quarries are bound to go up when their production is going up. Am I to take it that with the production of dolomite which is needed for the production of steel and with the increase in the production of limestone which is needed for cement, more people will be killed and you will have no responsibility? Have you not got a responsibility? Do you not owe an answer to the miners who are creating the basic raw materials for your steel plants and cement factories? Why is it that so much time was taken to set up this Limestone and Dolomite Mines Labour Welfare Fund? Will they face the same situation which is today being faced by the coal mines labour welfare fund? Before I wish to point out that the study group for coal mines under the Labour Commission categorically suggested that the trade unions should be allowed to see the progress of the various welfare works. It was a suggestion by a body set up by the National Labour Commission. Has the Labour Minister accepted that suggestion? Will the trade unions working in the limestone and dolomite mines be allowed to inspect and investigate the progress of housing, the progress of sanitation and the progress of medical facilities or will it be a body of very highly paid officers with subordinate staff, with jeeps, with Ambassador cars who will be stationed in some of the big towns? They will be more interested in increasing their salaries and perquisites than in looking after the interests of the limestone and dolomite mine workers for whose benefit the fund has been set up.

SHRI MAQSOOD ALI KHAN (Mysore):

Sir, I rise to welcome the Bill. It is a measure that is intended for the amelioration of the conditions of mine workers. The hon. Minister, while speaking on the Bill, said that about Rs. 22 crore tonnes of dolomite and limestone are being used by the cement and steel industries. He expects that access to the tune of about Rs. 40 lakhs would be collected. In this connection, I would like to draw an analogy from the Iron Ore Labour Welfare Fund to which the hon. Minister referred. In my State, Mysore State, as is well known, the region of Bellary is very famous for iron ore mines. For the last ten or twelve years the welfare cess that has been collected on iron ore is of the order of about Rs. 2½ crores, but the conditions of the workers still remain the same. The machinery that should have been geared up in order to see that the workers get

[Sri Maqsood Ali Khan]

all their benefits from the welfare fund that has been collected in their name, has not been geared up at all. So, I would draw the attention of the hon. Minister to this aspect. The amount is collected in the name of the workers and for their benefit, but if the benefits ultimately do not accrue to them, what is the use of collecting the money at all? In respect of the iron ore mine workers I would request the Minister to make a visit right up from Bellary area to Hospet. On the roadside, near the railway stations which are leading stations, the workers are there in hundreds. The small clinic which is there near Kavignur Railway Station is an apology for a clinic. The labourers do not get any educational facilities worth the name. They do not get medical facilities even. Their living conditions are so shabby. Their huts are dirty. There is none to look after them. If these conditions remain as they are in these areas, it is a reflection on our part. We have been collecting funds for these poor people and we are unable to do anything for them. Then, a reference was made by the hon. Minister that the cess will go to the Consolidated Fund of India. I do not know whether it would get out of it at any time for the workers. As I have said, in the case of the Iron Ore Labour Welfare Fund, it is not best properly spent. First of all, we have to see whether any substantial schemes have been prepared. The Minister has said there are about 58,000 workers in the country working on dolomite and limestone mines.

The question is what schemes we have prepared for them. We begin collecting money without any schemes. Very many times we depend on other Government Departments to extend their schemes to these workers. There are so many laws in the country under which it is obligatory on the part of the employer to extend certain facilities to these workers. The Minimum Wages Act is there. The maternity benefit scheme is there. Creches are there for the women-worker to nurse their children. There are necessary medical facilities there like the First Aid boxes. When all these facilities are available, should we not have some dynamic schemes ready to be taken out of the Welfare fund? It is a

question that has to be examined deeply by the Government.

It has been rightly pointed out by the hon. Minister that the levy is fixed at the initial state at 20 paise per ton because he feared that whatever levy is now made, it is going to push up the prices ultimately and the burden would be on the consumer. Hence from that viewpoint the initial levy of 20 paise is justified. But the question is whether this 20 paise is at all sufficient to do any substantial thing for the workers. I think it is not. If we can start initially with 50 or 60 paise per metric tonne, it will be a tangible amount and would mean something for the workers. In the initial stage we may collect about 20 paise per ton, but within a year or two we may raise it to a certain level so that we may have more funds to implement different schemes.

Another thing in the Bill is the definition of the word "factory". As the Bill points out the word "factory" refers to a factory manufacturing cement, steel or iron. But limestone and dolomite are being used in other factories also, e.g., factories manufacturing glass and pesticides. What I fear is that in their earnestness and zeal to collect the cess the authorities concerned should not pounce upon these factories manufacturing steel or cement and compel them to pay. Actually the wording in the Bill is a bit ambiguous. It says that cess would be collected on the material sold or disposed of to the owner or occupier of the factory. The word "Factory" is defined to have the same meaning as it has in the Factories Act. I would request the hon. Minister to be a little vigilant in this respect and see that no cess is collected from any factory which does not produce cement or steel.

Last of all a word about the living conditions of the workers. I think great education is required to be imparted on our part in the colonies of these workers. I have seen the iron ore workers, I have experience of them. Whatever they get before dusk at about 4 o'clock or 5 o'clock, all that goes to the nearby today shops or wine shops. Whatever money they are getting, Rs. 4 or Rs. 5 per day, it is a sorry state of affairs that that money does not reach their home and their children suffer from the same disabilities as they have been suffering,

I think a programme of reorientation is required to be embarked upon in this respect. Some of our leaders and friends who are engaged in social work should associate themselves in educating the workers to abandon bad habits. It is a sorry state of affairs that the Government has begun giving permits for today shops and liquor shops. They should have a policy whereby these shops should not be opened within the vicinity of these workmen colonies.

With these observations I welcome the Bill. Undoubtedly it is a measure that will go a long way in improving the living conditions of the working community.

SHRI U. K. LAKSHMANA GOWDA (Mysore) : Mr. Deputy Chairman, I welcome this Bill which proposes to provide welfare measures for the much neglected workers of the limestone and dolomite mines. The Malaviya Committee which went into this question and made recommendation to the National Labour Commission had suggested that instead of having piecemeal measures for different mines a consolidated welfare measure to cover all the mining industries would be welcome, and they had also suggested that it would bring down the administrative cost and also the cost of the collection machinery. I wish that had been thought of instead of bringing this separately. Actually, according to the hon. Minister's statement itself, another mine which has been left out is the manganese mine. Though it is piecemeal, I welcome it because it provides a certain welfare facility for the workers employed in the dolomite and limestone mines.

Here, one important point that I would like to bring is with regard to the allocation of these funds. It is all very well and nice to say that you have the cess, collect the money, the whole thing goes into the Consolidated Fund of India and by appropriation and budgetary sanction of Parliament it is made available to the different industries or to the committees for the purpose of administering them. I have an example with regard to coffee where the cess has been collected for years for the purpose of general administration and research and propaganda. And every time, every year, when the Research Department of the Coffee Board or

the Propaganda Department submits a budget for their schemes which include research and propaganda, always there is a cut from the Finance Department and backwards and forwards they have to go. And this leads to a lot of practical difficulties. I only wish that at least in schemes of this type, where a welfare fund is provided from out of the Consolidated Fund of India, such cuts will not be made. We are appointing Advisory Committees, both the Central Advisory Committee and the State Advisory Committee in which the trade unions, the employers, the State Government and everybody will be represented. The schemes which have been drawn up must be adequately financed. In practice, generally what happens is that there is a cut from the Finance Department and then the schemes will have to be rethought of. This has been the experience in all the other statutory boards like the Coffee Board and the Tea Board where the cess collected is being guillotined by the Finance Ministry. And such difficulties will arise here also and I hope that the Labour Minister will see to it that any schemes which have been formulated are adequately financed and that such sort of cuts, in the name of economy, will not arise.

Then there is the question of the collection of this cess. It has been stated here that the collection of the cess will have to be made by the factories. Right. That is the only method by which we can do it because these are unorganised mines situated at so many different places. But at the points where they are received and collected, an adequate Central machinery has to be provided so as to see that there is no loophole because the penalty which is provided is only payment of simple interest at 12 per cent per annum. And I hope this will not be like what happened to the collection of the provident fund amounts in the case of the coal mining industry where crores of rupees were in arrears. I hope the hon. Minister will look into it and see that proper collection and also safeguards are made at the different factories like the cement factories and the steel factories.

My hon friend, Shri Maqsood Ali Khan has pointed out about the small industries in limestone and dolomite. It is a very difficult problem because they are very much scattered. Practical difficulties will arise, there is the

[Shri U. K. Lakshmana Gowda]
administrative problem. But you will have to find some administrative machinery whereby at least the Leakage from there will be reduced to the minimum.

Another thing is with regard to the welfare facilities provided for these workers in these mines, which was discussed. You say that grants-in-aid will be made available to the employers and also to the industries. But the practical difficulty in this is there is no comprehensive Welfare Act or a measure as you have in the case of the Plantation Labour Act where every single facility and amenity and welfare measure which has to be provided has been provided in the Act itself. Such measures are not detailed in this Act. They are only based on the Minimum Wages Act, the Payment of Wages Act and similar Acts. But there are no specific social measures detailed which can cover and compel the employing institutions to provide welfare measures. So, because of lack of such a comprehensive legislation, I think it is going to be really difficult to provide welfare measures. The Government might provide the money. There also it is stated that wherever the amenities and welfare measures are already being employed by certain employers, industries, companies or individuals, grants-in-aid will be given to them. But to ensure and see that the grants-in-aid which is given is properly utilised is going to be a very difficult task because there is no comprehensive legislation compelling such institutions to provide this. As in the case of plantations where there are compulsory housing scheme and compulsory medical scheme. I am not suggesting this for all the unorganised industries which are distributed all over the fourteen States; I am not suggesting that you should bring in such a legislation for all such industries. But some measures are necessary where there will be some compulsion to see that welfare schemes like housing and medical facilities are guaranteed for which grants-in-aid is made. Otherwise, as my friends, Mr. Kalvan Roy and Mr. Maqsood Ali Khan, have suggested, what will happen is like the iron ore funds, funds will get collected and they will be there and they will not be utilised. The main purpose is after the money is collected, it should be properly made use of and the workers should get the benefit of it. I hope the honourable Labour Minister will look into it. And with regard

to medical facilities, the question of cess should be thought of in respect of all other industries also where it has been left to the choice of the employers to do it. In these days when cost of living has gone up, the cost of medical aid has also gone up so high that I think it would be much better for the Government to collect something by way of a cess and provide medical aid rather than leave it to the individual establishments. I support this measure. Thank you.

MR. DEPUTY CHAIRMAN : Mr. Minister.

SHRI R. K. KHADILKAR : Sir, I thank the honourable Members . . .

श्री जगदम्बी प्रसाद यादव (बिहार) : उपसभापति महोदय . . .

MR. DEPUTY CHAIRMAN : Mr. Yadav, you have not given your name.

श्री जगदम्बी प्रसाद यादव : हमको भी इस पर बोलना है ।

MR. DEPUTY CHAIRMAN : At this rate there will be no order at all in this House. You should have given your name. We go on the basis of names. If there had been no names, I would have called you, but there were names. And there is a time-limit. We have to start the other discussion at 3 O'clock.

श्री जगदम्बी प्रसाद यादव : हमको इसका पता नहीं। हमसे पूछा नहीं। हमको दूसरे बिल के लिए पूछा है। हम इसी के लिए यहां बैठे हुए थे। यह तो किसी दल के साथ अन्याय होगा।

श्री उपसभापति : आप बैठे हुए थे तो नाम भेज देते।

श्री जगदम्बी प्रसाद यादव : मैं सशरीर उपस्थित था।

श्री उपसभापति : उपस्थित बहुत से लोग हैं। कैसे पता चलेगा कौन बोलेगे ?

SHRI R K KHADILKAR : Sir, I am glad that the honourable Members who spoke on this

श्री जगदम्बी प्रसाद यादव हमको तो इस पर बोलना है ।

MR DEPUTY CHAIRMAN I am sorry, Mr Yadav Please sit down. Mr Minister, you please continue

श्री जगदम्बी प्रसाद यादव : आप कुछ तो समय अलाट कीजिए हमारे लिए 10 मिनट या 5 मिनट ।

MR DEPUTY CHAIRMAN I am sorry There must be some order I cannot allow you now That is all. If you want to speak, you can do so in the Third Reading I will allow you then, not now

SHRI R K KHADILKAR Sir, the three honourable Members who participated in the discussion on this Bill have generally welcomed the measure And whatever criticism has been offered, in part it is constructive and in part it is misconceived, because Mr Kalyan Roy should have realised that the safety and other measures are being looked after by the Mining Act and a amendment to that Act has been proposed and it is before a Joint Committee So all the safety measures and other measures that he pointed out, sometimes resulting in death and injury, all of them will be looked after by the Committee and a comprehensive legislation for improvement in the mining conditions from the point of view of safety and other things will be brought before the House very soon So far as welfare activities are concerned, as I have stated in my opening remarks, we ourselves are thinking to take suitable steps in the near future to make it a consolidated fund so that administrative expenses would be lessened and it would be administered in a manner that wherever there are deficiencies in welfare activities and wherever there are shortcomings, they can be immediately looked after

3 P M

This Bill is intended to set up a fund for the limestone and dolomite mine workers To begin with there will be a small cess of 20 paise As I have stated, we will collect not a

very big amount. It will be a modest amount of Rs 44 lakhs and it will be administered by an advisory body The criticism against the welfare activities and shortcomings is ill founded Shri Kalyan Roy said that three members representing the three central trade union organisations have staged a walkout and boycotted the meeting of the Board of Trustees because the cess was not raised from 50 paise to Re 1/- Perhaps he is not aware that we ourselves were moving in this direction and now we have got the sanction to raise it to 75 paise as ceiling With this additional amount we will be able to remove certain shortcomings of which we are very much aware They need to be removed quickly With the additional fund we will be able to look after the mine workers in coal mines

He made one point regarding contract labour In the present circumstances, we cannot totally abolish the contract labour In today's economic condition, we cannot put a total ban on contract labour We have taken certain measures to regulate/contract labour Here I would like to inform Shri Roy that housing is also to be reserved for those who are employed by contractors in these mines

Shri Khan made a reference to Bellary and said there are no facilities for hospitalisation I would like to inform him that a twenty-five bed hospital project is almost ready and we hope to start it in December, 1972 It will be a full-fledged Central hospital A housing colony is also being set up with the help of the Government Other amenities like multi-purpose institute and model dispensaries are in the same area in the Bellary district of Mysore I am just stating some of the things of which he is not aware I am conscious that these welfare measures need extension and we ourselves would feel happy if we could set up more hospitals, housing colonies etc In this connection, I would like to mention that we have approached the Housing Minister and if he could make housing sites available to us, it would be easy for us to construct houses in the coal and other mine areas We have taken up this matter and I am glad that the Housing Minister has appreciated our suggestion and I hope it will be given effect to

So far as the present Act is concerned, some criticism was voiced We are collecting the

fund at bulk consumers' point There are certain industries like glass or fertiliser which might be using some portion of dolomite—I do not know—or limestone But at the present juncture, we are making an effort to collect from bulk consumers at one point because the collection will be easier If there are some drawbacks or if some areas remain uncovered by this measure, we will take suitable steps One thing I have already stated that regarding the manganese ore we are proposing a similar measure and if that is put on the statute book, the next step as recommended by the National Labour Commission will be taken to consolidate all the Welfare Funds and to set up one central organisation to look after all the welfare activities

One point I would like to mention here before I conclude There was some sort of distress or criticism and it was asked why we are giving some grants to the employer if he undertakes certain welfare activities As I have already stated, if they are according to the prescribed formula or the prescribed scheme and under our supervision they are approved, then alone we can extend some sort of an aid It is expected of the employer to take initially some welfare measures like providing housing or medical facilities The State Governments in their own way also come forward But our effort is to supplement them and that effort will be made very earnestly and I hope this Bill will provide to a neglected section, particularly the dolomite and limestone mine section, the welfare activities that would make their living conditions somewhat better

With these words Sir, I move that the Bill be taken into consideration ,

MR DEPUTY CHAIRMAN The question is

“That the Bill to provide for the levy and collection of a cess on limestone and dolomite for the financing of activities to promote the welfare of persons employed in the limestone and dolomite mines, as passed by the Lok Sabha, be taken into consideration ”

The motion was adopted

MR DEPUTY CHAIRMAN We shall now take up the clause by clause consideration of the Bill

Clauses 2 to 16 were added to the Bill.

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

SHRI R K KHADILKAR Sir, I beg to move

“That the Bill be passed ”

The question was proposed

श्री जगदम्बी प्रसाद यादव . श्रीमन्, उप-सभापति महोदय, माननीय मंत्री जी ने बड़े ही सुलभ ढंग से किन्हीं लोगों को कपयूनन में डाल कर और किन्हीं को एडवाइज देकर आगे निकल जाना चाहा है, लेकिन मैं उनका ध्यान दो, तीन बातों की ओर आकर्षित करना चाहता हूँ। जब आपने चूना पत्थर मजदूरों के लिए डोलामाइट श्रमिकों के कल्याण की बात सोची है तो आप ने पत्थर तोड़ने वाले स्टोन क्वैरी के श्रमिकों के कल्याण की बात क्यों नहीं सोची? वह इसके लिए बहुत दिनों से फाइट कर रहे हैं। इसी तरह से लेस्ट स्टोन मजदूरों के लिए कोई विचार क्यों नहीं किया गया? माइका खान में काम करने वालों के लिए कुछ सुविधाएँ हैं, लेकिन वहाँ जो काम होता है हाथ से वह अधिकांश में बाहर ही होता है और जो सुविधाएँ वहाँ मजदूरों को प्राप्त हैं, उनका फायदा बहुत थोड़े लोग उठा पाते हैं। बहुत से मजदूर जो माइका खानों में काम करते हैं, उनको उन सुविधाओं का फायदा नहीं मिलता है। मैं जानना चाहता हूँ कि उन मजदूरों को सुविधा देने की क्या व्यवस्था है या उस बारे में विचार भी हो रहा है क्या? तो मैं जानना चाहता हूँ कि आप 25 वर्ष के बाद अगर यह विधेयक लाये हैं यह सोच कर कि सचमुच में जो नेगलेक्टेड, सेक्शन है उसको कुछ फायदा हो तो और दूसरे सेक्शन भी नेगलेक्टेड हैं, उनको भी आपने इसमें क्यों नहीं इक्लूड किया? अगर सचमुच में रजत जयन्ती के वर्ष में आप उन्हें भी इनक्लूड करते तो हम यह कह सकते थे कि आपने सोच विचार कर अच्छा काम किया है। इसे देख कर ऐसा लगता है कि आपने जल्दबाजी में इस काम को लिया है और चाहे लोक सभा में भी लोगों

ने कुछ विचार आपको दिए कि आप इसमें सशोधन कर लें, लेकिन आप वहाँ भी न मानें आपने वहाँ भी न सुनी और यहाँ तो अब तृतीय वाचन में पहुँच गये हैं और आप कहेंगे कि अब बहुत देर हो चुकी है। लेकिन वास्तविकता यह है कि आप जो विधेयक लायें, जिस तरह में मैंने कुछ विभागों का नाम बताया है, वैसे ही अनेक क्षेत्रों में लोग बैठे हुए हैं, उनके लिए क्यों नहीं विचार किया? अगर विचार करना चाहते हैं तो क्या विचार करना चाहते हैं?

दूसरा प्रश्न यह है कि यह श्रमिक कल्याण निधि होगा या यह खान मालिक कल्याण निधि होगा? यह मैं इसलिए पूछना चाहता हूँ कि इसकी जो प्रक्रिया रखी गई है, उस प्रक्रिया में दो-तीन कठिनाइयाँ हैं। एक कठिनाई यह है कि आपने यह बतलाया कि आप शेष कुछ अधिर लगाने जा रहे हैं, लेकिन उसमें से जोड़ दिया कि एक रुपये से अधिक नहीं, यानी एक रुपया मेक्सिमम हुआ और वस्तुतः औसतन क्या होगा? क्या वह 20 पैसे वाला रेट रह जाएगा, या उससे कुछ बढ़ा कर आप देंगे? यह तो डिस्क्रि-शनरी पावर यूज होगी वह किस प्रकार यूज होगी? जो आपके फेवरेबुल होंगे, उनके लिए कम हो जाएगा या जो फेवरेबुल नहीं होंगे उनको अधिक लगेगा? इसका आधार क्या होगा, किस तरह से आप इसको फिक्स करेंगे?

उसी तरह से इसके कलेक्शन की विधि भी बहुत टेढ़ी है। सीमेन्ट की इंडस्ट्री या स्टील प्लांट की इंडस्ट्री इसको कलेक्ट करेगी? उसका क्या इंटरेस्ट है? कभी सीमेन्ट के मजदूरों को सुविधा प्राप्त न कराने के कारण वहाँ हड़तालें होती हैं, तो फिर किस प्रकार इसका कलेक्शन होगा? फिर उसका व्यवहार करने वाली आपने सलाह-कार समिति बनाई। उस समिति में भी प्रपोजे-नेट जो मजदूरों का चाहिए वह नहीं होगा, प्रति-निधित्व बराबरी का खान मालिकों का है। अब श्रीमन्, खान मालिक आपस में नहीं बटे मिलेंगे, लेकिन मजदूर हैं फुटकर, चाहे यूनियन गुटबन्दी

हो, चाहे आपस में। इन्हीं लोगों के मुठभेड़ का का फायदा मालिक नहीं उठा लेगा क्या? तो यह जन सेवा शेष लगाने पर, उसके वसूलने पर, उसका व्यवहार करने पर और उसी तरह से आपने जो यह गठन किया है सलाहकार समिति का, इसमें भी आपने जो फिक्स किया है वह ठीक नहीं है। मैं आपसे आग्रह करूँगा कि उसमें कुछ और आप जोड़िये और उसको इस ढंग का बनाइये कि सचमुच में मजदूरों का कल्याण कर सकें।

आप एक मवाल का और जवाब दें कि चूना पत्थर में, डोलोमाइट में काम करने वाले कितने मजदूर हैं और कितना सालाना उत्पादन खान से निकलता है और जो रुपया इससे कलेक्शन होगा वह प्रति मजदूर सालाना कितना पड़ेगा? अगर आप देखेंगे कि आपने जो उद्देश्य रखा है मजदूर के आवास, चिकित्सा, जीवन स्तर को सुधारने का, ऊँचा उठाने का, तो ऐसा लगेगा कि जो पैसा आयेगा वह इतना नगण्य होगा कि शायद इतना बड़ा जो उदार विचार रखा गया है मजदूरों के कल्याण का वह शायद उसके आसूँ पोछने के बराबर भी पड़ेगा कि नहीं पड़ेगा? अगर इस तरह से आप नहीं देखेंगे तो मैं नहीं समझता कि 25 वर्ष के बाद भी आपने जो एक हिसाब किताब बैठाया है, उसका भी कुछ लाभ मजदूरों को हो सकेगा।

एक बात मैं यह जानना चाहता हूँ कि नेशनल लेबर कमिशन ने भी कुछ रिकमंडेशन्स किये। आपने उनका उल्लेख भी किया है। लेकिन उसको पार्ट में लाने के बजाय एक बार विधेयक लाते जो उनकी सारी रिकमंडेशन्स उसमें आ जाती। माननीय मन्त्री महोदय लेबर के बाग़ में अगर कानूनों को देखेंगे तो जितना ही सीधा, सरल मजदूर होता है उतना ही सबसे पेचीदा विभिन्नता रहते हुए और साल-माल, महीना-महीना में अनेक विधेयक, पशोधन विधेयक, उप-विधेयक बने हैं, वह साधारण मजदूर की समझ के बाहर है। अगर आप काम्प्रिहेंसिव बना करके मजदूरों के समझ के लायक बनाते तो शायद वह आपका उपकार समझते।

[श्री जगदम्बी प्रसाद यादव]

अन्त में मैं एक और शब्द कहना चाहता हूँ। आपने विधेयक ला दिया है, लेकिन इसके नियम उपनियम आदि कब लायेंगे यह मालूम नहीं। कहीं ऐसा न हो कि जैसे कि कई विधेयक आपके अधर में टगे हुए हैं, वर्षों से सुना जा रहा है, कि अब आने वाला है, अब आने वाला है लेकिन आ नहीं पा रहा है, उसी तरह से इसको लागू करने के लिए, एग्जीक्यूट करने के लिए, जो नियम उपनियम है वह भी न बना पायें जिससे कि सही मायनों में मजदूरों को लाभ पहुंचा सके। यदि ऐसा हुआ तो फिर किस आधार पर उनको इस विधेयक का लाभ दे सकेंगे।

मैं आशा करता हूँ कि आप अपने जवाब में इन सब बातों की सफाई देंगे, जिससे कि मजदूरों को और सदन को सचमुच में संतोष हो कि छोटा सा ही बिल आया है, लेकिन इससे तत्काल उन्हें कुछ लाभ मिल जायगा और इसका समर्थन करने में सभी सदस्यों को खुशी हो।

SHRI R. K. KHADILKAR : Sir, it appears that the hon. Member has not listened to my speech very carefully. The question of how many workers are employed here and other matters he referred to are already explained in my speech.

श्री जगदम्बी प्रसाद यादव : मैं माननीय मंत्री महोदय से एक बात कहे देता हूँ कि मैंने सुना भी है, मैं जानता भी हूँ, मैंने उसे पढ़ा भी है जो कि लोक सभा, राज्य सभा में उन्होंने कहा है, लेकिन उसका जो इम्प्लीकेशन है उस इम्प्लीकेशन को देख कर के ऐसा लगता है कि मजदूरों की संख्या गलत है या प्रोडक्शन की फिगर गलत है, कुछ लगता है कि गलत है, इसलिए मैंने उसका उल्लेख किया। इसी आधार पर मैंने उल्लेख किया कि जो प्रोपोज़न आया है वह ठीक नहीं बैठता है और इसीलिए मैंने उसका रेफरेंस करके छोड़ दिया है।

SHRI R. K. KHADILKAR : The only question that he has raised which deserves a reply is : why stone quarry workers are not

covered ? As I said in my opening speech, alongwith other mine workers, stone quarry workers are also being considered. In due course they will be included and then the welfare activity will be consolidated.

MR. DEPUTY CHAIRMAN : The question is :

'That the Bill be passed.'

The motion was adopted.

DISCUSSION UNDER RULE 176 RE POWER SHORTAGE IN VARIOUS PARTS OF THE COUNTRY AND THE RESULTANT LOSS SUFFERED IN PRODUCTION IN THE INDUSTRIAL AND AGRICULTURE SECTORS

MR. DEPUTY CHAIRMAN : Now we take up the discussion on the Motion by Shri A. G. Kulkarni. He is given 15 minutes. As the number of speakers is more, the others will get 10 minutes each.

SHRI A. G. KULKARNI (Maharashtra) : Sir, in the present grave drought situation we are discussing on the shortage of power in the country, particularly in relation to the statement made by the Minister of Irrigation and Power. Sir, everybody is aware about power shortage and it has a staggering effect on the economy, whether through industrial or agricultural sectors. I think while going into the aspects of the power shortage, the main cause given here is in the context of the drought and scarcity, particularly absence of rains whereby the hydro system are not working to capacity. That is quite natural and nobody is going to blame for the power shortage due to natural calamities. But, Sir, at the same time one cannot ignore the lapses in the entire power planning, operational failures and largely the product mix of energy planning, for the whole country which requires a very close attention in view of the economy being gravely exposed now and it should not be exposed again, to such severe strains whereby we are losing production and damaging the agricultural output due to power shortage.

Sir, in this connection I would like to make only some more points because the time is very