

**THE COAL MINES (TAKING OVER OF
MANAGEMENT) BILL, 1973-**
continued

MR. DEPUTY CHAIRMAN: Mr. Menon.

SHRI K. P. SUBRAMANIA MENON (Kerala): Sir, last time I was referring to the coal fields recruiting organization. Now, Sir, this is an organization which is akin to the recruitment of indentured labour and, therefore, a large number of social workers and trade unions object to the existence of this organization. In 1963, a tripartite meeting was held in Delhi on December 21. A decision was taken to abolish altogether the system of recruitment through CRO. However, nothing was done about it. Again, the Central Wage Board on Coal Mining industry also went into this question, and in their report they also asked for the abolition of this organization. But, unfortunately, neither the Government nor the Labour Ministry, whosoever is responsible for it, did anything, and it seems that the Government was trying to find alibis for not abolishing this organization.

Then, Sir, I come to the most pernicious thing what is called contract labour. Contract labour in the coal mining industry is nothing other than slave labour. These contractors bring these people from all over eastern U.P. and Bihar and they are put in barbed wire camps as 'prisoners'. In the morning they are brought to the pit and in the evenings they are not allowed to see any body. No trade union workers are allowed to enter these camps. They are kept more or less as a sort of prisoners. And the worst part of it is that they do not enjoy any of the statutory protection that the rest of the coal mining labour enjoys. The wages to be paid to these labourers are not fully paid to them. The contractors take a good part of the wage and they give only a very small part of it to the labourers. You will be surprised to know, Sir, that as far back as in 1931 the Royal

Commission on Labour had recommended that this system should be abolished. But it was not done. Then, again, the Board of Conciliation in 1947 recommended that it should be abolished. Again, the Dave Committee in 1961 stated that it should be abolished. A number of other committees have also recommended that it should be abolished. But till this date it continues I do, not know how long will the new authority on non-coking coal mines take to abolish this pernicious system of slave labour in this country.

Sir, in every aspect of labour welfare, in every aspect of human conditions of working, the coal mine owners have failed to provide the necessary conditions of work and other facilities for the labourers. Sir, here is the report of the Study Group. You will agree, Sir, that the most elementary thing for human beings to exist is water supply. It is pointed out here that the water supply position in the coal mines is far from adequate and not even a iota of supply is there. Actually, though it is said that in a number of coal mines, pithead bath rooms and all these things are provided, none of these bath rooms is working. Very few of them have got water and the supply of water is thoroughly inadequate. Sir, you can well imagine the plight of coal mine workers working for 8 hours under dirty conditions, full of dust, but not getting enough water for bath. In what inhuman conditions they must be working! But this is the situation.

Therefore, Sir, I have no objection, and I have no hesitation in saying, that this measure is eminently suitable measure and the Government has done a good thing by taking over this thing. But the point is: What is the Government doing? If what I have said is true, then these coal mine owners do not deserve any sympathy. Why should the Government give them a high compensation of 9 paise per ton of coal raised, which will come to about Rs. 11 crores? In

addition, not only for the coal raised but also for the coal to be raised, according to the capacity of the mine, another 4 paise per ton has to be paid on unregistered coal. Even if the management keeps the mine without working, then also the management is to be given this compensation of 4 paise per ton why should this be given? I do not understand why 4 paise per ton compensation should be given to these people, who do not deserve any sympathy.

Lastly, Sir, I will bring to your notice that during the last one year the Congress *goondas* with the help of the C.R.P. have driven out a large number of workers from the Rani-ganj coal belt and the new party is going to see that those who are not borne on the rolls of the workers are denied work. The main point is that the new authority has to check the registers of the last one or two years and find out the number of workers who have been driven out of the coal fields by the C.R.P., and the gangsters. The authorities should see that all the people who have been driven out are rehabilitated in the coal fields in their old job. Thank you.

SHRI S. S. MARISWAMY (Tamil Nadu): Sir, I rise to welcome the Bill. It is a progressive Bill and all the progressive elements in the country would welcome it. Unfortunately, this Bill is belated. The Government should have brought it one year ago when the coking coal mines were nationalised. So, anticipating that this Bill was round the corner, all the mine owners have done the maximum harm to the industry. I understand that during the last one year they have not cleared provident fund arrears and also that they have taken the last rupee from the profits of the coal mines without caring to do anything for the improvement of the efficiency of the workers. The coal mines are being nationalised with a view to ensuring a rational and coor-

chnated development of the coal production and for promoting optimum utilisation of the coal sources consistent with the growing requirements of the country, etc., etc. If you look at the record and performance of the Government, one has to be pessimistic about the outcome of this Bill. For example, I read the comment of the Financial Express which appeared recently: about the performance ¹ of the Bharat Coking Coal Limited:

"During the first year of nationalisation, the production has fallen from 14.4 million tonnes to 7.5 million tonnes. So, it is doubtful how far this take-over would improve the output of the coal mines. I hope and trust that the Ministry would bestow more attention and see that the production does not come down.

MR. DEPUTY CHAIRMAN: Shri Maqsood Ali Khan, you are given 10 minutes.

SHRI MAQSOOD ALI KHAN (M5'sore): Mr. Deputy Chairman, Sir, I welcome the Bill which is before us about the taking over of the management of the non-coking coal mines. I think the Government has brought within its purview the whole coke industry except the mines belonging to TISCO. I welcome the measure and it would have been more welcome had the Government come out with the proposal to nationalise all these mines. Anyhow, it has been said that the Government is thinking of nationalising it soon. I think that the day is very near when the whole industry will be nationalised.

Sir, up till now, the speeches that have been made on the Bill, have more or less approved the taking over of the management of these coal mines except a voice here and there. I think that we have to judge the Bill on different grounds. For my purpose, I will say that the Bill should be judged on 4 grounds: (1) Planning and Development; (2) Management; (3) Production and (4) Distribution. Coming the question of planning and development, as the

[Shri Maqsood Ali Khan.] Minister has said in the Lok Sabha and elsewhere, these mines require a very great integrated planning. As you know, about 700 to 800 mines scattered all over the States right from West Bengal to Meghalaya, Assam, Bihar and Maharashtra, do not have any integrated plan for their development. Mining is such an industry that unless it has got good planning it would not produce any results. We are told that between these mines which are scattered and spread over a long area, a certain portion was always left over which is called "pillars". Hundreds and thousands of such pillars are there between these mines and a colossal national waste was there. Millions of tonnes of coal used to lie down these pillars because one mine could not cross over to another mine and the owners were different. So, I would request the hon. Minister that while drawing up a plan for the development of these mines, all the shortfalls that emerged earlier should be rather overcome.

Sir, mining, as I said, is a very technical subject. First of all, when want to develop any mine, we have to make a thorough survey—thorough survey in two senses; firstly, the geological survey which would tell us what the reserves are; secondly, a more thorough survey from the viewpoint of the development of the mines. Unless we do that we would not be able to develop the mines technically and scientifically. Conservation of minerals is a thing which we must always have and unless we do our surveys thoroughly we would not be able to conserve the minerals that are now available.

So far as the coal industry is concerned, it is needless to say that it serves not only as the basic fuel but also serves as a great source of energy and power. Our railways, for example, consume coal to meet 90 per cent of their power energy requirement, and so far as thermal stations are concerned, it is nothing but coal that they require. So far as our

domestic purposes are concerned, it is only on coal that we depend. So, unless we see that these mines are, first of all, surveyed well and unless we see that they are developed in the most scientific manner, we would not be able either to boost up our production or to conserve the minerals properly.

On another occasion, when I tabled a Resolution for the constitution of a Power Board, I had referred to the point as to how other countries have taken up surveys of these things which are sources of energy. For example, America—and even the European nations—came to the conclusion that the only commodity on which they can bank upon as a source of power or energy for another 100, 150 or 200 years is coal. Now, when we survey this mineral we should not lose time allow it to go waste.

Sir, coming to the question of management, the other day the hon. Member, Mr. Kalyan Roy spoke very exhaustively on the subject from the viewpoint of management as well as that of labour and how the mines were being managed and in what way the labour was being treated. That is why the step that the Government has taken is welcome by all the trade unions and labour. But one thing in the management—as was pointed out by other friends also—is the question of employment of the labour which in this process will be rather put out of jobs—and I have my own doubts about it. How are you going to employ them? If the Custodians come to the conclusion that this labour is surplus, what will you do? And supposing you come to the conclusion that some of the mines are such that you cannot work on them at all, then what about the labour? These are the things over which the Custodians, being men on the spot, should be trusted and their ability should be rather relied upon. The only thing is, they must be given full powers to see that none of the labour is left unemployed and that they are employed to the best advantage of the mine.

Coming to the question of production, as has been rightly pointed out by the hon. Minister, the Fuel Policy Committee has envisaged that the total requirement of coal will increase to 165 million tonnes in 1978-79 as against the current level of production of about 70 million tonnes. Another study by the Task Force of the Planning Commission has put the figure at 143 million tonnes and the Approach to the Fifth Plan indicates the target of 140 millions. Anyhow, by these standards we will have to treble our production within a period of five to six years. The hon. Minister has rightly pointed out that a sum of Rs. 100 crore is needed for this gigantic task but while investing this amount care will have to be taken that it is spent most cautiously and that it produces the results. So far as the requirement of the Railways is concerned, I must stress the point that if the Railways suffer on account of shortage of coal, then all the programmes of the country, especially the programmes that we have taken upon ourselves relating to the supply of foodgrains to the people etc., will fail rather badly. I will request the hon. Minister to make sure that this production of coal goes well and within the coming years we must be able to produce whatever is necessary for the country's requirement.

About the distribution and supply, the hon. Minister has very rightly been cautioned by all the Members. The hon. Minister was pleased to remark when he was replying to Motion of hon. Mr. M. K. Mohta that this commodity—coal—cannot be left in the hands of private people because it pollutes them. What I wish is that the stainless hands of the Government should be spared for this commodity when they are taking over the distribution and supply of this mineral because there is a long gap between the production and the distribution. How much we are going to produce and how we are going to distribute is a thing that we will have to see. But depending upon the po-

lity of the Ministry and the programmes it has, I am quite sure that we will have a distribution system by which even the persons who are there in the farther-mart earners of the country will get their fuel supply.

Lastly, I would rather make a request to the hon. Minister to enlighten upon one thing and that is a legal question. I could not make a study of it but that arises out of a sort of going through these Acts. The point is, so far as the mineral is concerned, all the mineral wealth belongs to the Government under the laws of the country. What we have done is that we have taken over the management of these mines. Now, the management is something other than winning over the mineral. You are paying compensation, saying that the value will be paid to the mine owners for the taking over of the management. The question arises whether by taking over the management you have the right to win over the mineral and you are paying compensation for that. Because management is always a liability, it is not an asset, you have always to spend on the management. What you get is out of the production. So, are you going to pay for the liability that you have incurred or you are paying for the mineral that you are winning over?

With these words, I take my seal and thank the House for giving me this opportunity.

SHRI BABUBHAI M. CHINAI
(Maharashtra): Mr. Deputy Chairman, Sir, mine will perhaps be the lonely voice in saying that I am not for taking over of the non-coking mines and I will be making out my case very briefly. I know the time is passing fast and it is not my desire to take much time of the House.

Sir only a few months back we had nationalisation of coking coal and within this short span of period we have now seen that the price of coking coal has gone up by Rs. 16 per quintal. The hon. Minister during the tenure of his office has come before

[Shri Babu Bhai M. Chinai.]

this House for nationalising four different projects. He gave different reasons for each one of them. The first was in connection with the Indian iron. There, he said that the working conditions were deteriorating. Then he came before us for nationalising the Copper Company and there he said that they were nationalising this profit-making concern to make viable the losing concern which the Government had been running for the last ten years. Then he came before us for nationalisation of non-coking coal for promoting optimum utilisation consistent with economic requirement. And as I pointed out the price has gone up by Rs. 16 per quintal and one does not know where it will stop because yet the wages and other things of the workers are to be taken into consideration and the prices may go still further up. And finally he came for coking coal nationalisation and the reason advanced was that the steel plants required large quantities. Now, Sir, it sounds really a little funny that different reasons are given for nationalisation at different times of different things. Personally my feeling is if we look to the public sector projects they are not working properly and in order to hoodwink the people they are taking up nationalisation just to show that it is not that the public sector projects are not working properly but that the private sector is no good and therefore nationalisation is being done. But the facts are quite different. It is the public sector which is not functioning properly; it is making huge losses and it is known to everybody.

Sir, I would like to bring to your kind notice and to the notice of the hon. Minister through you that only on the 29th January the hon. Minister in the Consultative Committee for Steel and Mines said that he was going to clamp price and distribution control and next day within 24 hours he nationalised the whole thing. Now I do not understand this. When he

suggested that he was going to clamp price and distribution control, why not give a fair trial to his own suggestion? But within 24 hours it was nationalised. It is also said that the private sector failed to deliver the goods. In the First, Second, Third and Fourth Plan the coal mine owners have delivered the goods. Only due to less demand the estimated quantity was not produced. The steel plants were behind schedule; there was less industrial development, less power projects, less railway wagons and also less demand for coal by the railways; these were the reasons for not producing the estimated quantity. If you look at the production figures in 1969-70 production was 75.7 million tonnes; in 1970-71 it was 72.9 million tonnes and in 1971-72 it was 70.8 million tonnes and this fall in production has been due to the reasons given by me a little earlier, because you will see that the carry-over stocks stand at 9.21 million tonnes as against 8 million tonnes in 1972, when the mines were nationalised. That clearly proves that they have enough stocks and that they have been able to deliver the goods.

Regarding investment the hon. Minister said that the private sector on their own cannot invest Rs. 100 crores which we would like to do. At the same time the hon. Minister quoted the Reserve Bank. The Reserve Bank has not said that you nationalise it. The Reserve Bank's suggestion is that you should have a Coal Finance Corporation for meeting the requirements of the Fifth Plan which is about Rs. 80 crores. Here also if you look at the overall industrial development of the country during the course of the last few years you find that the capital market is absolutely shy and more and more people are depending upon the financial institutions which the Government have themselves created to feed the private sector. Therefore (here is nothing wrong if the coal mine people also depend upon the

financial institutions of the Government for their requirements for the Plan. And that is not a very big amount; it is only Rs. 80 crores. As I have said the industrial development of the country as a whole is dependant on the financial institutions .

Now the Government's charge that 70 per cent of the production in Bengal-Bihar area comes from a large number of small companies and that this has stood in the way of planning synchronised investment in rail transport is simply misleading. It is to be noted tha. 70 per cent of the production in Bengal-Bihar fields is accounted for by 55 large coal companies well organised and well managed. No doubt, there are 216 smaller collieries but they do not generally require rail transport as they cater to local needs. No doubt, the impact of the take over on the smaller collieries is much more serious as scores of families have been deprived of their source of livelihood.

To justify the takeover a number of charges have been levelled against the working of the private collieries. According to my information, these charges are not quite correct. Larger and economically viable coal-mines have implemented the recommendations of the Wage Board. No doubt, only some smaller collieries failed to fulfil their commitments. Three hundred and one collieries covering 68.6 per cent of the workers fully implemented the Wage Board Award; 242 collieries, having 28.2 per cent of the work-force, partially implemented the recommendations. Only 68 collieries, forming 3.2 per cent of the workers, could not fulfil their obligations. These facts have been clearly brought out in the minutes of the tripartite meeting held on the 12th January, 1973. It will, therefore be seen that the accusation is untenable.

The position regarding non-payment of royalty by the collieries is also distorted. Due to a shift in the stand taken by the State Governments of Bengal and Bihar, about retros-

pective application of the enhanced rate of royalty, dispute arose over the rate of royalty payable. In 1961 the Calcutta High Court upheld the contention of the coai industry regarding the rate of royalty payable. The West Bengal Government filed an appeal against the High Court judgment and the appeal is still pending. A compromise between the industry and the Government of West Bengal was reached in 1966 and the the rate of royalty payable. In 1961 arrears of the royalty were to be cleared in 36 instalments. Meanwhile, there were conflicting decisions by the High Courts and the Supreme Court in respect of the royalty case in Bihar. The State of Bengal in 1969 repudiated the earlier settlement. Despite this, the coal companies, by and large, continued to pay royalties. It may be that some sailer units might have defaulted.

A similar situation is found towards arrears of provident fund. According to my information, the total amount due is only Rs. 10.5 crores and not Rs. 30 crores, as alleged in the press note. Even out of this, the private sector's share is Rs. 6.3 crores and the rest, i.e., Rs. 4.2 crores, is due by the public sector undertakings.

The Government's charge that the private sector collieries were nut having any regard for the conservation of coal reserves is simply misleading. The mining of coal is controlled by various Government bodies like the Coal Controller, the Coal Board and the Director-General of Mines Safety. Hence there can be no scant regard being paid to the principles of mineral conservation. The allegation that a number of mines have closed down in the Asansol-Raniganj belt is also a very wild guess. There are mines, no doubt, which have been closed due to exhaustion and other mining conditions; so also due to serious labour troubles resulting from inter-union rivalry.

Sir, the State takeover of non-coking coal-mines is not based on any economic justification. It is purely a

[Shri Babu Bhai M. Chinai.] political decision. The Government does not possess any expertise or competence to run the coal industry in an economic and efficient manner. Ample proof of its incompetence I can give. The incompetency of the National Development Corporation is an example before us. Its loss 1³ Rs. 5.57 crores till date. Companies with multiple activities are in trouble. They have gone to the Supreme Court and it has given a stay order in certain areas. I would request the hon. Minister to see that at least in respect of the remaining mines, the people may be treated in the same way.

Taking over of management and then thinking of nationalisation will bring uneasiness and unsteadiness in other industries and in the minds of other industrialists. The need of today is optimum production and that will not be fulfilled. Lastly, one employer, one employee union would be a danger to this country. Just as in the case of human beings blood is the most important thing, coal is very vital for the nation. Coal is required for the power projects. Coal is required by the Railways. Coal is required for the day-to-day use of the housewife. In 101 ways coal is a daily necessity of life, and it will paralyse the Government if one day the workers take it into their heads that we would not work from tomorrow because the Government has not accepted certain justifiable demands. Then, Sir, the one-employer—one-employee relation will bring chaos to the country, according to me. It may be that I may not be in 100 per cent agreement with him or he may not be in agreement with the views which I have expressed. But even then, in future before he comes before the House for nationalisation of anything, let him kindly give thought to what I have said because he is bound to come, there is no reason why he would not come. I am fully confident about it. I have got the highest regard and respect for his intelligence and integrity. I know his

views and he also knows my views. But why I am saying that is this: only the other day the Tata Iron and Steel question was before the House and he said, we have now allowed them to double the production. Also he said, we will allow them to go to the financial institutions to have their finances. I had asked at that time whether it will be a holding company Or a Government-nationalised-and-managed company and he said, I will see at that time when the actual situation arises. I know what he has been seeing, he has been seeing very ahead of everything. Therefore, I put that question knowing full well what is going to happen. I would beseech him, for God's sake, go slow. If it is in the interests of the country, I have nothing to say—I assure you, I will be with you and the Government. But I feel honestly, sincerely and frankly that this is not a correct step. After nationalising, within six months Or three months, if you do not see to it that the production is going up, the prices will go up. I have proved—per quintal it has gone up to Rs. 16 as far as coal is concerned. And the same history is going to repeat. All this we have been seeing. I know that nothing is going to happen. All the same, my conscience is clear. I have warned the Government; I have placed my views before the Government. It is for the future generation to judge whether I was right or the hon. Minister was right.

श्री गोलाप बरबोरा (आसाम): उपसभा-
पति महोदय, कोयला खानों का मैनैजमेंट
सरकार के हाथ में लेने के बारे में यह जो बिल
है, इसका मैं समर्थन करता हूँ।
कोयला खानों का राष्ट्रीयकरण बहुत
दिनों पहले ही होना चाहिये था, बिलम्ब से भी
लिया तो यह एक अच्छा कदम है। लेकिन मैं
मानता हूँ कि मैनैजमेंट सरकार के हाथ में लेना
ही राष्ट्रीयकरण नहीं है और राष्ट्रीयकरण का
मतलब यह भी नहीं है कि उसमें व्यूरोक्रेटिक
ऐशन हो। कोयले की हमारे देश में हालत
बहुत खराब है और जो हमारे देश में रिस्को-

संज है, इनको टप करने के बारे में हम लोग अभी बहुत पिछड़े हुए हैं। दुनिया के और देशों में कोल रिसोर्सेज का 70 परसेंट टाका एक्सप्लॉइट किया जाता है, हमारे हिन्दुस्तान में हम लोग सिर्फ 30-35 परसेंट ही कर पाते हैं। साथ ही साथ जो कुछ भी कोयला पैदा कर रहे हैं, उसकी भी मार्केटिंग के बारे में कोई अच्छी व्यवस्था नहीं है। जैसे माइनिंग मिनिस्टर का कहना है कि पिट-हेड्स में कोयला जमा है और उसको ले जाने के लिए रेलवे के बैगन्स नहीं मिलती हैं, फिर रेलवे मिनिस्टर साहब बोलते हैं कि वहां से कोयला काफी पैदा नहीं होता है, इसलिए बैगन्स की खास जरूरत नहीं है।

लेकिन जहां तक मुझे मालूम है सरकार की माइनिंग मिनिस्ट्री और रेलवे मिनिस्ट्री में कोई कोऑर्डिनेशन नहीं है। रेलवेज में खास कर कोल बेल्ट्स में कुछ ऐसे आफिसर्स रखे हुये हैं, जिनका वेस्टेड इंस्ट्रेस्ट है। कोल जितना जाना चाहिये उतना नहीं जाये, इसलिए जितने बैगन्स अलाट होने चाहिये, उतने बैगन्स वे अलाट नहीं करते हैं। वे एक क्राइसिस बनाये रखते हैं। उस क्राइसिस से कोयला खदान के मालिक लोग आज तक नाजायज मुनाफा लूटते रहे। तो यह जो वेस्टेड इंस्ट्रेस्ट रेलवे आफिसर्स का है उसको खत्म करना चाहिये। नहीं तो इसका मैनेजमेंट टेक ओवर करने के बाद यहां जो कोई सरकारी आफिसर रहेंगे, उनके साथ रेलवे के भ्रष्ट आफिसर मिल कर के कोयला का दाम बढ़ाने में मदद पहुंचावेंगे, इसके बारे में माइनिंग मिनिस्ट्री और रेलवे मिनिस्ट्री को कोऑर्डिनेशन कर के इस भ्रष्टाचार को खत्म करने की व्यवस्था करनी चाहिये।

साथ ही साथ मजदूरों के बारे में मुझे कुछ कहना है। जहां तक रिपोर्ट हम देखते हैं, देश में कोयला वेज बोर्ड के जो कुछ भी डिसीजनस हुए थे, वे काफी कोयला खानों में लागू नहीं हुए और मजदूरों का लाखों रुपया जो बकाया है

वह उनको नहीं दिया गया है। इसका मैनेजमेंट सरकार के हाथ में लेने के बाद कम से कम मजदूरों के साथ ऐसा व्यवहार नहीं होना चाहिए और जल्दी से जल्दी जो मजदूरों के एरियर्स वगैरह हैं, जो कुछ भी मजदूरों को मिलना है वेजेज के बारे में, वह सब मजदूरों को मिलना चाहिए।

इसका मैनेजमेंट टेक ओवर करने का जब डिसीजन लिया गया था, उसके कुछ दिन पहले आसाम के कुछ टीलांटर्स ने कोयला खानों के मालिकों के पास कुछ रुपया कोयले के लिए भेजा था। हमारे ही एक दोस्त हमसे कहन लगे कि हमन पांच हजार रुपये का ड्राफ्ट पहले भेजा था, लेकिन टेक ओवर होने के बाद जो कस्टोडियन वगैरह थे, वे लोग बोले कि पहले जो ड्राफ्ट पांच हजार रु० का भेजा उसके बारे में हमें मालूम नहीं है, फिर से भेजो। इसका मैनेजमेंट टेक ओवर होने के साथ-साथ सारे हिन्दुस्तान में ऐसे लोगों से जो दो-दो दफा पैसा लिया गया उसका भी ठीक हिसाब होना चाहिए। और जिन लोगों से दो दफा ऐसा पैसा लिया गया है, उन लोगों के साथ कुछ न्याय जरूर होना चाहिये।

हिन्दुस्तान की कोलरीज में सेफ्टी वगैरह का भी कुछ सवाल है। चन्द दिन पहले धनबाद के नजदीक विस्फोट हुआ, लोग मरे। उसके पहले भी ऐसी कई दुर्घटनाएं हो चुकी हैं। सेफ्टी मेजर्स के बारे में बहुत अच्छी व्यवस्था हिन्दुस्तान में नहीं है। सेफ्टी के बारे में लाखों करोड़ों रुपया सरकार की तरफ से खर्च किया जाता है, लेकिन पहले उसको कोयला खदान के मालिक लोग खा जाते थे और उसके बारे में कोई व्यवस्था नहीं की जाती थी। अभी कम से कम जब सरकार इसका मैनेजमेंट टेक ओवर कर रहा है, तो कोयला खानों में कोई दुर्घटनाएं न हों, इसकी भी व्यवस्था सरकार की तरफ से की जानी चाहिए।

साथ ही साथ देश में कोल का प्रोडक्शन बढे इसके लिए जल्दी से जल्दी कोई खास स्कीम होनी चाहिये। 70 मिलियन टन कोयला हम

[श्री गोलाप बरबोरा]

पैदा करते हैं। चीन जिसके साथ हमारी राजनैतिक दुश्मनी है उसको इस सिलसिले में देखना चाहिये। 1947 में हम लोग इंडिपेंडेंट हुए। चाइनीज रिवोल्यूशन की सक्सेस हुई 1949 में। 1949 ई० में चाइना का कोल प्रोडक्शन हिन्दुस्तान से कम रहा और आज चाइना वर्ल्ड में थर्ड लाज्जस्ट कोल प्रोड्यूसर है और हिन्दुस्तान से करीब दुगना कोल चाइना में पैदा होता है। स्टील का भी ऐसा है, शिप बिल्डिंग में भी ऐसा है और क्षेत्रों में भी चाइना का बहुत डेवलपमेंट हुआ है। तो क्या बजह है कि चाइना इतनी जल्दी आगे बढ़ गया और हम लोग नहीं बढ़ पाये। सरकार ऐसा बोलेंगी कि आज तक . . .

श्री प्रेम मनोहर : डंडे का जोर है वहाँ पर।

श्री गोलाप बरबोरा : . . . क्योंकि प्राइवेट मैनेजमेंट के हाथ में रहा इसलिए यह है तो अभी सरकार जो इसका टेक-ओवर कर रही है तो कम से कम, जल्दी से जल्दी ऐसी व्यवस्था होनी चाहिए कि हम लोग भी चाइना की तरह कोल प्राडक्शन में बढ़ें।

महोदय, मुझे इतना ही बोलना है और फिर से—देरी से लाया हुआ एक कदम होते हुए भी—इस बिल के प्रति मेरा समर्थन है।

SHRI SITARAM JAIPURIA (Uttar Pradesh). Mr. Deputy Chairman, Sir, I am grateful to you for giving me this opportunity to speak on this Bill. I am happy that the hon. Minister for Steel and Mines is here because he is the father of the draft of this Ordinance and I must say he is not only very shrewd and intelligent, but he has got the capacity to argue on both sides of the point, whichever he thinks is the right one. I have no intention

of going into the details and giving a lot of statistics before the hon. Minister because I know he is aware of them. I would only say that while the takeover of management of certain undertakings may be good for certain reasons, it does not necessarily mean that the taking over of anything is good for every reason. It is in that context that this measure should be viewed so that we can have the real and the correct perspective in the larger interests of the country? The earlier speakers have already given the different versions on this takeover. The Government have said that the reasons mentioned by them are the only reasons for this take-over and there are no other reasons. While many may say on the floor of this House that the reasons mentioned by the Government are correct, I am quite sure that the House is aware, and so is the hon. Minister, that the people at large do not believe them to be absolutely correct. And when they do not believe them to be absolutely correct, it is not based on any ideological approach; it is only based on past experience, because it has happened in the past that whenever the causes which prompted the Government to take over a particular industry or trade were given, they had not been able to remove those very causes, but they only added further to the confusion, if confusion was there at all.

In this particular case, let us consider whether the purposes for which this take-over has been done will be served by this take-over. I know, and I am quite sure the hon. Minister will also agree with me, that all the mines that have been taken over are not as bad as they have been painted. In fact, quite a few of the coal mines in this country—I have had occasion to associate myself with some of them—are doing very much better than their counterparts even in the NCDC or the coal mines anywhere in the world. If with the same brush all the mines are painted and all the mines are taken over it will mean that the initiative for maintain-

ing any industry or trade at any time will be completely lost, because if one feels that whether it is a good mine or a bad mine, whether it is a good trade or a bad trade, whether it is run very well or badly, the Government is going to take it over, then one will not undertake to arrange for all the resources and so on to ensure that the working of the mine or trade with which one is associated is made very good. If a man is good, you reward him; if a man is bad, you punish him. But if you paint both of them with the same brush, then you will be killing the initiative of an individual human being, which will not be in the larger interests of the country. The next point is I know for certain that once it has been taken over, it cannot be reverted back. Even if the honourable Minister wants to revert it back to the persons, it will not be possible for him to do so. In that case one question that arises in the minds of all is; What was the necessity of taking over the management with a view to nationalising later? Why not nationalise it straightway as it is on that day? If it is nationalised on that day, at least there will be no confusion in the mind of anyone. They will not expect anything from the Government or the Minister. They will take it for granted that it has been nationalised as on date. If past experience is any indication, there is no doubt about it the coalmine owners may not make substantial profits. And profits are not the only end of it. Profits are only a barometer to show the successful running of the undertaking. And by the time they are nationalised, they convert themselves into losses. The honourable Minister may say that welfare measures for larger social welfare are very necessary -and it was in this context that profits were converted into losses. I would like to tell him, whether the melon is on the knife or the knife on the melon, ultimately it is the melon which will be cut. So what will happen is neither the industrialists who own the mines nor the Government which runs the mines,

none of these two is going to pay, but it is the poor consumer in the country who is going to pay. It is in this context that this thing has to be viewed. One thing I know from my personal experience, while this take-over has been done, the intention of the take-over was to take-over mines in order to rationalise and improve production. It was certainly never meant to penalise or humiliate or to create troubles and difficulties for small coal-mine owners or for the traders or the consumers. But what has been the result? The honourable Minister probably may not be fully aware, whenever a coalmine had been taken over, it is not the ownership which was taken over, but only the management which was taken over. So long as the undertaking is not nationalised, ownership remains with the person and it is not a take-over of ownership; it is only take-over of management. Therefore, as far as profits and losses are concerned, they have to be taken only as on the day of nationalisation, not on the day of take-over of management. In that context it becomes necessary that the erstwhile mine-owners should be associated and should be given certain facilities and you should see that at least their assets are not frittered away. Hundreds and thousands of instances have come to our knowledge where erstwhile coalmine owners were refused permission to stay in the Guest House and they were asked to stay 50 miles away from the coal-mines and to come in their own private car. After all, that is a small courtesy which the Government should extend when they want to go to the coal-mines. The other day I mentioned an instance where one manager of a coal-mine had taken the car of the company and gone somewhere about 50 miles away from the coal-mines. A police man was sent there, the manager was asked to get down the car along with his wife and children—one child was just eleven or twelve months old—and he was told that the colliery was taken over by the Government and

[Shri Sitaram Jaipuria.] so he should hand over possession of the car to the Government immediately. Then the manager pleaded that he should at least be allowed to go to the coalmine to bring his bag and baggage which was lying there, that his wife and children with him and that he would be put to extreme difficulty if the car was taken away abruptly like that. But they said, no, you get down. He was forced to get down and he had to go back by riksha about three miles and he had to stay in Q nearby village. And the next day he went by a taxi, if this sort of things happens, the very faith in democratic institutions, I feel, will be shaken and that is not surely the intention of the Government. At least the Minister would never do it. I am sure he will see to it that all persons who are working there are not made to suffer in this manner. After all the employees, whether they belong to the erstwhile coal miners or the Government today are the employees and they are going to serve those very persons who paid them. To treat them in this manner will be losing sympathy of a few and trying to gain the sympathy of others. One more thing. . .

श्री प्रेम मनोहर (उत्तर प्रदेश):
अब तो दाबू लोग कारों में जाकर सब्जी लाएंगे।
श्री सीताराम जैपुरिया : आप क्यों
परेशान होते हैं। आगे और भी कैद लगेगी।

That is a small thing. Now, I would certainly like to say that in a democratic society, the implementation of the orders of the Supreme Court and High Courts is also a must. The hon. Minister himself being a very eminent member of the bar at one time and ; a person whose arguments are still being respected and whose views are respected with lot of respect and seriousness. I am quite sure that he has every intention to see that the orders of Supreme Court and High Courts are implemented. They must ; followed not only by words, but so by deeds and in spirit. I think

it will be sufficient if I say that the hon. Minister will kindly ensure that the people working under him do not in any way violate those orders and try to the best of their ability to implement them.

One of the important aspects I would like to say is that the order issued by the Custodian General that all payments of the outstandings as on 31st January 1973 and before should be paid to the Custodian General only. There is no mention in the order of payments which have been incurred or committed earlier. The mention is only about receiving payments. It may be a very debatable point, but I do feel that if the mines have been taken over and if their assets have been taken over, then their liabilities also have to be taken over. If the liabilities are not fully taken over, it should be the responsibility to meet those liabilities from the assets which have been taken over. In that context I want to mention about a funniest thing that has happened. In the coal trade, as everybody knows, there are lot of middle people. Many of the middlemen used to purchase coal from the coal mines and supply it to electricity supply undertakings and other consumers such as Railways, etc. The bills used to be drawn on those parties and those parties in their turn used to draw the bills on those undertakings. I would request the hon. Minister to make enquiries into this and see that the middlemen are not adversely affected by the above mentioned order of the Custodian General. They have made the payments to the coal mine owners. But they are yet to realise the money from the undertakings, etc. Now these payments are not being paid to them under the pretext of the Custodian General's orders. The intention of the Government would probably be that the payment to the coal mines which are due should be made to him. It could never be the intention of the Custodian General that the payments due to these middlemen should also be made to him. The coal is given usually

on 60 days or 90 days credit. These middlemen do not have large resources. They have taken the money from the banks on the basis of guarantee, or from other people. Their difficulties should be looked into so that there may not be a general feeling in some quarters that the provisions of the law are being violated.

It is essential to see that justice is done. It should not only be done, but should seem to be done. I am confident that the just mind of the hon. Minister will see that the difficulties and hardships are not caused to anybody by this take-over. If it is a political take-over, let this politics please him. But let him not forget that the country is today passing through a stage whether take-overs are not going to be in a limited sphere. As my friend Shri Babubhai Chinai has said, one employer also can create problems.

We have seen in UP the strike by the Electricity Board people and we have seen many of the strikes in organisations where there is only one employer. I would like to warn him that it would be difficult for him to go back on his commitments. Let him, therefore, at least ensure that the problems and difficulties which are being faced by the different sections of the society are mitigated and he should ensure that these people do not have any grouse or grievance on this score, Sir. Thank you.

MR. DEPUTY CHAIRMAN: Mr. Mohta is not here to reply to the debate. Therefore, the Minister, Mr. Kumaramangalam, will reply now.

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMARAMANGALAM): Mr. Deputy Chairman, I am grateful for the wide support that the decision of the Government to take over the rest of the coal mines in our country has received from the different Members who have spoken in the course of the discussion with, of course, a few exceptions, perhaps the leading among

thtri being Shri Babubhai M. Chinai and Shri Jaipuria. I will try to deal with some of the important points which have been raised. But I hope the honourable Members will excuse me if I am not able to cover all the numerous points which have been raised.

Firstly, let me deal with the question of the take-over. It is asked now: Why is it that even coal is black—and are painted white, would they be able to give us their assets minus the liabilities in such a way as it happened in the instance of the take-over of the Indian Copper Corporation where the honourable Member will remember, we paid a lump sum deducting the liabilities from assets? But even those companies are not in a position to give us their accounts accurately and quickly and the most interesting fact of all is—and I am sure my friend will be interested in this fact—that none of the owners is prepared to give us the returns they made to the Income-Tax Department containing the schedule of assets. What is the use of shaking your head, Mr. Jaipuria. I have asked them, I have asked the Custodian-General and the Custodian-General has specifically asked those companies, all the companies whose mines have been taken over, like this: "Please give us a copy of your schedule of assets." We have asked for the schedule of assets which any company submits to the Income-Tax Department giving the value of the assets. Not a single company has given.

SHRI AWADESHWAR PRASAD SINHA (Bihar): Can't you ask the Income-Tax Department?

SHRI S. MOHAN KUMARAMANGALAM: That is between me and the Income-Tax Department and I will deal with that point later. I am not going to sleep over this. I would like my friends, Shri Jaipuria and Mr. Chinai, who pleaded so eloquently for wrong causes to know the character of their friends the very honesty and integrity and the other adjectives and

[Shri S. Mohan Kumaramangalam.] nouns we have a two-stage take-over and not a one-stage take-over? This has been raised by, if I may say so, those who have been sitting on the other side of the ideological fence and—by some of my friends, this has been raised by Shri Biplab Das and, of course, just now by Mr. Jaipuria. The reason is a simple one: "Under the Constitution, we have to pay compensation and in terms of the economy in our country as it is at present we pay compensation and it is impossible to assess what the compensation is or whether it is justly payable, because the coal mining industry is not an industry which, by and large, is known for keeping reliable and dependable accounts and the honourable Member, Mr. Jaipuria, knows it far better than I do...

SHRI SITARAM JAIPURIA: Yes, I know it.

SHRI S. MOHAN KUMARAMANGALAM: There may be some white sheep. But the number of black sheep is so many that even the whiteness of the white sheep does not enable one to identify them. So, the problem really is one of our being able to assess the value of the assets after the take-over and even then it is impossible to assess the value of the liabilities I am prepared to challenge him to produce before me accounts which I really would be able to accept in relation to any company, even the well-run companies and, in fact, I have seen some better-run companies and there are better-run companies. And if they are not painted that black—of course, which they would like to use in their favour. And when people behave like that, how can I trust them and if I trust them, what will the honourable Members sitting here say about it? So, I think, it is better not to go into the merits and the demerits of these gentlemen, because the deeper one dives down the more murky the water becomes at the bottom.

We had, therefore, to speed up the second stage and we have to. It is

impossible to have a one-stage takeover. When the question of nationalisation like that comes, it is impossible initially at the time of take-over to work out what would be the assets minus the liabilities and what would be the compensation to be paid. Therefore, we have taken over the management. My officers are working overtime on this question and I hope to bring a Bill soon. I hope in this session itself we should be able to finalise on the nationalisation. I am not anxious to continue the present state of affairs, and I would like to see that the matter is decided quickly.

My hon. friend Mr. Jaipuria has also in passing wept very copious metaphorical tears over the fate of a poor mine manager, who was pushed out of the car—the poor man—along with his wife along with his child aged 12 months. I do not know what I can say about this, because I do not know the gentleman. But I request him, Sir, to convey my sympathies to the gentleman and say that I am sorry for this. But who will convey sympathies to the tens of thousands of workers who have suffered more than that, because they have no car to run in at all, apart from putting their child to put inside the car? Whenever an event like this takes place, there are bound to be some injustices. There are bound to be some hardships. I do not think that one should become too worried about them. Our Custodians have been instructed not to harm anybody, not to cause difficulties to anybody, but if an owner is not able to stay in his guest house any more, he can lay his head on the pillow somewhere else and sleep comfortably. I do not think these are the relevant points for determining the issue before us.

But before going on to more important points, I may just finally say something on the question raised by my friends Shri Jaipuria and Shri Babubhai Chinai. Let me tell them that the reason for the take-over has nothing to do with ideology. I have an ideology and I am not ashamed of

it. I think my colleagues in the Government have the same ideology and they are also not ashamed of it. But so far as the reason for the takeover of coal mines is concerned, it has got nothing to do with ideology. It has a very sound economic basis. Go anywhere in the world and you will find that coal mines have been taken over. You may go to France, you may go to Italy, you may go to England—and of course I do not want them to go to Soviet Union...

SHRI SIT ARAM JAIPURIA: I shall be happy to go to the Soviet Union. ..

SHRI S. MOHAN KUMARAMAN-GALAM: I shall also be happy if you go there. You will learn something also. You will find that mines have been taken over, because quite apart from all the crimes that have been committed by the coal mine owners of our country—I will say a few words about them because I am not satisfied when my friend Shri Babubhai Chharia; says that things are going on beautifully—quite apart from that, if you take the very fact that you have a couple of 100 mines in the Bengal-Bihar area, 200 or so in the Raniganj area, 200 or so in the Bihar area, small mines, medium mines, big mines—you will find that they cannot be run on a scientific and rational basis because of the artificial barrier between a mine and mine. You cannot use modern methods of mining also. Safety methods cannot be effectively enforced. So many weaknesses are there. Even loading in the railway trains has become difficult because of so many loading points and because you cannot make the optimum use of railway wagons which are available. So, quite apart from the crimes that have been committed by mine owners, which are innumerable, purely from the point of view of rational exploitation of the principal mineral which is of value in our country—and I would like to call it almost India's gold—rational exploitation of coal, there is no alternative but to take it over. And I think the rational exploitation of coal and

scientific mining of coal is something which should be very dear to their hearts. And if it is very dear to your hearts, I think you should support the decision of the Government.

Hon. Members—Shri Bipinpal Das and Shri Kalyan Roy, among them— criticized the exclusion of TISCO from the decision to take over all the mines. Well, TISCO mines were also excluded even on a previous occasion, because they were exclusively mining coal for the TISCO plant. We do not also think that it would seriously improve the exploitation of those coal mines from the point of view of better and more rationally mining them if we take them over. At present, they are being mined with modern methods in such a way as to provide coking coal that is necessary for the TISCO plant. So far as the conditions of the workers are concerned, there may be difference of opinion on demands put forward here and there, but there is no allegation that the wage board awards have not been honoured and provident fund and royalty are not being paid, etc. Therefore, we do not think it would either be profitable or useful to take over the TISCO mines. The TISCO mines provide coal for the TISCO plant and it is all that they are doing at present. However, we had introduced a provision in the Coking Coal Act that if any coal is mined surplus to the requirements of TISCO, it will have to be sold with our permission and under our instructions. I do not think anything will be gained by taking over the TISCO mines. Apart from that, Government does have 40 per cent share in TISCO through its financial institutions.

Then, the hon. Members expressed their anxiety over the question of prices and I entirely sympathise with them. I appreciate their criticism which has been made about the difficulties that people are facing in relation to purchase of domestic coal as well as for brick burning and small industries. Our problem is essentially the problem of an ineffec-

[Shri S. Mohan Kumaramangalam.] tive distribution system. I think Shri Golap Barbora, while he was speaking, also emphasised this question of ineffective distribution system. I entirely agree with the sentiments that he has expressed. We are making efforts. We had a conference of the representative of the State Governments, except some of the smaller Governments, only very recently where we discussed how we can set up dumps in major cities and also see that the distribution is streamlined in order that the coal reaches the consumer at a reasonable price. The main effort now must be to set up a distribution system throughout the country. It may take us some 3 to 6 months. But I have no doubt that we will do it. It has been done in other areas like steel and oil. Indian Oil Corporation is doing it excellently. Sooner or later, we will have to go over to some system like that. In the meanwhile, I will beg the hon. Members to be patient, if I may say so, because a major operation like this takes time to settle down. I do not at all deny the hardships that are being caused as a result of the distribution system not being as effective as it should be. I have no doubt that all of us including the authorities of the coal mines are fully conscious of the fact that there are these defects. There is no attempt on our part to try to hide them. But I have no doubt that we will be able to work out a system that will bring coal to the consumers at the price at which it should be brought. Shri Banarsi Das also emphasised this question of keeping the prices down. I was a little surprised at his dichotomy, if I may say so with all respect. On the one hand, his emphasis was on keeping prices down and on the other hand he emphasised that the minimum wage in the coal mines must not be less than that in the Life Insurance Corporation or in the banks. Coal is a very labour intensive industry. Perhaps it is the most labour intensive industry. For instance, compared to steel and compared to engineering industry, coal is the most labour-intensive industry.

Somewhere between 60 to 70 per cent of the cost of coal is what is paid to the worker who mines the coal. Naturally, if we are going to support the increase in the wages of the coal mines workers to the level of what is just now prevailing in the banks or in the Life Insurance Corporation, I do not know how it can be done unless we also increase the price of coal. Sir, some increase can be achieved by increasing the productivity and we shall try to do that to the extent possible to the extent that is possible, because by more rational mining and by being able to give the workers better facilities in their work as well as in their life we should expect some increase in productivity. The productivity in the National Coal Development Corporation about which so much criticism is always being levelled, that productivity is certainly higher than in the private sector, in general. But despite that, if we are going to have a very sharp increase in wages, then it will be extremely difficult to avoid an increase in the prices. And that is why in the discussions that I have been having with the trade unions in the last month and a half after the take-over, we have been postponing, as it were, getting down to the question of future wage conditions in the coal mining industry so that we could, first of all, settle down the nationalised industry in its proper pake, as it were, and then certainly these questions will be taken up so that we can relate it to the working of the industry as a whole. And it is my belief and confidence that we will get the full co-operation of all the trade unions in seeing to it that we are able to get a proper balance between prices on the one hand, and productivity and the wages of the workers on the other.

I would like also to mention, in passing, a word about steel, not because it is Teally very relevant but because my friend, Shri Babubhai Chinai, dragged in steel; and Shri Banarsi Das also had a few words to say about it. I do not know why you have become so hard on steel. I have to deal with it because you have be-

come so, but why not take a little pleasure in some of the achievements and successes of the public sector? It will do you no harm; you can sleep much more cheerfully in the night if you do. For instance, if you take Bokaro, in four months after Bokaro was brought on stream on October 2, 1972, we are operating the blast furnace at over 90 per cent of its rated capacity which I think even you with all your experience of industry will take your hat—or, shall I say, your cap?—off to. Equally, if one takes the position in Bhilai, I think in March, 1973 we are likely to break all the records in Bhilai and work Bhilai at a rate above the rated capacity, that is, 2.5 million tonnes.

SHRI BABUBHAI M. CHINAI: When you are talking about all this efficiency, my only fear is that the only steel plant which is left will also be taken over for reasons of efficiency.

SHRI S. MOHAN KUMARAMAN-GALAM: I do not know why you seem to think that everything in the public sector is bad. Everytime you look at the public sector your eye becomes yellow—a jaundiced eye! So far as I am concerned, when I look at a god private sector institution—my views are well known; my ideological commitments have been in a particular direction for many years—or when I look at something and see that it is black, I say it is black; when I see something which is white, I say it is white. But as soon as you see the public sector, though it may be white you turn round and say "No, no, that is black there." Why do it? Look at it, see it honestly and fairly. You take for instance the conditions in Bhilai or the conditions in Rourkela. Go to the steel plants. I invite you. I shall see that you are looked after well—not chucked out of the car after 50 miles so that you have to walk the distance as Mr. Jaipuria is afraid of. You will be well treated. And then, you will be able, perhaps, even at this age, to modify the sort of firm, rock like prejudices that you have developed all these years.

SHRI BABUBHAI M. CHINAI: I have no prejudices.

SHRI S. MOHAN KUMARAMAN-GALAM: Hon. Members mentioned—I think it was Mr. Mathur on the one hand and Mr. Banarsi Das on the other—that we should be careful about the appointments in the public sector and particularly in the Coal Mines Authority. I assure you that we have been. So far as the choice of Custodians is concerned, all the Custodians today working are persons who have come from the National Coal Development Corporation. No appointments have been made for what may be called, nepotistic reasons at all. Persons who today are occupying those positions are persons who, by virtue of the positions which they occupied in the National Coal Development Corporation, can appropriately be considered to be competent to exercise the authority with which they have been entrusted. And those managers who have been working in the private sector and who now came over, as it were, under the take-over decision of the Government are being screened very carefully. A committee has been set up of the more senior Custodians-General with certain others to assist. We are carefully screening them. I think it was Shri Bipinpal Das who has suggested that those who are honest and competent should be recruited. We shall certainly take them and we have taken them. Those who are dishonest, incompetent and who have been parties to all the scoundrels, we shall not take them. So, you should rest assured, these are the principles in recruitment of persons. The hon. Member, Shri Bvoipal Das, also asked us to pay some attention to the North-eastern region, that there should be a separate wing, as it were, of the Geological Survey of India to develop and have full investigation of the mineral resources in that area. I think he must be aware that there is already, so far as I remember, an office of the Geological Survey of India therein in Assam who is charged with this duty. I can assure him that we are paying adequate

[Shri. S. Mohan Kumaramangalarn.J
attention to that area, not merely to Assam itself but to Meghalaya, Aruna-chal, Mizoram and other areas which are rich in minerals. He knows it much better than I do.

There is one point raised by Mr. Mathur. He made a point as to why we did not nationalise the rest of the coal mines at the time of taking over coking coal. He seemed to have a grievance about that. I do not know how the lapse of a year and a half makes the decision of nationalising good or bad. Had it been right then, it could be right now also. I do not know how it could have been right then and it is not right now.

SHRI JAGDISH PRASAD MATHUR (Rajasthan): The situation has deteriorated during this period. According to your own estimation and the estimation of the Labour Minister, the situation has deteriorated in this period only.

SHRI S. MOHAN KUMARAMANGALAM: I did not at any time say that there was a deterioration in the situation. In fact, this is the point which is worthwhile looking at with more care. The hon. Members, who are critical, have mentioned that deterioration seems to have taken place in the last one and a half years and the investment has reduced during this period, because the owners were afraid of nationalisation. That is not correct. If you would examine the facts of investment over the last ten years, not the last one and a half years, you will find the investment, even according to the figures given by Shri Babubhai Chinai, ranging between five and six crores of rupees, which is a miserable amount. It is nothing in terms of modernisation or even replacement. It is not due to the threat of nationalisation that there is any deterioration. In fact, I would not like to say that there is any special deterioration. It has been the general and usual deterioration which has been taking place in the mines over the last decade. Therefore, it is not that the things have changed radically during the last one and a half years. Then, I

if you ask me as to why we did not take over in the year 1971, I think the answer is that it is better not to bite off more than one can chew, we can chew in stages. We also do not eat everything in one meal. You have two meals a day. It was obvious that we would be compelled to take it over, there was no other escape but it was necessary to take over the coking coal immediately because of the steel problem, the huge investment that was being made there. Then there was restructuring of the mines in the Jharia region. There were other reasons also. So, we thought we should take over the coking coal a little early.

My friend, Shri Babhubhai Chinai, mentioned about the Supreme Court orders and why we did not apply them to all the mines. I do not think they are very important. Actually, the orders of the Supreme Court, I say so with respect, are only in relation to marginal matters, not major in character. If these orders were to be implemented to all the mines, they would not benefit the mine owners very much. They would impose more clerical work on the Custodian-General. If any mine-owner was interested in the implementation of this order, in extracting more clerical work from the Custodian-General, it is up to him, he can go to the Court and if the Court orders it we will do it. But for our part we do not think that it will be very much advantageous for the mine-owners themselves. It is going to lead to nothing but adding clerical work for the Custodian-General and, therefore, we do not think that it is really worthwhile taking all that trouble. The hon. Shri Chinai of course could not but express the so-called uneasiness in the minds of the industry at this take over which had already been referred to by Mr. Moha when he was moving his Resolution disapproving of the passing of the Ordinance. But I think that is a little exaggerated. Industry by and large—in my experience I have come in contact with quite a number of industrialists—does not seem to be greatly dis-

turbed about the decision of the Government to take over the coal mines. In fact there are a few industrialists who told me in private—they cannot tell me in public of course—that they wondered why we had not done this long ago.

SHRI A. P. JAIN (Uttar Pradesh): You must keep their secrets; do not disclose them.

SHRI S. MOHAN KUMARAMAN-GALAM: It is a fact; I am not exaggerating. Of course not those in the coal mining industry; they would never tell that—but other persons in industry, more modern-looking persons, more forward-looking persons, a class in which one day people like Mr. Chinai will also join, thought that it was good that at last the Government had done this.

SHRI BABHUBHAI M. CHINAI: I gave figures to prove...

SHRI S. MOHAN KUMARAMAN-GALAM: It is very difficult to go by the figures even if those figures were those supplied by Government because after all those figures are supplied by the mine owners to the Government.

SHRI BABHUBHAI M. CHINAI: I have quoted from the tripartite conference.

SHRI S. MOHAN KUMARAMAN-GALAM: Yes, I know. That is why I look the precaution of saying even if they are supplied by Government. After all the Government would have collected the figures from those people and when the source itself is tainted, what is to be done with those figures? I can just cite some instances from the reports of the custodian General after takeover. In most of the collieries of Salanpur, Mugma, Darula, etc., there was tampering of records of attendance as well as wage sheets etc. by the owners. The 'B' Form registers were found to have been changed overnight and new persons had been inducted. Also in some of the collieries, the salaries of the senior officers and of the supervisory staff have been inflated. The workers of Salanpur

group and some other groups were not paid their wages for five to six weeks before the take-over by their owners. At Kuardih colliery a bogus expenditure of Rs. 50,000 per week was being compiled and it was obvious that this money was being pocketed by the owners themselves. Similarly in one of the collieries fictitious bills to the tune of Rs. 1 lakh per month was being paid to the contractors without any work. Now, all these would have been added and a figure would have been arrived at and it would have been given to the Government. That would have been taken up and challenged here saying these are the figures. So let us leave these figures aside for the present; let us have a second look at them. Then only we will be in a position to appreciate what has happened.

Now one or two words about the criticism made by my friend, Mr. Kalyan Roy. He was very eloquent on the violation of the tripartite agreements. I do not want to get into a very virulent dispute or argument with him on the question. It is true that we did want to include representatives of the trade unions in the Advisory Board for the Custodian-General but unfortunately we were not able to bring about an agreement between the trade unions themselves as to who should be the representatives there. If even tomorrow that agreement is arrived at I have no objection to including them. It is a difficulty which arises out of a somewhat delicate relationship that exists between the different trade unions and perhaps it is better not to rub anyone the wrong way by including this union and excluding that union.

SHRI A. P. JAIN: By excluding all unions you save yourself the trouble.

SHRI S. MOHAN KUMARAMAN-GALAM: I do not want to save myself the trouble. I do prefer to have the representatives of the unions there. I do not look upon them as troublesome. On the contrary I do say that the trade unions have been extremely helpful to us in the last two months ever since the take-over. Therefore

[Shri S. Mohan Kumarairangalam.] I have no reservations in welcoming their representation inside the Advisory Board. But I do not want to create more trouble for myself by becoming the target of criticism by one group if I exclude 'A' or of another group if I include 'A'. There are also 'B' 'C' and others; don't think only 'A' is there. Therefore it is better that we do not rub salt into the wounds that are slightly open now. It is better for all of us together. Secondly, the hon. Member criticised the Additional Custodian-General in Asansol¹, particularly in the Raniganj area, for large-scale induction of labour which was not being properly checked up. Now, he can appreciate one thing. This attempt to induct labour fraudulently is going on both in the Raniganj area and even more so in the Jharia and Bihar areas. It is sponsored by some dubious elements in the labour union field on the one hand and also probably by the type of people who travelled in that car about whom Mr. Jaipuria spoke, on the other, i.e. the ex-Managers sent to create trouble. The Custodians have been strictly given instructions that they should not allow it to happen. Sometimes under local pressure they are weak or without their knowledge it is also done by the local manager. That is not the Custodian. That is why there is no attempt, when mistakes are made, to hide them, as is clear from the fact that the Additional Custodian-General himself wrote to Shri Kalyan Roy in answer to his letter saying: "Yes, this has happened." And we are trying to remedy it. I was told, when I was in Calcutta the day before yesterday, I disciplinary action had been taken against certain persons responsible for such induction, I do not say in the cases about which the hon. Member spoke, but in certain cases, and I can only assure him that we are trying to do our best. He said that he has got the names of some officers who are acting dishonestly and so on. By all means give them to me and I shall see what can be done. He himself, I am sure, is in a position to talk to the

leading officers of the Coal Mines Authority who can see to it that this is remedied.

There are one or two points raised by my friend, Mr. Maqsood Ali Khan. He was apprehensive that the Railways would suffer for lack of coal. I do not think that the Railways will suffer for lack of coal because they will see to it that they get the coal. They are the people who move coal. So, the first coal that comes out will go to the Railways. So, I do not think one need be apprehensive that the Railways are going to suffer for lack of coal. He also emphasised that we must have a proper production plan. Yes, that is perfectly correct and we are attempting now to prepare a region-to-region production plan related to each one of the collieries. I hope for 1973-74 we will be able to work out a detailed production plan for something like 80 million tonnes. My fear is whether we will be able to work out a solution for transport which would be able to move these 80 million tonnes. That is our problem. I do not put it as a problem of the Railway Ministry. I put it as a problem of the Government because it is not a question of shifting the burden from this department to that department. It is our joint problem which we have to jointly solve. Certainly the Railway Ministry as well as the Department of Mines will do their best and see that if we can produce these 80 million tonnes—which I am confident we can—we will be able to move it and see that it does reach the consumer.

Finally, I come to the question of compensation for management. I think Mr. Maqsood Ali Khan raised that question also, why we are paying management compensation at all? Under the Constitution we have to pay it according to the interpretation put in article 31 by the Senior law officers who advised us. This is a matter that has been done repeatedly and I do not think that the case is going to be advanced by my defending it or advocating it in any way. It is

well known that we have been doing it. If it was some new position which I had taken, I could well understand hon. Member asking me about it, but this is an old practice dating back to the time of the taking over of the life insurance companies where, for the first time, we were advised by the then Attorney-General that article 31 did cover also the right of management. Right of management is right to property. No right to property can be taken over without payment of some compensation. That is why we have provided for the payment of compensation also.

Finally, I would only appeal to the hon. Members to give us all their sympathetic help in running these mines which we have taken over now, and we would appreciate all the criticism and information which they give, because all of us come from the different parts of our country. Many come from the areas where the coalmines are and I have no doubt that in a major undertaking of this character, it will not be possible to effectively push things through unless we have the full cooperation of this House and particularly of the hon. Members who have not displayed such an active interest in the working of the coalmines.

SHRI KRISHAN KANT (Haryana): Sir, I want to ask a question. I have given a note to the Minister. The Law provides that payments which have to be made to the colliery owners must be made to the Authority without giving to the intermediaries. Now, the case went to the Calcutta High Court and they have given stay orders. The consumers do not know whom to pay, whether to the intermediary or to the Coal Mining Authority which you have constituted. They are in a quandary. They came to me. I have given a note to the Minister. In view of the stay order, what are they to do? Both are demanding. What is to be done?

SHRI S. MOHAN KUMAR-MANGALAM: I saw that note. I have sent it to the Coal Mining Authority. But I do not think there

is any big problem so far as that is concerned because where the coal is actually sold by the middlemen—the middlemen do continue even now because we have not set up our own distribution system directly to the consumer—the consumer pays to the middlemen and the middlemen pay to the Coal Mining Authority. That is the system that works. Where we sell it directly to the major industrial consumers, the major industrial consumers pay to the CMA.

SHRI KRISHAN KANT: What about the earlier payments before you took over?

SHRI S. MOHAN KUMAR-MANGALAM: So far as the earlier payments are concerned, according to the Act, they have to be paid directly to the CMA.

SHRI KRISHAN KANT: What about the stay order?

SHRI S. MOHAN KUMAR-MANGALAM: So far as the stay order is concerned, wherever the stay order has been obtained, we have obtained clarification—I think that has been obtained from the High Court of Calcutta—by which it has to be paid directly, which will be credited in their accounts. We are only taking over the management, not the ownership.

SHRI A. P. JAIN: I must compliment you for taking this very good step of taking over the coalmines. But the point is—it was repeated here—while speaking from the seat where he is sitting now, the other day he said that there was enough of coal at the pithead, that the difficulty was with the Railway Ministry—which was not under his control—which could not move coal to the consuming centres. This morning the Minister of Railways very stoutly denied that the Railways had ever committed any default, and said that there were more than enough of wagons indeed and that the coal was not available at the pithead. Now, as a consumer I feel very much confused. I would like him to clarify whether it is he who

[Shri A. P. Jain.) is at fault or the Railway Minister.

SHRI S. MOHAN KUMARA-MANGALAM: Anyway, the Government is at fault. That is clear.

MR. DEPUTY CHAIRMAN: The question is:

"That this House disapproves the Coal Mines (Taking Over of Management) Ordinance, 1973, (No. 1 of 1973) promulgated by the President on the 30th January, 1973."

The motion was negatived. MR. DEPUTY CHAIRMAN: The question is :

"That the Bill to provide for the taking over, in the public interest, of the management of coal mines, pending nationalisation of such mines, with a view to ensuring rational and coordinated development of coal production and for promoting optimum utilisation of the coal resources consistent with the growing requirements of the country, and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN: Let us now take up the clause-by-clause consideration of the Bill.

Clause 2—Definition

SHRI KALYAN ROY (West Bengal): Sir, I move:

1. "That at page 2 lines 31-32, the words 'and used substantially for the purposes of the mine or a number of mines' be deleted."

I would ask the hon. Minister to appreciate my amendment. My amendment is in relation to the word 'substantially'. Now, most of the big mine-owners have big workshops. Because you have used the word 'substantially', most of these mine-owners are now claiming that those factories are doing also other jobs. As a matter of fact, in Satgram factory, they are doing only the job

for the mines. In spite of this particular clause, that has not been taken over.

So I would say that the word "substantially" should be dropped because any factory which is adjacent or inside the mining area, everybody knows, was doing the job for the mine. They should be taken over.

The question was proposed.

SHRI S. MOHAN KUMARA-MANGALAM: I can appreciate the hon'ble Member's view because when arriving at a decision to drop the word "substantial" or to include it, we did think in concrete terms of the problems that we face and we found that there are quite a large number of workshops which do a little work for the mine namely, 20—25 per cent. A large amount of the work is done by workers from outside the mine. It becomes too much of responsibility for the Custodian or whoever takes over the mines on behalf of the coalmines authority to take the responsibility of running the workshops which is what we have to do. Therefore, after discussion, particularly, with our officers in the Coalmines Authority we came to the conclusion that it is better to only take over those workshops which are substantially used for the mine.

SHRI KRISHAN KANT: Those workshops are part of the coalmines.

SHRI S. MOHAN KUMARA-MANGALAM: They are not part of the Coalmines in that way.

SHRI A. G. KULKARNI (Maharashtra): But that factory has got a workshop.

SHRI S. MOHAN KUMARA-MANGALAM: That is why we have provided for the taking over a workshop which is substantially used for the mine. If it is used substantially for the mine we are taking it over. I think Mr. Kulkarni did not follow exactly the point. Mr. Kalyan Roy wants any workshop, even if it

is not substantially working for the mine, to be taken over.

MR. DEPUTY CHAIRMAN: The question is :

1. "That at page 2, lines 31—32, the words 'and used substantially for the purposes of the mine or a number of mines' be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 2 to 6 were added to the Bill.

Clause 1—Payment of amount

SHRI KALYAN ROY: Sir, I move:

2. "That at page 7,—

(i) in line 34, for the words 'at the rate of twenty paise per tonne' the words 'at the rate of one paise per tonne' be substituted; and

(ii) lines 37 to 41 be deleted."

SHRI S. MOHAN KUMARA-MANGALAM: Sir, I move:

4. "That at page 8, line 16, for the word 'from' the words 'in relation to' be substituted."

5. "That at page 8, after line 19, the following be inserted, namely: —

'(5) AH sums deducted under sub-section (4) shall, in accordance with such rules as may be made under this Act, be credited by the Central Government to the relevant fund or paid by that Government to the persons to whom the said sums are due, and on such credit or payment, the liability of the owner in respect of the amount of arrears due as aforesaid shall, to the ex-

tent of such credit or payment stand discharged."

The questions were proposed.

SHRI KALYAN ROY: Sir, I will be very brief. I hope the Minister has seen a statement by the N.C.D.C. in the Statesman of the 25th February. He said:

"Most of the mine-owners, getting an inkling of the take-over had managed to remove all cash as well as cash books"

I hope the Minister has also seen the reply of the Minister of Company Affairs, Mr. Raghunatha Reddy on the 25th May 1971 wherein he stated that there were 26 coal companies which did not file the registers of bonus, balance sheets and profit and loss account. Similarly, in another reply in Parliament the Minister of Labour stated on 14th April, 1972 that as many as 140 coal mines did not have any registers whatsoever. Also Mr. Kumaramangalam stated last Friday that there is enquiry going on into what happened to the subsidy amounting to Rs. 2-3 crores per year, whether it was actually used for conservancy or safety or not. In view of this misuse of the subsidy in view of the complete absence of registers whatsoever, in view of the statement on the floor of the House by the Minister of Company Affairs that most of the mines did not even submit balance sheets and profit and loss account to the Income tax authorities, would he not himself see that 20 paise per ton is excessive, unjustified, unwarranted and absolutely not supported by what he said in the last two days, and as the Constitution asks you to put it, would you not be justified to reduce it to one paise?

4 P.M.

SHRI S. MOHAN KUMARA-MANGALAM: So far as what my friend, Mr. Kalyan Roy, has said is concerned, undoubtedly he has got a very strong case morally, but legally, I am afraid, it has no basis at all.

[Shri S. Mohan Kumaramangalam] That is the difficulty. We have argued this out repeatedly on previous occasions, and I think we better let it rest at that.

Coming to my amendments, it is in relation to the clause that was inserted in the Bill after the general discussion in the Lok Sabha. One particular legal difficulty was not brought to my notice at that time, and I myself did not take notice of that; and that is, when we introduce a clause by which amounts due to the workers can be deducted from the management's compensation, we must also have a clause that that means that whatever was due to the workers has been paid and that is in full and final settlement of what is due to the workers. Otherwise, legally an individual who gets money will be entitled to get his money and also proceed against the owner, which means against us and get it again. So we have to have, on the one hand, a provision for payment and, on the other, a provision by which the payment becomes a payment in full and final settlement. The new clause (5) that we are trying to introduce is for that purpose.

MR. DEPUTY CHAIRMAN: The question is:

2. "That at page 7,—

(i) in line 34, for the words 'at the rate of twenty paise per tonne' the words 'at the rate of one paise per tonne' be substituted; and (ii) lines 37 to 41 be deleted." *The motion was negatived.* MR. DEPUTY CHAIRMAN: The question is:

4. "That at page 8, line 16, for the word 'from' the words 'in relation to' be substituted."

The motion was adopted. MR. DEPUTY CHAIRMAN: The question is:

5. "That at page 8, after line 19, the following be inserted, namely:—

(5) All sums deducted

under sub-section (4) shall, in accordance with such rules as may be made under this Act, be credited by the Central Government to the relevant fund or paid by that Government to the persons to whom the said sums are due, and on such credit or payment, the liability of the owner in respect of the amount of arrears due as aforesaid shall, to the extent of such credit or payment, stand discharged."

The motion was adopted.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 7, as amended, stand part of the Bill."

The motion was adopted.

Clause 7, as amended, was added to the Bill.

Clause 8 to 17 were added to the Bill.

Clause 18—Coal mines to which this Act shall not apply

SHRI KALYAN ROY: Sir, I move: 3.

"That at page 11 —

(i) lines 23 and 24 be deleted; (ii) lines 25 to 33 be deleted."

Sir, I feel very strongly about it, and many Members belonging to the ruling party have also expressed indignation on this matter, and that is about the Tata coal mines. To-day I am surprised by what Mr. Kumaramangalam has stated. Sir, it is a fact that the Tata coal mines are captive coal mines like the J.K. Aluminium Company mines, where the captive mines supply coal only to the J. K. Aluminium factory or the cement company coal mines which used to supply coal only to the cement companies. Mr. Kumaramangalam may not know that the Tata collieries in the past had the worst industrial rela-

tions. If he will kindly look into the Industrial Tribunal cases or the cases which went to the Supreme Court, he will find that more people have been victimised, dismissed, discharged in the TISCO coal mines in the last 10 years than in any other coal mines. If the question of industrial relations is one of the factors to be taken into consideration, then the Tata coal mines had one of the worst industrial relations because there has been illegal victimisation of some senior officers and senior skilled workmen in Tatas and there have been two general strikes in the coal mines. Sir, the Tatas have the impertinence to insult the Labour Minister; when he wants the Tata management to come and meet him, the Tata management refuses. This has happened to Mr. Khadilkar and this is happening to the present Labour Minister. This is the attitude of the Tatas, and Mr. Kumaramangalam, I am surprised, gives them a good certificate. Is he not aware that the mines belonging to the J.K. Aluminium factory were one of the best-paying mines in the country? They give the best medical facilities; not a single paisa of royalty is due; no arrear is due; no tax is due. And their captive mines are to be taken over. What conclusion is going to be drawn? The only conclusion is that he is a friend of the Tatas and an enemy of Padampat Singhanian. Padampat Singhanian has modernised the mines; he has invested money. There are no accidents, no dismissal, and all arrears have been cleared. In spite of that, he takes over the mines belonging to Padampat Singhanian and the mines belonging to the ACC. What is the mystery or enigma that he is afraid to touch the Tatas in spite of their black record in relation to the workers.

Before I finish, there is one more point and that is in relation to the very touchy point about the Coal Mines Authority. It appeared on 25th in the Press in Calcutta in headlines: ten workers died in five mines. And up till now no custodian has reached therein the last two days. The mines are on the border of Birblhum—

Santhan Pargana—Bihar. Ten persons died there. The Deputy Minister, Mr. Pranab Mukherjee, went there. The workers were on a hunger strike. On his request the hunger strike was withdrawn. Ten persons died. Since 31st January till today no money has been paid to them. I have handed over a note to the Custodian-General also. It is a very sad picture. All the newspapers in Calcutta have given publicity to it. Sir, before I sit down I want to ask what the special relationship is between the Government of India and the TISCO. Will the Minister please explain why he holds the Tatas so sacred?

The question was proposed.

SHRI S. MOHAN KUMARAMANGALAM: The Special relationship between the Government of India and the TISCO is the same relationship as between me and Mr. Kalyan Roy. Let us leave it at that, I have listened with interest to what my friend, Mr. Kalyan Roy, has spoken today, because I have been thinking also that what we have done for the Tatas, we should do it for J.K. Since he has so eloquently pleaded the cause of J.K., I will think it over and see whether we should not adopt the same principle in regard to J.K. Where there is a will, there is a way of doing it. The only difference is that so far as J.K. is concerned, we have not yet gone into the position. Their seams and our seams are crossing in such a way that we need immediately to take action, that is, to rationalise in a scientific manner. So far as J.K. is concerned, the seam of the J.K. goes directly across; but we can think about it. I have no objection if the time comes.

SHRI KALYAN ROY: What about the insult to the Labour Minister? Is he going to tolerate it? That is the worst thing.

MR. DEPUTY CHAIRMAN: The question is:

3. "That at page 11,—

[Mr. Deputy Chairman]

- (i) lines 23 and 24 be deleted; (it)
lines 25 to 33 be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

"That Clause 18 stands part of the Bill."

The motion was adopted.

Clause 18 was added to the Bill.

Clauses 19 and 20 and the Schedule were added to the Bill.

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

SHRI S. MOHAN KUMARAMAN-GALAM: Sir, I move:

"That the Bill, as amended, be passed."

The question was proposed.

श्री प्रेम मनोहर : श्रीमान अब तो कोयले का जो राष्ट्रीयकरण हुआ है उसके बारे में यह बिल पास हो गया है इसलिए मुझे इसके विषय में कुछ नहीं कहना है, केवल इस सम्बन्ध में तीन चार पॉइन्ट रखूंगा। पिछले दो-चार महीनों में जब से सरकार ने इन खानों का राष्ट्रीयकरण किया है कन्ज्यूमर जिस को कामन वैन कहते हैं उस पर क्या बात रही है उसके बिलकुल सच्चे उद्धारण मैं रखूंगा। कानपुर में इस सरकारीकरण के पहले 150 रु० टन कोयला बिकता था। आज वह कोयला 200 रु० टन बिकता रहा है सारी स्माल स्केल इन्डस्ट्रीज और बड़, इन्डस्ट्रीज के लिए। जो घरों

में जलाने वाला कोयला है वह पहले 5-6 रु० मन था, आज उसके दाम कानपुर में 12 से 14 रु० मन हैं। जो रेलवे लोडिंग की रिसीट्स सरकारीकरण होने के पहले 3 दिन के अंदर मिल जाया करती थीं कन्ज्यूमर्स को वह आज दस-दस, बारह-बारह, पन्द्रह-पन्द्रह दिन में मिलती हैं क्योंकि किसी भी सरकारी अफसर को पैसा इकट्ठा करने की आवश्यकता नहीं है। रसीद दस-दस, पन्द्रह-पन्द्रह दिन में आती है और कन्ज्यूमर्स को सारे वेगन्स इंडेम्निटी वाइस पर छोड़ने पड़ते हैं और एक इंडेम्निटी वाइस का खर्चा 50 रु० प्रति वेगन है। आजकल वेगन की व्हाइफेज 5 रु० से बढ़ा कर 125 रु० रोज का कर दिया है। जितना ट्रक से कोयला आ रहा है वह सब कोयला कोलिरीज में उस वक्त लगता है जब हर ट्रक वाले से कम से कम 10 रु० प्रति ट्रक वहाँ के बावू लोग और सरकार के आदमी ले लेते हैं जितनी क्षति पहिले हो रही थी कोलिरीज में उतनी ही आज भी हो रही है। लालपेट कोलिरीज चांदा में प्रतिटन वही चार्ज किया जा रहा है जो पहिले 8 रुपया प्रति टन चार्ज हो रहा था। जैसा कल्याण राय जी ने बतलाया कि इस दो महीने के बीच में करीब 20 एक्सीडेंट हो गये हैं। आज कोई भी मैनेजर कोल माइन्स में सेफ्टी मेजर्स नहीं ले रहा है। पहिले इन्स्पेक्टर्स वहाँ पर जांच करते के लिये जाते थे तो उसकी डर से सेफ्टी मेजर्स लिये जाते थे। लेकिन अब उस इन्स्पेक्टर्स के लिए वहाँ जाने का कोई आकर्षण नहीं है क्योंकि पहिले तो उसको प्रोपाइटर से पैसा मिलता था और आज उसको पैसा मिलने वाला नहीं है। आज वहाँ पर सेफ्टी मेजर्स न होने के कारण एक्सीडेंटों की तादाद बढ़ती ही चली जा रही है।

उप सभापति जी, आज रेल मंत्री जी ने बतलाया कि हमारे पास वेगनों की कमी नहीं है, लेकिन कोयला ढोने के लिए मिलता नहीं

है। मैं मंत्री जी से निवेदन करना चाहूंगा जो कि अक्सर कामन मैन की बात करते हैं, राष्ट्रीयकरण की बात करते हैं, वे हमको यह निश्चित बतलाएं कि तीन, चार, पांच या छः महीने के अन्दर कोयले के दाम जो पहिले 150 और 200 रुपया प्रति टन हो गया था, वह 90 रुपया प्रति टन नीचे आ जायेगा। अभी मंत्री जी ने बतलाया कि वहां पर पहिल 50-60 प्रतिशत माल की बरबादी हो रही थी और अब सरकारीकरण से करीब 110 प्रतिशत हो जायेगी।

श्री भूरेन्द्र नारायण भण्डल (बिहार) : अभी जो बात मंत्री जी बोल चुके हैं, उसमें दो तीन बात की तरफ उनका ध्यान दिलाना चाहता हूं। एक बात जो उन्होंने अपने भाषण में कही वह यह है कि यह जो बिल लाया गया है वह किसी आइडियालौजिकल रीजन्स से नहीं लाया गया है बल्कि वहां पर जो गड़बड़ी हो रही है उसको ठीक करने के लिए यह बिल लाया गया है। एक बात तो उन्होंने यह कही। मैं मंत्री जी से पूछना चाहता हूं कि जिम गवर्नमेंट की पालिसी इस देश में समाजवाद डोपट करने की है, गवर्नमेंट यह भी कहती है कि हमें इस क्षण नान-कोकिंग कोल नेशनलाइज भी करना है और यही वजह है हमने यह फर्स्ट स्टेप लिया है जिसकी मुखालिफत की जा रही है। लेकिन मैं यह कहना चाहता हूं कि जैसा श्री कल्याण राय ने प्वाइन्ट आऊट किया है कि टाटा की जो कोयले की माइन्स हैं उनको सरकार ने अपने कब्जे में क्यों नहीं लिया ? मैं यह कहना चाहता हूं कि हमारे देश का जो संविधान है वह भी यह कहता है हमें किसी बात में भेदभाव नहीं करना चाहिये। तो क्या यह भेदभाव की बात नहीं हुई ? हिन्दुस्तान का जो सबसे बड़ा पूंजीपति है, उसके लिए एक स्पेशल कानून बनता है। जब एक दूसरी इंडस्ट्रीज लोहा कारखाना को नेशनलाइज किया जाता था तो हि बिकमस एन एक्सपेशन, कोयले की इंडस्ट्रीज को नेशनलाइज किया तो टाटा

बिकमस एन एक्सपेशन। इसी तरह से बिहार में कांग्रेसी सरकार ने बिहार में जमींदारी को खत्म किया, लेकिन टाटा की जो जमींदारी थी उसको छोड़ दिया। क्या सरकार इस तरह से टाटा जैसे बड़े पूंजीपतियों को सह देकर, उनकी रक्षा करके देश में समाजवाद लायगी। इसलिए हम लोगों को शिकायत है कि यह गवर्नमेंट और उसकी प्रधान मंत्री इस देश में समाजवाद कायम करना नहीं चाहती है। वह कुछ ऐसे लोगों को मजबूत रखना चाहती है ताकि जरूरत पड़ने पर उनकी मदद ली जा सके और इस तरह से पूंजीपतियों से सरकार को मदद मिल सके।

दूसरी बात की ओर मैं यह ध्यान दिलाना चाहता हूं कि मजदूरों के बारे में सरकार ने कई वायदे किये हैं, लेकिन वह मजदूरों की भलाई के लिए जब काम करने का समय आता है तो कहती है कि यह तो लेबर इंसेन्टिव इंडस्ट्रीज हैं, इस तरह के उद्योग में बैंक और इन्स्योरस कर्मचारियों के वेतन वाली वे कैसे सुविधा दे सकते हैं। इस तरह की बात तो कहने और सुनने में अच्छी मालूम पड़ती है, लेकिन मैं मंत्री जी से यह कहना चाहता हूं कि अगर देश में समाजवाद कायम करना है, देश में संविधान की रक्षा करनी है जिस में प्रावधान है बराबर का, बराबर मजदूरी का तो उनके जो हकूक हैं उनकी भी रक्षा करनी होगी। अगर आप इस तरह की बात नहीं करते हैं, तो यह समाजवाद और संविधान के खिलाफ बात जाती है। मैं आशा करता हूं कि मंत्री जी इस बात की ओर ध्यान देंगे।

तीसरी बात मैं यह निवेदन करना चाहता हूं कि कोयले की खाने अब उनके हाथों में आ गई है, उनका प्रोडक्शन उनके हाथों में आ गया है, तो उन्हें कोयले का प्रोडक्शन बढ़ाना चाहिये और उसका डिस्ट्रीब्यूशन भी ठीक ढंग से करना चाहिये ताकि सब को कोयला समय पर मिल सके।

MR. DEPUTY CHAIRMAN: Yes, Mr. Minister.

SHRI S. MOHAN KUMARAMANGALAM: Mr. Deputy Chairman, Sir, I do not think that any really new points have been raised. Of course, Mr. Prem Manohar raised the question about prices and I have mentioned earlier also in the course of my reply to the discussion that really we are facing difficulties in relation to prices and we are thinking of bringing them under control.

Then, Sir, the problem of distribution was mentioned and the question of railways has already been raised and that was also answered at that time and I do not think it is necessary for me to say anything more.

So far as the point made just now by my friend is concerned, I do not want to say anything much about that except that the reason. . . .

SHRI LOKANATH MISRA (Ori-3sa): Mr. Kumaramangalam, would it be possible for you to bring down the prices to the level which prevailed before nationalisation? Would that be possible?

SHRI S. MOHAN KUMARAMANGALAM: There has been no increase in prices after the nationalisation in I so far as the prices fixed by the Coal Mines Authority are concerned. Those prices are the same as the prices fixed earlier by the Joint Working Committee of the coal industry at the beginning of January.

SHRI LOKANATH MISRA: They are not.

* SHRI S. MOHAN KUMARAMANGALAM: Mr. Misra, you are thinking of one question and he is thinking of another and I am falling in between. So, when I answer you please listen and when you answer let him listen. That would be better.

So far as the point raised by Mr. Lokanath Misra is concerned, we have not increased the prices in this way,

that is to say, announced any increase from rupees X to rupees Y. What has happened, however, is—and this is for the information of Mr. Prem Manohar—that when it comes to actually selling the coal to the domestic consumer, the brick burner or the small industry people, the price has increased because of the way in which distribution has been done in which some middle-men have been knocking off something more or somebody has been taking the money in between. But so far as the Coal Mines Authority people are concerned, they are charging the same price fixed by the Joint Committee earlier. Therefore, let him not think that I am not disturbed. I am as disturbed and as anxious as he is and I am desirous of improving the situation as early as possible and I am quite conscious of the fact that the take-over will not be justified if I am not able to solve the problem. There is no question of any dispute about that or any argument about that and I am not here to defend something which he says is not in the best interest of the country and which we are trying to remedy.

Then, so far as the question of the Tatas is concerned, it is said that we are flouting the laws for the Tatas. Quite enough has been said in the course of the last few days and it is better to leave it at that. I have explained the point of view, but the honourable Member is not able to appreciate it. Well I can understand that. We are not trying to make any distinction as such. It is a question of what is useful and effective from the point of view of the country.

Therefore, Sir, I move that the Bill, as amended, be passed.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.