

prepared to give them to him, not in London but in Delhi. But nonetheless I would certainly look into whether Rs. 2 crores of expenditure are justified and it is a matter which all the hon. Members are concerned with and it is a case one should go into it.

Then, some points have been raised. But they were all of general arguments with reference to the so-called offices, etc. One important point made by the hon. Member is with reference to the Provident Fund. I see a very great force in that argument and I will look into it as to why the provident fund has not been paid to the Labourers. This is a matter which has to be gone into and I will take an appropriate occasion for the purpose of answering this point in this House.

I would not like to go into this further in details. I think it is an innocuous amendment. I am only making a submission that only two clauses are added substantially, that is one raising it from 8.8 paise to 50 paise per kilogram. The other is bringing a provision on the basis of the recommendations of the Committee on Subordinate Legislation for the purpose of writing off losses as irrecoverable.

I am sure, the hon. Members would pass this Bill and see that the powers which the Government is seeking are granted to it in the larger interests.

PROF. P. J. KURIEN : Are you going to increase the cess to 50 paise per kilogram for all varieties of tea ?

SHRI P. SHIV SHANKER : If the hon. Members are pleased to see the amendment to Section 25, the proviso says :

“Provided that different rates may be fixed for different varieties or grades of tea having regard to the location of, and the climatic conditions prevailing in, the tea estates or gardens producing such varieties or grades of tea and any other circumstances applicable to such production.”

These are the guidelines based on which

the cess will differ from place to place, from tea to tea having regard to the climatic conditions etc.

MR. CHAIRMAN : The question is :

“That the Bill further to amend the Tea Act, 1953 be taken into consideration.”

*The motion was adopted*

MR. CHAIRMAN : The House will now take up clause by clause consideration of the Bill.

MR. CHAIRMAN : The question is :

“That Clause 2 stand part of the Bill”

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clauses 3 and 4 were added to the Bill.*

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

SHRI P. SHIV SHANKER : I beg to move :

“That the Bill be passed.”

MR. CHAIRMAN : The question is :

“That the Bill be passed.”

*The Motion was adopted.*

15.52 hrs.

COAL MINES LABOUR WELFARE FUND (REPEAL) BILL.

[English]

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : I beg to move :

“That the Bill to repeal the Coal Mines Labour Welfare Fund Act, 1947 and to provide for certain matters incidental thereto, be taken into consideration”.

[Shri Vasant Sathe]

The hon. Members would have gone through the Statement of Objects and Reasons attached to the Bill, which gives the background on the formulation of this Bill, which seeks to repeal the Coal Mines Labour Welfare Fund Act, 1947. With your permission, I would like to briefly mention a few salient features of the Bill.

The principal Act was enacted as far back as 1947 when the coal sector was almost entirely in the private sector. As hon. Members are aware, the coal industry was nationalised in 1973 and now barring a few captive mines of TISCO, the entire coal industry is in the public sector. Compared to what the erstwhile coal mine owners used to spend on the welfare of their workers which was less than Rs. 6 crores when we nationalised the coal industry, after nationalisation and upto now, we have spent more than Rs. 400 crores. In one year, now the expenditure is Rs. 105 crores. In the 7th Plan, we propose to spend Rs. 800 crores on the welfare purposes. Therefore, you will kindly see that the welfare activities have now been taken over by the nationalised coal companies, Coal India Ltd. and its subsidiaries. The short question is there was this Act when there was no protection for the welfare of employees in the coal industry in the private sector, in the private hands. That is why, an Act called the Coal Mines Labour Welfare Fund was brought into force. The idea was to impose a cess on per tonne of coal, which varied from time to time. At that time it was 4 annas and it has now come to 75 paise per tonne. The amount collected from this cess is used as a fund for welfare activities. But what was the total amount? The total amount from that cess now comes to hardly Rs. 12 crores. As the hon. members are aware, very often, most of this fund is spent on the establishment itself and a very little amount reaches the beneficiaries actually. So, we felt that it is only leading to duplication of activities. A small fund under a small body is carrying out some welfare activities and the same activities are being done on a very large scale. Hospitals and housing schemes are the two major purposes for which the fund was mainly

being used. About 40 per cent was used for housing and 60 percent for general welfare. That was the break-up of that Rs. 12 crores fund. It was a paltry sum as far as the 7½ lakhs of workers and their families are concerned. Therefore, we felt that it has outlived its purpose. The activities have been taken over and the old Act has become redundant after nationalisation because the entire welfare activities have been taken over by the nationalised companies and it is their obligation to look after these welfare activities. That is why, instead of having this as a formality, (because this Bill which has been unnecessarily there on the Statute is creating problems in the sense that it leads to duplication of the same activities), we have brought this Bill to repeal this provision. That is the only purpose of this Bill.

Welfare activities will continue and they will grow. I gave you the figures. Where is Rs. 6 crores and where is Rs. 100 crores that is now being spent per annum? Even then, one can never be totally satisfied. I believe that we have to do a lot more and there we have to take the workers into confidence. You may say that it is my pet theme. I have been constantly saying that in the entire working of the public sector, the representatives of the workers must be involved. Unless there is real participation of workers in the management welfare programmes also cannot be successfully implemented. I myself am very keen on that and I am sure the hon. members of the House are also very keen. Therefore, we will try our best to improve things. I will always be guided by the advice and views of the hon. members.

With these remarks I suggest that this Bill be considered and passed.

MR. CHAIRMAN : Motion moved :

“That the Bill to repeal the Coal Mines Labour Welfare Fund Act, 1947 and to provide for certain matters incidental thereto, be taken into consideration.”

[Translation]

SHRI G. BHOOPATHY (Peddapalli) :  
Mr. Chairman, Sir, if Shri Vasant Sathe a

is taking the responsibility to look after the coal-mine workers, we have no objection. Instead we are with him to look after the welfare of the workers. In the residential localities of the coal mine workers, private doctors open their clinics and nursing homes and some people open other shops too. More damaging is the opening of liquor shops there. More liquor licences are issued for these localities because of the mine workers which causes great harm to the worker. They ask the Government officials to raid these areas and as a result thereof, disorderliness prevails in the locality, since there are thousands of workers there and many of them drink in the open ground. There is an open ground like parade ground there where some people sell liquor and the workers go there on the pay-day alongwith their full pay packets and drink in the open. The thieves also go there alongwith so many stray animals like dogs, pigs, donkeys etc. roaming there in search of food and spread filth and lawlessness. I, therefore, request the Government to prohibit the sale of liquor and drinking in the open area. There should be a club or restaurant for the workers there where they might sit and drink so that some kind of decorum is maintained there.

16.00 hrs.

Sir, Government must provide good housing colonies for the labourers and due care should be taken of their health. We should not limit our thinking to increasing production only. We have not been able to increase production to the desired extent. However, Government should consider increasing production as well as adequate housing facilities for workers.

The number of policemen is more in areas where coal mines are located. The policemen round up the workers on the pretext of drinking by them or on some other pretext and take them to the police station and take away their money. There is no one to look after the development of their residential areas. Therefore, I would request the Government to look to the problems of the workers who dig coal from the mines at the risk of their lives which is used for the deve-

lopment of the country. The Government which does not look after the welfare and development of these people cannot make any progress. I also request the Government to open Super Bazars in the worker's colonies, so that they may get essential commodities of good quality at a fair price. Those who want to drink in the open, let them do so because they will not listen to our advice, but we must atleast open a club or restaurant where they can sit and drink. It will also be helpful to improve the local environment and some decorum can be maintained. Alleast Government should show this much consideration to them, so that they may not drink in the open and may sit inside the restaurant.

Government have taken several measures to boost coal production but till now we could not achieved the stipulated targets. Therefore, Government should make more efforts and take further steps to increase the coal production.

Sir, we have been noticing for the last 3-4 years that accidents are occurring frequently in the coal mines. Sometimes the accident occurs due to the leakage of carbon monoxide gas and sometimes due to the falling of the roof of the mine. In this regard I have also asked the hon. Minister through a supplementary question as to how many labourers have died in coal-mine accidents during the last three years, but till now I could not get a reply. I, therefore, request the hon. Minister to arrange good machinery for the coal mines and send competent people there so that such accidents may not recur.

Sir, I would like to mention one more point regarding the workers of the coal mines that due to the non-availability of good medical facilities, they are facing problems. Sometimes due to non-availability of proper medical facility and good doctors, they have to take the patient to other places at their own expenses. Therefore, I request you to send good doctors especially specialists to these areas so that complete medical care may be available there for tests or diagnosis of all diseases and proper treatment thereof. The hon.

[Shri G. Bhoopathy]

Minister must make such arrangements. There should be cleanliness around the house and those people should be helped in every way. Many brokers promise them jobs and they charge as much as four to five thousand rupees from each individual. Such people should be checked from doing so.

The health of those coal-mine workers who go inside the mines is not sound. We have no objection to the Bill which has been brought forward to amend the Act so as to improve their condition and look after their welfare. We support the Bill.

SHRI DAMODAR PANDEY (Hazari-bagh): Mr. Chairman, Sir, while introducing the Bill here, the hon. Minister has rightly said that after the nationalisation of coal mines, there is no need of different departments and agencies for carrying out the welfare schemes of the workers of coal mines. Therefore, it has been felt that the Coal Mines Welfare Organisation should be wound up. But one thing has not been kept in view. There are some activities of the Coal Mines Welfare Association which the Coal Company is unable to carry out. There are some other activities in which both the Coal Company and the Association participated. There is no provision in the Bill in regard to the arrangement to be made in future in this respect.

In my opinion, the matter should have been discussed before winding up the Association. At least the labourers and the Advisory Committee of the Coal Mines Welfare Fund should have been consulted in regard to implementation of the programmes in future. This organisation consisted of the representatives of workers and the Government as well as the Coalmine company. They used to consult one another before taking any measure and used to work unitedly. I have had personal contacts with this organisation for the last 25 years in one or the other capacity—as a member of Advisory Committee or Housing Board or as a member of Coal Field Sub-Committee. Therefore, I know that all the representatives of the organisation used to deliberate

on the issues concerning the Welfare of labourers. You will find that some welfare measures which were initiated with their consultation in 1947 benefited them later on. It would be better to consider how he can carry out the task of their welfare.

I would cite one example. The Coal Company undertakes welfare schemes but it has no provision for running multi-purpose institute. It has also no provision for constructing a boarding house. Multi-purpose schools are functioning there. Coal Companies run such schools at one or two places. But there is no mention in it regarding these schools in the Bill. There is no provision for holiday homes in the Bill which are run only by this organisation. Similarly, there is no provision for further improvement in the welfare schemes for women workers. Only this much has been mentioned that the assets and liabilities of the company will now be taken over by the Government. Government will have the ownership of the coal mines which was already with them. But it would have been better if this arrangement had been mentioned in detail.

The Coal companies undertake malaria eradication programme and they have opened hospitals also. But, some provision should be made in the Bill to see that it is made compulsory. There is no arrangement to ascertain the needs of the labourers and welfare measures to be taken up for them.

Government talks of partnership and wants them to accept the concept of partnership. I want that more serious thought should be given to it. Till now the opposition parties and the unions belonging to the opposition tide over all their difficulties by blaming the INTUC. We want that the concept of partnership should be further clarified. I do not agree that partnership is the only solution for all welfare schemes. Advisory Committees can be formed even now for the welfare schemes as was done earlier. We do not think that there will be any difficulty in that. When there is partnership, we will also have a Director amongst us and then



we will talk of partnership to run the company. I would request the hon. Minister to take a decision in this regard without delay. This year a sum of Rs. 12 crores was spent. Our partnership is there in this expenditure also. We all decide collectively what to do and what not to do. We feel deeply satisfied by doing all these things. Therefore, I am also prepared to agree that there should be partnership but there should be some changes in it.

Government want that drinking water must be made available to all but they have not mentioned in the annual report when the drinking water will be available to all. 14 to 15 years have passed since coal Industry was nationalised. We do not know for how many more years we will have to wait. Therefore, the hon. Minister should make a mention of this also.

The Coal industry has been nationalised and it has come under public sector. But the norms in the public sector should be applied here also. In the public sector when some project is undertaken, housing facilities are also provided for the workers and the norms etc. for the designs of houses to be built are also laid down. The houses are built according to the wages of the workers. But unfortunately, when the question of housing for coalmine workers comes, they talk of providing barracks and cheap houses. When we raise this matter, they say that it is a temporary phase. But for how long they will live in cheap houses and barracks? What kind of arrangement is this where we have not been able to provide houses to even 40 per cent of workers even so long after nationalisation? What is our concept of the public sector?

In regard to recreation, we say many things. Of course, we spend money on recreation. But except construction activity there is no other activity on which the allotted money does not lapse. The money is spent through the General Manager and managers (*Interruptions*). They want the welfare activities through the General Manager, manager and agent. They want to increase the production through them. They want to ensure safety

through them. We agree that he is a capable man. That is why he became the manager or General Manager. But after all his capacity is limited and he cannot look after all the activities. If production falls, he will be asked to explain the reasons and adverse entry is likely be made in his service books. If there is any lapse in safety, its responsibility will also come on him. Lastly, when he thinks that all is going well, he undertakes welfare activities also as a last priority. They have given last priority to the welfare activities of the labourers.

There was a huge backlog when the hon. Minister took over. There were seven lakh mine workers who had all along been exploited by thousands of mine owners. Government has raised an organisation for their benefit and imposed a cess on the consumers, in order to collect the required amount as the mine owners were not prepared to help at all. They collected the money by imposing the cess on the consumers so that these poor labourers could at least have basic amenities like drinking water, housing and medicines. The programme that Government had undertaken was not only gigantic but also a great liability. But, unfortunately, the necessary arrangements for completing the programme have not been made. It is mentioned in the Annual Report, which he must have seen, that all such activities are going on through the welfare Boards. I do not know, I asked a high official of his Department where the welfare Board is, or who are its members or who is the Chairman because although I have spent my entire life among the mine workers, yet till today we are not aware as to where these Boards are. Yet it has been said that the welfare Boards are there in every Company except Coal India Limited. If this is so, we are very happy. However, if the case of the Board is similar to that of God who is no where yet we can feel his omnipresence, then we have nothing to say. This fact should be given due consideration as such a state of affairs cannot continue for long.

It is our considered opinion that the body which is meant to look after the welfare of those have no share in it, must

[Shri Damodar Pandey]

have a predominant role to play, because they are spending money for them only. I assure you that if they are entrusted with the responsibility of running the Board it will show better results. I myself contributed in the fund for which the labourers of a company also contribute. The labourers collected the amount at the rate of only Rs. 2 per person per month. They ran the Board with their own contribution. I do not know how far he agrees with labour participation but we are successful in initiating the various welfare programmes, with the help of this scheme. He must be aware of the scholarship programme which we have provided under our welfare scheme and the extent of assistance that we render through this scheme to the labourers during time of distress. Such programmes have not been made in any other company. Thus we have proved that we can also implement such programmes. We only want that he should have some faith in us. On the other hand we have always trusted him. We have deposited money in public funds and we get our expenses audited also and thus ensure against wasteful expenditure. Government propose to spend Rs. 800 crores during the Seventh Five Year Plan. Therefore, such programmes must be taken up to the satisfaction of workers. He should tell us whether Government propose to take the labourers into confidence while implementing these programmes and allow them to play a predominant role and act according to their decisions? We do not regret the winding up of the Coalmines Welfare Organisation. I am a member of its Advisory Committee even today. I am grateful to all the old members for the good work they had done. All the work which has been done till today is praiseworthy. At present, we are bidding them Good-bye and it is my belief that such people would be provided with total protection. Again, we should try to get better work from them and also think about companies taken over by the Government, the conditions of service of the people have to be clearly laid down. These are my suggestions. What more can I say When the bell is ringing hard. Finally, I hope that the hon. Minister would give due consideration to all the points. We have no doubt about his intentions but we

want that steps should be taken to ensure that those are properly implemented.

[English]

SHRIMATI JAYANTI PATNAIK (Cuttack) : Sir, production, development and welfare are closely linked. Hence in order to exploit these mineral resources, the welfare of the miners is to be looked into.

The basic policy of the Government is to raise the standard of living of the working classes, the weaker sections and other backward classes. It is a very important aspect of the coal industry that the workers' welfare has to be looked after.

With a view to improve the living and working conditions of the coal miners and providing the basic amenities and facilities in respect of housing, water supply, health, education etc., the Government of India had promulgated in 1944 an Ordinance, subsequently replaced by an Act known as the Coal Mines Labour Welfare Fund Act, 1947.

As the hon. Minister has said, Coal Mines Welfare Fund was formed at a time when the coal mines were in the hands of the private owners. At that time, the idea was not that it should be for the total welfare. The only idea was to provide something for the working classes. Actually there was no serious effort to look into the total welfare of the workers.

Anyhow, coal is nationalised. In the public sector, there are minimum responsibilities to be performed by the Government to look after the welfare of workers. Keeping this objective in view, the public sector of such a hazardous industry tried to abide by the recommendations of Committees, Conferences, Standing Committees and so on, for the industry, like the Committee or Conference on Safety in Coal Mines. The Mines Act and the Rules and Regulations are there which constitute the statutory base for regulating safety and working conditions of workers in coal mines.

There are the Mines Act and rules and

regulations and the statutory bodies for regulating the safety and working conditions of the coal mines and to look after the welfare of the workers. So there should not be duplication. Now, instead of a small body, a larger body is to work into the welfare of the workers. That is why, the repeal of the Act of 1947 is necessary and we welcome this.

In order to look after the welfare of workers, inside and outside the mines, various measures were recommended by the Committee on Safety on Coal and those recommendations should be taken seriously. Those recommendations are like the setting up of internal safety organisation in coal mines, development of open cast mining and activation of pit safety. The Committee also recommended that the fatality rate of one per million tonnes of coal raised should be achieved by 1990. They also recommended that the fatality rate of 1 per million tonnes of coal raised should be achieved by 1990. There is a steady decline in the fatality rate from 1976 to 1981. We are glad about that. Since we are marching ahead, by 5 years, there should be some improvement in this situation. But during the year 1982-83, the situation is not such because the fatality rate in 1981 was 1.28; in 1982 and 1983, it increased to 1.31 and 1.33 respectively. Of course, afterwards it decreased.

Sir, we are talking about the welfare of the workers. So we should see that there should be some improvement as far as the fatality is concerned.

Further, we should go for open cast methods where the technology is safer compared to the underground mining technology. Of course we are having underground mining technology. On underground mining also there should be some suitable technology so that it will reduce the number of men exposed to hazardous conditions. The safety measures should be strengthened to save the coal-mine workers from the accident. Whenever death occurs due to accident, their family members should be immediately absorbed in the job and sufficient compensation should be given to them.

Sir, the housing, medical, drinking water facilities, education facilities and other welfare measures should be taken up seriously by the Public Sector. As far as housing is concerned, we see that 27 percent of coal-miners have been provided with this facility. Compared to other public sector industries, it is very low because in the other public sector 40 per cent employees get housing accommodation. But as far as coal-miners are concerned, even in some places, we do not find this 27 per cent. I would like to say that this housing accommodation is most important thing.

Regarding medical facilities, I would like to say that the medical facilities to the coal-miners are practically limited in the distribution of routine medicines and that is not adequate also. The coal-miners are actually working in hazardous conditions. They do not live in the proper accommodation with proper sanitary facilities. The sanitary condition is very poor. The incidence of Tuberculosis is highest among the coal-mine workers. Curative as well as preventive measures should be taken up. Even today the workers find it difficult to get admission in the hospitals; they have to wait for a long time, some times even more than a year, to receive sanatorium treatment. We do not have ambulances in each collieries. If it will not be possible, the requirement could be met by the system of pooling in certain collieries.

It is said that arrangements already exist for periodical medical check-up. But it is not so. For this purpose, special camps for medical check-up should be organised with the help of specialists—even with the help of private doctors—to provide full and complete coverage to the workers within the reasonable time-frame under proper monitoring system. Besides this, there should be a regional health centre or hospitals built up so that from the neighbouring areas, they can be transferred for proper treatment because the present arrangement is insufficient and inadequate.

About drinking water, I would like to say that it is not properly available and it is very disheartening to see the plight for

[Shrimati Jayanti Patnaik]

drinking water. Everybody should get potable water. This is the 'Sanitation Decade'. Specific steps should also be taken to provide water to these workers. The workers face accidents when the mine is full of water. In order to ensure safety, the water in the coal-mine has to be pumped out. There is no conservation of water in a better and scientific way. If the water is properly used and conserved, then this water can be used for irrigation purposes. I do not know whether it is possible or not. In this connection, I would like to know the hon. Minister whether any such comprehensive scheme has been made.

16.30 hrs.

[SHRI SHARAD DIGHE *in the chair*]

About educational activities, we are glad that multi-purpose institutions have been set up in these areas. Government should see that women are educated in a large scale and some incentives should be given, if required. Besides this, vocational training should be given to the female workers.

MR. CHAIRMAN : This is only a Bill to repeal the Act. You need not speak about all labour welfare measures now. Please conclude.

SHRIMATI JAYANTI PATNAIK : In Orissa there are many coal-fields. In order to be employment-oriented and welfare oriented, IB Valley should be exploited and should be linked with IB Valley project. The people of Orissa have been pleading for a long time for the creation of a separate Coal Company in view of the large potential and programme for the working class residing in these areas. With the separate company their welfare can be looked into. This should be favourably considered; at least, pending creation of a separate company, a Coal Division should be created for Orissa.

With these words, I support this Bill for repealing the Coal Mines Labour Welfare Fund Act, 1947,

SHRI BASUDEB ACHARIA (Bankura) : The welfare aspect of the workers, particularly of the coalmine workers, is very important because you know in what condition the coalmine workers live. They live in 'Dhauras'—the quarters of the miners are called 'Dhauras'; only one single room with no proper sanitary arrangement, no ventilation and no supply of pure drinking water. Several lakhs of colliery workers, coalmine workers, were on strike on 9th April, and the strike was a complete success. What were their demands? Their demands were mostly relating to the welfare of the workers such as formulation of a pension scheme for coalminers, finalisation of uniform standing orders for the entire coal industry, removing of ceiling on bonus, time-bound promotion schemes, and so on. One of the major demands was recruitment of one of the dependents of the coalmine workers, to which the Government have said that it is unconstitutional. But there was an agreement; both the parties, the representatives of the Trade Unions and the CIL management, represented on the JBCCI, signed the agreement. Before that Agreement was signed, the CIL and the Government did not think that would be unconstitutional. Already three years have elapsed after this Agreement was signed. After three years, only 40 per cent of the promised houses have so far been constructed. Though it has been claimed that Coal India management are supplying water to the 16 lakhs people, most of the coal mine workers are to rely on the accumulated impure water of collieries.

In regard to education, the required grant of schools which was agreed upon in NCWA has not been disbursed. There has not been any improvement in the educational facilities of the children of coal mine workers. Why the CIL do not have their own schools when other public sector undertakings like Steel Authority of India or the Bharat Heavy Electricals have their own educational institutions? Why the Coal India Limited do not have any schools?

The medical facilities available for the coal miners have not been improved so



far after that agreement. Even an ambulance is not available for the needy coal miners. Sanitary facilities also are non-existent in the worker's colonies and *Bastis*.

In the name of curbing absenteeism, workers are now being dismissed. For one day's absence eight days' wages are deducted. Workers are being dismissed and then recruited afresh. The money deducted under CDS (Compulsory Deposit Scheme) has been deposited to the provident fund of the workers and they are not getting their refund. The Hon. Minister once assured me that he would bring a suitable legislation so that the amount which was deducted under CDS will be deposited in the provident fund account of the workers and that amount can be refunded to the workers.

Uptil now, it has been admitted in the report, after nationalisation only 125927 houses have been added till 31st December 1985 thereby raising house satisfaction to 32.29% of the total workforce.

MR. CHAIRMAN : Is it all relevant?

SHRI BASUDEB ACHARIA : It is related to the welfare measures of the workers Sir.

MR. CHAIRMAN : We are repealing.

SHRI BASUDEB ACHARIA : Yes, you are repealing; but you are taking the responsibility of the welfare of the workers after repealing the Act.

Sir, a few days back Shri Sathe assured that by the turn of the century all the coal mine workers will be provided with accommodation. I do not know how this can be done when uptil now only 32.29% of the workers have been provided with accommodation. Sir, one of the important aspects is the safety of the coal miners. Even after nationalisation, this unscientific mining is still continuing and due to inadequacy of the staff of the Directorate General, Mines safety, the inspection is not carried out properly. Even some posts of Director General, Mines Safety,

have been abolished, as a result a number of mines have been coming up and they have increased in the last five years. The staff strength of the Directorate General, Safety Mines, has declined. The situation regarding the fatal accidents shall continue to be serious even with the amendment to the Mines Labour Welfare Fund Bill. In 1980, the number of accidents that took place was 141 and the number of persons killed was 160. In 1981, the number of accidents was 165 and the number of persons killed was 184. In 1982, the number of accidents was 158 and the number of persons killed was 185. In 1983, 156 accidents took place and 191 persons were killed. In 1984, 160 accidents took place and 171 persons were killed.

Sir, some of the recommendations of the Safety Conferences have not been implemented, despite the lapse of several years and even the inquiry report of the accidents available are only 5 and no action has been taken by the Government so far with the result that similar accidents occur again and again. Sir, observation of Safety Week is only soapy and it does not help develop safety consciousness among the workers. The question of education of workers on safety aspect is generally neglected by the management of the mines. It is the usual practice of the management to have the same officer in-charge in both production and safety. In this way, the aspect of production does get priority and the safety aspect goes to the background.

Sir, he has already said that what is needed is workers' participation. Though initiative was taken by the Minister, no progress has so far been made. I do not know why this has been stopped. The process has been stopped. Why is it that the secret ballot for sending the representative not being considered? One of the important and serious matters is the subsidence, particularly in Ranigunj area. Two Committees were constituted and they submitted their report. The whole Ranigunj township is in danger. Government must take concrete steps to save Ranigunj township and save the loss of people who are living in the unsafe area in Ranigunj. Sir, I hope that after repeal of this Bill, after nationalisation of Coal, this Act is still in existence. Now, Government wants



[Shri Basudev Acharia]

to repeal the Coal Mines Labour Welfare Fund Act.

After the repeal of this Act, Government must take the responsibility of the welfare measures, particularly to provide housing, accommodation to the coal miners, to provide drinking water, to improve educational facilities, to improve medical facilities and to improve the working conditions of the coal mines. I hope, the Minister will take concrete steps in this regard.

DR. PHULRENU GUHA (Contai) :  
Mr. Chairman, Sir, I welcome the Bill, though I feel that it has been introduced very late. The coal industry was nationalised in 1973 but the Government is bringing forward this Bill in 1986, after 13 years. In any case, I welcome the Bill.

The Bill says that the coal companies in the public sector have assumed responsibility for looking after the welfare of the employees. I am very sorry to say; it is anybody's guess what type of welfare work is being done in the coal mines. If anybody has visited the coal mines, he or she will agree with me that there is hardly any welfare work. There are hardly any medical facilities; hospital, is of course, out of question. There are no creches for the children; hardly any school worth the name; the housing facilities are very limited and whatever is there, it is not good at all. There is scarcity of water, and there is no arrangement for entertainment for the children and elderly people. These hard working people need proper arrangements for their entertainment. The result, in the absence of any entertainment facilities, is that they have no other alternative but to go for the drinking and consequently, the women at the house suffer economically and also suffer physically. I request the hon. Minister to go to any coal mine without informing them. It is not a question of this party's Government or that party's Government, Congress(1) or any other Government. Whenever a Minister goes anywhere, everything is stage-managed. The Minister may belong to Congress(1) party or may belong to any other party, because there are so many parties in our country, and

we have Governments of different parties in certain part of the country.

The arrangement for safety is distressing. I wanted to speak on the safety arrangements also, but the previous speaker has spoken at length and, therefore, I am not going into that any further.

I would request the Minister to see that proper community halls are established in different areas. These community halls should not be in name only. I have visited a number of community halls being run by the different industrial houses in the industrial areas. Community halls must be a place where men, women and children can spend their leisure time with different type of educational, cultural and playing arrangements, both outdoor and indoor. The Government has said that by the end of this century, all the people should be literate. With that in mind, arrangements should be made for proper education of men, women and Children in the coal mine areas. There should be adult education centres, functional education centres and schools for the children.

I would like to say that there must be arrangements for the cultural development of these people. Many of them are very talented and they learn things intuitively. But they do not have the facilities. Some of them can sing, some of them can dance and some of them can play different instruments. But they do not get any facilities in their life to develop their skills. Hence I would request the hon. Minister to provide some opportunities for these people. It may not be possible for you to do it just now. But if you have a plan, gradually it can be done. And out of these people, we may get very talented people.

With these words, I welcome this Bill.

SHRI SOMNATH RATH (Aska) :  
Thank you Mr. Chairman, for calling me. I rise to support the Bill. This Bill is meant to repeal the Coal Mines Labour Welfare Fund Act, 1947 which was enacted much earlier for providing facilities to the workers employed in the coal mining industry, in terms of housing, water

supply, medical, educational, recreational and transport facilities.

The hon. Minister has already stated that the private sector did not attach much importance to the welfare of the labourers. Since it is now in public sector, it is the duty of the public sector as well as the Government of India to look after the welfare of these labourers. This is also the motto of our Government. As stated rightly by the hon. Minister, for carrying out these welfare activities, this Act is not at all necessary because in the Seventh Plan alone more than Rs. 800 crores are meant to be spent on these welfare measures.

I would like to invite your attention to Clause 5 of the Bill regarding the power of the Central Government to direct vesting of rights in a Government company. May I suggest one thing in the interest of all the workers? Why not a comprehensive Bill be brought for having a Central Welfare Board to look into the affairs and welfare of all the workers including that of the coal sector? Of course, different companies can have their own separate welfare boards. But to coordinate all the welfare activities more effectively and to give the necessary instructions to these welfare boards, a comprehensive Bill may be brought for the benefit of the workers who are working not only in coal mines but in other factories, etc. also, so that the real benefit can reach the workers. I request the hon. Minister to kindly think over this aspect.

Similarly in Clause 6(2) it is stated, "...proceeding on such cause of action or the filing of such appeal was not barred before the appointed day..." I would like to say here that there may be cases where for obvious reasons appeals have not been filed. There may be cases also where appeals have not been filed in time which may have become time barred. So, I submit through you that the Minister may consider whether this sentence 'appeal was not barred before the appointed day' can be omitted, so that the appeals, if time barred for any other reasons and there are valid reasons, can be filed with an application to exonerate time bar.

The nationalisation of coal industry took place in 1973. Certainly the workers in the coal industry were very much benefited by this and we want that they should be given more benefits. But this is an achievement of the Government.

In India the formulation of labour policy mainly depends on the deliberations and recommendations of the Labour Conference. Recently there was a Conference on safety of workers in mines. The hon. Minister also attended that Conference. Not only did he attend the Conference but he also participated in the discussions and made some valuable suggestions. There was participation of the working class, employers, government officials and the hon. Minister himself in this Conference. The recommendations made by this Conference should be implemented. On several aspects the Conference made recommendations. I need not repeat them here. The Minister knows it. All these matters have been discussed in detail. The hon. Minister has also raised the point of labour participation in the management. This is envisaged in article 43A of the Constitution which states :

"The State shall take steps by suitable legislation or in any other way, to secure the participation of workers in the management of undertakings, establishments or other organisations engaged in any industry."

As early as 1956 the industrial policy resolution was :

"In a socialistic democracy, labour is a partner in the common task of development and should participate in it with enthusiasm. There should be a joint consultation and workers representatives should, wherever possible, be associated progressively in management."

As such I request the hon. Minister, who is also in favour of labour participation in management, that this may be implemented soon,

[Shri Somath Rath]

About the safety aspect, this has also been discussed in the Conference. And the Joint Director-General of Mines has been entrusted with the task of enforcing the Mines Act of 1952 and rules and regulations framed thereunder. Yet the safety of workers in mines is not complete. The number of fatal accidents in different years are as follows and I draw the attention of the hon. Minister to this respect. In 1961, the number of fatal accidents was 222, whereas in 1983 it is 149; the number of persons killed in 1961 was 258 and in 1983 it is 182;—I am talking about coal, not others—in 1961, the number of persons seriously injured was 36, whereas in 1983 it is 30. I am not going into the details of all other statistics. So, this shows that there is a reduction in the number of accidents to some extent. But still necessary attention should be paid to this aspect. The hon. Minister knows the various reasons for the accidents and also how to avert them. This also has been discussed threadbare in the recent Conference where he was also present.

17.00 hrs.

In Orissa, there is poverty in the midst of plenty. The hon. Minister has stated in this House that there is availability of suitable coal in Orissa which is best suited for generating power. In Orissa there is an acute shortage of power. Times without number, many Members in this House have requested for super thermal power station at Talchar where coal is available in plenty and for a power generation plant in Ib valley. So, this urgent matter may be considered because coal suitable to generate power is available in plenty in Orissa. It is necessary to have a separate coal company and a coal division as demanded earlier.

It is said that drinking water is not available to the workers in coal mines, but from inside the coal mines, water is pumped out. This very water which is pumped out can be treated in such a manner that it can be made suitable for drinking purposes, besides for irrigation, if possible. That process may be taken up. So, the problem of the workers and the

employers not getting drinking water can be solved by this process, leave apart irrigation. Irrigation can be looked after later but the problem of drinking water can be solved by this process.

Housing problem is a problem which needs immediate attention of the Government. I suggest that the National Council for Safety in Mines should be activated and education should be imparted to the workers about safety so that there will be less accidents. This can be done through publicity and propaganda mainly with audiovisual aids.

Members have stated that thefts of coal are taking place in coal mines and they have also mentioned about the other problems in coal mines which I need not repeat. Those matters may please be taken into consideration and suitable action taken.

17.02 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

[*Translation*]

SHRI RAJ KUMARI RAI (Ghosi) :  
Mr. Deputy Speaker, Sir, I am grateful to you for granting me this opportunity to express myself. I support the Coal Mines Labour welfare (Repeal) Bill. The whole House is aware that the old Act was unable to cope with the present day needs fully. That is why we had to amend it. By amending it, the old act would end and other more important steps could be taken.

I would like to congratulate the hon. Minister of Energy for his decision to make use of the cooperation of the mine labourers in respect of which, as has been pointed out by our other friends, they have got a majority. He deserves to be congratulated for that. Our Government is fixing a new target till the year 2000 A.D. with Soviet cooperation, so that there is no shortage of coal and we could march forward. Again, it is a matter of added pleasure that, coal prospecting is going to get primary importance in the Seventh Five-Year Plan. It is also heartening to note that in 1985, there has been a record

production of coal. In 1985, 17 crores and 22 lakh tonnes of coal had been produced. The rate of production has increased in 1986 and I would congratulate the hon. Minister of Energy for that. But this bill is concerned with Labour Welfare and its funds. India is a Welfare State. Whenever we talk of taking the country to the 21st Century with the help of modern technology, we must ponder over as to what is being done to provide amenities and for the welfare of the people of this country. When this be so, the labour class receives top priority. The plight of the mine workers is the worst amongst the various categories of labourers and we should have first consideration for them. Therefore, I would request the hon. Minister through you, that although there are other priorities like increasing production with Soviet Collaboration, yet the welfare of the labourers must receive due attention.

When the Coal industry was nationalised in 1973, it was hoped that the labourers would get better facilities as the industry had shifted from the Private Sector to the Public Sector. What I want to say is that high hopes were raised then but soon they were dashed to the ground because the situation and pace of work in the Public Sector is no different even 13 years after from that of the Private Sector. There is neither any provision for the education of children of mine workers nor are many houses available to them. I understand, that if the hon. Minister visits those areas he would find small houses without any ventilation, or even windows or balconies and with low ceilings, where one would freeze during winter and burn like a hot-plate in summer. No human being can live in such a house in the 20th century. Due to nationalisation of the coal industry, the wages of mine workers have certainly increased, but despite a number of assurances, they have not been given their due share in a Welfare State. They are being exploited in the same manner by money lenders even today. I would submit that in a Welfare State, Government and the Nation are committed to protecting the rights of the working class but in reality, something quite contrary is happening. The Mafia Groups, by getting protection from some officials and even political

leaders, have become so daring that the welfare of the labourers has been lost sight of. Government have not been able to wipe the tears from their eyes. That is why I would like the hon. Minister to pay special attention to this.

So far as the health of the mine workers is concerned, you might be aware that a deadly disease like black lungs (T.B.) has still not been eradicated from their slums. The mosquito menace is also there. Therefore, the Government should first, look after their health, education and sanitation. Again, when Government increased the price of coal by Rs. 27 per tonne two-three months back, the price of bricks increased as a consequence in the rural areas. Therefore, the persons who wanted to construct their own houses have now shelved it.

Sir, there is the problem of black-marketing of coal. I belong to an eastern district of Uttar Pradesh which has direct connection with the coalfields of Raniganj, Jharia and Dhanbad. The labourers from our areas, go there in thousands leaving their houses and their villages. They live there for years working hard throughout the day and earn only Rs. 500 to Rs. 1000. The Mafia people, on the other hand, earn lakhs and crores. They live in Dhanbad and are protected by Government officials and political leaders. Therefore, our first task should be to look into this matter. The other category of people are those who get coal issued by fictitious D.Os and then sell it in the black market. If you go to Ballia, Ghazipur, Azamgarh or Jaunpur, you will find that people draw coal on fictitious D.O.s issued by Officers in the Supply Department and sell the same there itself at double and treble the prices. Coal is not at all available there, either by railways or by trucks. Therefore, two categories of people have come up. Officials as well as Mafia groups have progressed who are involved in fictitious D.O. business. The hon. Minister must consider how to control them.

The hon. Minister has outlined a very comprehensive scheme and has promised to do something concrete, but I would emphasize, before I conclude, that there is no dearth of coal in our country. He



[Shri Raj Kumar Rai]

must pay heed to the suggestions that I as well as other Members have given in the House. Coal production is important and it will not come down till 2000 A.D. What important is to regulate its supply. If misuse of coal is controlled and it is distributed properly, then I think there could be no difficulty. The most important issue at present is the welfare of the labour force. Till their welfare is not properly looked after, we cannot make any head way in this regard. Even today, in the 20 Century, they are living in poverty, illiteracy and malnutrition. A day will come when the volcano within them would erupt and it would envelop the whole society. How long would they tolerate this suffocation and live in this society? After all they are our children and a part of this society and have a role in building the nation. Therefore, they must be made partners and given due importance and welfare measures must be undertaken for them as early as possible

With these words, I support the Bill.

[English]

SHRIMATI GEETA MUKHERJEE (Panskura): Mr. Deputy-Speaker, Sir, I understand the limited purpose of this Bill. Even then, the purpose is to deal better with the welfare measures. While introducing the Bill, the Minister has said that the workers must be made to participate in the management to make the welfare measures a success. May I ask the hon. Minister whether one of the principal demands of the strike by the 7 lakh coal workers called by all the trade-unions of all hues—belonging to the ruling Party, belonging to the Opposition—was this, and that strike was cent percent success practically.

Now, one of the principal demands of that strike was precisely this welfare question. After that strike, what is being done? Hundreds and hundreds of show-cause notices are being served to the workers as to why their wages should not be cut for this strike? This is being resorted to. Is this the way the participation is being sought from the workers? May I know, if this is the way, then how are the workers brought to

participate in the management? They were on strike for this very measure. Not that, it is not very relevant. It is very relevant to this Bill.

Let us see what was done with regard to these very welfare measures, after signing the agreement. How much has been done in regard to housing? In the three year wage agreement, there was a stipulation.

Is it also not a fact that in the minutes of the JBCCI meeting held on 24th December, 1985 it is written that the TU representatives, that means all the representatives of TUs, have pointed out that even 50% of that stipulation is not going to be fulfilled? And that is true. It is not yet fulfilled.

The other day, prior to the day of the strike, when the grant for the Ministry of Steel and Mines was debated, I had the misfortune of taking up the very same thing, the issue of the strike. The hon. Minister, I know, is really personally sympathetic to labour. That is why, I am making this special plea. On that day itself, the hon. Minister told me how many taps have been given and how many areas have been covered by supply of water. In the JBCCI meeting, the workers' representative pointed out—and had it not been pointed out, even then all of us know—that it necessarily does not mean water. I had gone from colliery to colliery to see that there may be taps but there is no water. That was pointed out by these workers.

On the question of medical facilities, they pointed out that—other things have been said and I will not repeat them—specialists were not there, adequate number of doctors were not there and there were not adequate number of ambulances. The workers are suffering from a special disease of the area from which they come. The Pneumoconiosis Board was set up to deal with this particular disease and that Board is not even functioning in the medical sector. Were the workers wrong when they went on strikes?

On the question of education, there is the stipulation that in these three years



of this wage agreement, cumulative amount of Rs. 2 crores each year will be spent. That has not been spent. It is true that it was more or less worked out that per head Rs. 300 will be spent. Only Rs. 100 were spent. Were the workers very much in the wrong when they protested against this? Therefore, it is good that now you are taking over the entire responsibility. The responsibility has been yours. But it is not a question of repealing that Act and thereby you will be able to encompass the situation.

Therefore, I have no objection to the Bill itself. I support it. But I make a particular plea to the hon. Minister not to go in for these hundreds of show cause notices that you are now giving to the workers, because of the cent per cent strike that they took part in. That is not going to bring the workers' participation nearer and there it is the Government which is to be blamed, which did not fulfil its commitments with regard to these various welfare measures which are stipulated.

Therefore, please improve the situation and make a gesture not to persecute workers for trying to implement their old commitments in their terms.

I hope the hon. Minister will remember this act accordingly. Thanking you for the time given.

I support the Bill.

[Translation]

SHRI RAM PYARE PANIKA (Robertsganj): Mr. Deputy Speaker, Sir, unfortunately, when this Bill was being introduced by the hon. Minister, Shri Panday ji spoke on behalf of our party, as I was not present, I believe he has already left. He is looking after the Rashtiya Mazdoor Congress. Sir, I support this Bill. It is true that the present situation is quite different from the one prevailing in 1947. There is also no doubt that nationalisation has helped in accelerating labour welfare programmes. For this the Coal India, our Government and the hon. Minister deserve to be con-

gratulated. But there are two or three issues which are agitating our mines today. One is about the agreement which has been signed and everybody knows about it. Just now Shrimati Mukherjee pointed out that the need of the hour is to negotiate with their representatives. The agreement did not help in resolving the issues and as a result they went on strikes as a mark of protest against it. The Government should not proceed against them in a revengeful manner and try to negotiate with them. If this is not constitutional, a middle path should be followed. If the Government acts otherwise it would not be proper.

Two different policies cannot be adopted for over 100 public sector undertakings in the country. It hurts when we find that the employees of NTPC get every facility whether it is housing, school and college, education alongwith good grades, whereas the workers of Coal India do not get anything. Unless the Government do not provide all those facilities to our workers and bring them at par with other undertakings we cannot satisfy them. I, therefore, demand that a High school should be opened in the Singrauli Coal Mine area—where children have to go far to study. Similarly, I would urge to adopt the same norms for Coal India, as are being adopted for NTPC or the Ministries. The workers of Coal India should be provided houses, drinking water, fuel and medical care. Medical centres should be opened to provide them health care. The Government say that Rs. 800 crores have already been sanctioned but we are not concerned with that. We want that the norms adopted in NTPC should be implemented here as well. Pandey ji, who has dedicated his entire life to the cause of workers must have spoken about their problems in greater detail. A basic programme needs to be formulated in this regard. The Coal mines are generally in the forests. It was an accepted principle everywhere that employment to at least one person per family will be offered to those whose land is acquired for mining purpose. I was pained to see the orders issued by Coal India on 3rd February wherein the local...

[English]

MR. DEPUTY SPEAKER : You are not going to the Bill.

[Translation]

SHRI RAM PYARE PANIKA : This is a basic question. The order deprives the local people of employment. The entire management was extremely happy over it. But if Coal production has to be increased, Government will have to reconsider its decision regarding not employing more than 50 per cent local employees. I fail to understand how the C.I.L. circulated this decision. This decision of the Industry Department cannot work. So far as the Singrauli Coal Field is concerned, I am highly obliged to the Government for converting it into a company. But I fail to understand that in spite of an agreement with us and between the management and the local people—wherein it is provided that if work is available, every family will be given work and efforts will be made to rehabilitate them and provide them other facilities as well. How then a circular was issued that local people will not be given anymore employment? As a result, there is acute resentment in the coal fields throughout the country. I, therefore, strongly demand that this should be reconsidered in view of maintaining harmonious relations with the workers. The hon. Minister should declare here and now, that this decision will not be implemented and the old agreement will continue to operate.

The Government has created two Coal companies in Madhya Pradesh but I would like to suggest that one of it should go to Madhya Pradesh while the other—the Northern coalfields—should have due share for Uttar Pradesh also. Already there are five-six mines in that State. Separate infrastructure will have to be created wherever these coal companies are established. Otherwise, it will be the same old story—people demanding facilities, schools for children etc. Therefore, one of these companies should be set up in Bilaspur while the other can be anywhere in U.P. Besides, a chairman should be appointed for each of these

companies. This is a genuine demand. Unless all these facilities are provided no system can function properly. How strange it seems that when Shri Pandey ji goes there and he is gheraoed. People tell him that while quarters are given to each and every NTPC employee, no attention has been paid to the conditions of workers in the coalfields, which is a key sector. Sometimes they are agitated and say that NTPC cannot work if they do not provide coal to it. Therefore, I would like to give 3 or 4 suggestions in this regard. At the outset, a time bound programme should be formulated under the Seventh Five Year Plan to provide accomodation, drinking water, hospitals and educational facilities for children. At least one Degree College of Coal India or the Central Government should be opened in each area. Good schools like Central Schools should be opened at every project for boys and girls because when one comes across an NTPC schools one is envious of it. If the hon. Minister can assure of these facilities, I can also assure him that we will increase coal production manifolds and will not let you down as we are working under the able guidance of Pandeyji. I am happy that today every power house has coal reserve for 20-25 days. Therefore, attention should be paid to welfare measures. With these words I thank you.

[English]

SHRI A.C. SHANMUGAM (Vellore) : Sir, on behalf of the All India Anna DMK, I wish to say a few words on the Coal Mines Labour Welfare Fund (Repeal) Bill, 1986.

I am not in a position to accept the proposition to repeal the Coal Mines Labour Welfare Fund Act, 1947. Just because the coal companies in the public sector have assumed responsibility for looking after the welfare of the labour employed in the coal mines, it is being proposed to abolish the cess which is now being levied under the said Act. The Coal Mines Labour Housing and General Welfare Fund is being repealed. The Housing Board is also being wound up.

When the accumulated loss of Coal

India is more than Rs. 1000 crores, how do you expect the Coal India to look after the welfare of coal mine workers ?

The former Chairman of the Neyveli Lignite Corporation has become the Chairman of Coal India. Immediately after assuming that office, he has appointed several Consultants who have worked in the private sector coal companies. They are all being given fat consultancy fees. I do not mind their appointment, but the officials of Coal India who have been found inefficient and who have been indulging in corrupt practices should be dismissed, if Coal India is to be run efficiently. I say that in the interest of coal mines, by just appointing consultants you cannot make the Coal India a profitable unit.

The coal mines were nationalised in 1973. During the past 13 years the working conditions of the coal mine workers have not improved. It has been universally accepted that even the basic safety measures are not being implemented in coal mines. The coal mine workers continue to live in primitive conditions, in hovels nearer to coal mines.

The Estimates Committee of the Lok Sabha had submitted a report also about the coal mines in the public sector.

Sir, it is not enough that the cess is abolished. If the price of coal is not reduced to the extent of cess, what is the meaning of abolishing the cess and the welfare fund ?

I would also like to point out here that unless the coal mine workers' representatives are on the Board of Management of the Coal India, the lot of coal mine workers is not going to improve. The Hon. Minister should endeavour to bring about a reconciliation among the unions and ensure that the workers' representatives are nominated on the Board of Management.

I suggest that coal mine workers should be given housing loans on nominal rate of interest by Coal India. The LIC and HUDCO should encourage the housing cooperative societies of coal mine

workers and give substantial loans for house building.

The third mine at Neyveli Lignite Mines in Tamil Nadu should be sanctioned by the Government. The Government of India should formulate a policy of gradual replacement of outdated coal-mining machinery. The workers are giving their best; but the machinery is not supplementing their efforts.

Similarly, the coal washeries should also be modernised. Modern technique of coal washing should be adopted for reducing the high ash content in our coal. It has been accepted that coal worth Rs. 100 crores is lost in continuing fire in some coal mines. The Government should endeavour to save the coal from being burnt like this. Sir, coal is called the black gold. It must be preserved and protected.

In spite of the fact that coal mine workers give out their best, the large accumulated stock of coal at pit-heads is not cleared within a time-schedule. It must be cleared.

In the end I would say that goondaism in coal mine areas must be tackled effectively, and seven lakh coal mine workers must be protected from such anti-social elements.

With these words, I conclude my speech.

[*Translation*]

SHRI MOOL CHAND DAGA (Pali) :  
Mr. Deputy Speaker, Sir, I have full confidence in our able and dynamic Minister but I fail to understand why he has brought this Bill seeking to repeal the Act? According to him, this is being done because coal industry has been nationalised. But, Sir, it was nationalised in 1973 and I fail to understand why he wants to repeal it now in 1986.

Sir, it was the function of the Advisory Committee, appointed by the Central Government to levy cess and ensure that

[Shri Mool Chand Daga]

the cess so collected—Rs. 12 crores—was spent on the welfare of the workers. How did the Central Government think that it was not functioning properly and incurring losses. Seven times the prices were raised. How do the Government expect that repealing this Act will improve the situation and serve the interests of workers in a better way? Moreover, it has nowhere been stated that construction of houses for workers will be undertaken or the company will share a specified percentage or funds will be allocated for the welfare of workers or a substitute system will be formulated.

Sathe Sahib, the question is that before depriving the workers of their rights or facilities that they are enjoying at present, we should consider how these can be ensured for them. But he has not mentioned any such proposal. I wanted that he should have taken the workers, political parties and those working for the cause of workers into confidence prior to bringing this Bill. Then, it would have been better. The worker community would have benefited at large.

The entire work of construction of houses will come to a grinding halt because the Government officials do not take that much interest or have dedication for the work. There might be some shortcomings in our organisations like the Advisory Committee etc. but it could have been improved. Some amendments in the Act would have improved the situation. Nowhere has it been clarified what will be the source of income. But only this much has been said that this Bill be repealed.

I want to submit that, even if this Bill is passed and the President gives his assent, still prior to repeal an announcement should be made in the press regarding the substitute system wherein it should be provided that the Government will work noly in the interest of workers. If this is not done, the workers will revolt. Even now, the company is incurring loss of Rs. 1 crore every day and one does not know how many more crores of rupees will be added to it as a result thereof. Moreover, there will be no improvement in coal production or coal supply in the

country. I, therefore, urge upon the Government to reconsider it. After the Bill is repealed and prior to implementation, Government should consider how it can be implemented so that the workers' interests are safeguarded.

SHRI SHANTI DHARIWAL (Kota) :  
Mr. Chairman, Sir, I rise to support the Coal Mine Workers' Welfare Fund (Repeal) Bill. This Bill was passed in 1947 and was quite appropriate keeping in view the prevailing circumstances. In those days almost all the Mines were privately owned and the Mine owners used to exploit the workers. They earned a lot but did not spend even a single penny on workers' welfare. That is why this was enacted.

Coal Mines were nationalised in 1973. It was a right step and it was thought that this would help in accelerating the pace of welfare activities for Mine workers. Government had proposed to provide education, medicare, transport and housing facility to the workers but unfortunately, after 13 years, today, Government has reached this conclusion that this Act should be repealed. Shri Sathe has pointed out that though Rs. 12 crores were collected from the Cess, yet the entire amount was spent on maintaining the assets. If it is so, Government should have woken up much earlier so that it would not have become a point of criticism today.

I want to submit to the hon. Minister to step up the welfare activities for the workers. I demand, as my previous speakers have also done, that Government should formulate a time-bound programme in respect of housing, education and health care for the workers whether they belong to NTPC or any other Public Sector undertaking. Government should not think that as the Coal India and its subsidiaries are in a sound financial position and have been nationalised, they can take up these welfare activities on their own.

Those who are made incharge of welfare activities should not be entrusted with the added responsibility of production. If this is done, they will give priority to production and as a result thereof they ask



the labourers to work for more hours [and neglect their welfare activities.

In this context, I feel that the entire working of provident fund scheme of Coal mine workers should be reviewed, specially the procedure relating to payments etc, be simplified and better services be made available to the subscribers and beneficiaries. Even after making amendments in the Coal Mines Provident Fund Act in 1984, labourers and employees are facing several difficulties. In regard to purchase of houses or flats the entire process comes to a standstill when instalments are not paid due to nonavailability of advances on the plea that funds are not available or for some other reasons. Thousands of workers and employees have so far not been issued pass books by the Provident Fund Organisation. The disposal of the claims is very slow. Cases are not disposed of for years on the pretext of incomplete information.

Moreover, some mine-owners adopt wrong mining procedures endangering the life of workers. 25 colonies in the coal-belt of Raniganj and Dhanbad have been facing such danger since January 1986. A committee was constituted in 1979, under the chairmanship of a Joint Secretary, Shri S P. Gogani, to examine the safety conditions in coal fields. The Committee had stated in its report that such areas should be immediately vacated. But it has not been implemented so far. I request the hon. Minister to pay greater attention towards welfare activities otherwise it would bring a bad name to the Government. With these words, I conclude.

[English]

THE MINISTER OF ENERGY (SHRI VASANT SATHE): I am highly obliged to the hon. Members for their most valuable suggestions. I know they took advantage of this simple repeal Bill to practically convert it into a discussion, as if it were a discussion on the Demands of the Ministry. But I always benefit by the valuable suggestions made by the hon. Members. They have done in the best interest of the coal sector and the coal industry.

There is a mistaken notion probably; unwittingly, criticism was made that there was no consultation with the trade union leaders or working class representatives before this repeal Bill was brought.

Actually, the fact is that a one-man Committee under the chairmanship of Shri K. K. Ray was appointed in July 1982 to go into this whole question and give a report. It is on the basis of this report that we have taken this measure. We did not want to do anything in haste. If a welfare measure is serving a good purpose we were reluctant to take any step against that. It was a very small amount; where you are spending Rs. 100 crores per year, you collect Rs. 12 crores and that too by cess. That means you add to the price! A small committee operates and the same activities are being done, which on a much larger scale are to be done by the coal companies. It is their duty to do that. Therefore, I thought that this was a redundant thing. This was what the report submitted. The Committee held discussions with six central trade union organisations, viz. INTUC, CITU, Akhil Bharatiya Khan Mazdoor Sangh, HMS, the other group of the HMS and the All India Trade Union Congress and also all their representative unions in the coal sector. Memoranda were invited from them by issue of personal letters. The Committee had visited the coal fields and it is only after a detailed study of all the activities, that they gave a report and based on that report only this Bill is being brought.

I entirely agree with the hon. members that all that is required for welfare must be accomplished. It is the responsibility of the nationalised sector to ensure full satisfaction regarding housing, full satisfaction regarding drinking water, in terms of basic medical amenities and even specialised facilities for the type of ailments that are caused in the coal fields. All these things are an absolute must. That is why, I said that progressively larger and larger sums have been put in. But I entirely agree that merely putting money and that too even 10 times more, will not serve the purpose. We have put in ten times more money. Where is Rs. 6 crores and where is Rs. 100 crores? Now, as



[Shri Vasant Sathe]

against a total amount of Rs. 300 crores spent in the Sixth Plan, we are going to increase it to more than Rs. 800 crores in the Seventh Plan. In one Plan alone, we have increased so much. But I know that all this amount, unless it achieves the objective that we have in mind, will serve no purpose. But Sir, as I said the other day while discussing the Demands, we all must take a wholistic and total view of the public sector. It is high time that irrespective of which side of the spectrum we belong to, we must take a total view of the responsibilities. It is also high time that we should take a view on what we want to achieve in the public sector. We use public money. Don't we have some responsibility, responsibility towards the public of India, to the people of India? What is that responsibility? As I said the other day, before nationalisation the total amount that was spent in private sector for producing 77 million tonnes of coal was Rs. 50 crores, since nationalisation, the public has invested more than Rs. 6000 crores in coal sector alone. And how much additional production has been brought about? 70 million tonnes more. Please consider this. Nation's money, people's money, poor people's money we have invested in one sector and additional production is not even double though investment is hundred fold. Where are we going? What are we trying to achieve? I entirely agree that workers must be provided with houses and all the facilities. But if you say that there should not be any workman output ratio, what is known as OMS—we are the lowest in the world, less than 1% as OMS—then we should run coal sector in heavy losses. The cumulative loss in just ten years is more than Rs. 1000 crores. We should increase the prices, as Dagaji was saying, seven times and make it so high i.e. Rs. 210 per tonne today as against Rs. 27/- so that as an input to energy everything becomes costly. Even the workers cannot get it at reasonable prices. Please give a thought to it. As I said the other day, we have reached 154 million tonnes of coal whereas China has reached 800 million tonnes though we started at the same level. The moment I say this, you say, do not talk about that China has a different system. That means, in our democratic country, we as a public

sector, we as a representatives of the people should have no responsibility to the people. *(Interruptions)* I agree that some of the hon. Members are more knowledgeable and have greater experience. If they had an opportunity, probably they would have brought about a miracle. What I am saying is that this is a question that has to be considered by all afresh and with a little open mind. It is not a question of this Government or that Government, this party or that party. The hon. Member, Shrimati Geeta Mukherjee mentioned that they went on strike and for legitimate reasons and all that I know the strength of employees. I know they are united. I respect their feelings. I appealed, "What is this show-down? For what? You have lost your wages and the production loss has been Rs. 10 crores worth of production in one day." How do we benefit? Who has been benefited by this? I was willing to listen to everything. I went to the JVCI meeting myself. I have been willing to listen, to meet as many times as the people want, to sort out, and we have agreed to all the eleven demands that were there. I have agreed to everything except one on which I have a genuine doubt and that was regarding giving employment to every worker who retires. As against a person who dies, we have considered it. Even for those who retire, I said, we will give priority but don't treat it as a right. The moment you do that by virtue of that agreement, then you are going to militate against article 16 of the Constitution which says in very clear terms that :

"No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them..."

'Descent' is one of the grounds.

"...be ineligible for, or discriminated against in respect of, any employment or office under the State."

Now, this is the principle and there is some meaning to that principle. Therefore, I was submitting that here also we could sort it out. In practice, we shall

try to see that maximum number of children of our own workers, when there is a vacancy, get opportunity, but don't try to rub it as a right. This is the point. On this one issue they had a show-down. And in that show-down also, Sir, all unions had agreed that those who are in essential services—there are some services like fire fighting operations, preventive measures, safety measures which are required all the time—will not go on strike, but in some sectors even they went on strike. What will happen to the coal sector and if an accident takes place who will be responsible then? Therefore, show cause notices have been issued only to such type of persons and not to all, not to all the seven lakhs of people. Therefore, it is very easy to say. I have said I am next to none. I have spent all my life fighting for the cause of employees and I am next to none in championing the cause of employees... (*Interruptions*)

SHRIMATI GEETA MUKHERJEE : Is it not a fact that the welfare clauses of the agreement were not fulfilled?..... (*Interruptions*)

MR. DEPUTY SPEAKER : You continue.

SHRI VASANT SATHE : I will come to that.

SHRIMATI GEETA MUKHERJEE : What about the welfare clauses of the agreement? That was the question which was being debated... (*Interruptions*)

SHRI VASANT SATHE : As far as the other parts of the agreement are concerned, I said that they were not completely fulfilled and, therefore we were willing to sit with the representatives of employees to find out how that could be done how much additional funds will be needed. At many places for housing we did not get land. With State Governments and in other areas there have been some problems. Now, all this we were willing to discuss with the representatives of the employees. What was the cause for a show-down? We were not hostile to each other. And it is not my contention that every clause of the agreement has been implemented hundred per cent. I am not saying so. I know there is a lacuna. I know there is a

shortfall. But for this if we have such show-downs and strikes, than what will happen to the industrial peace and relations? Therefore, my general submission is that if you want the coal sector to benefit to advance, let the Parliament tell me. We invest and you say on the one hand 'mechanise open cast mines', bring in the latest equipment, machinery etc., spend thousands of crores, and on the other hand, you say, let this equipment work only for one hour as against 8 hours, with 10% or 20% capacity utilisation, because, we must simultaneously also have more workers, every single person of the displaced family must be employed, every single person of a retiring man must be employed, every single person of a person who dies must be employed. That is to say you continue with 7½ lakh people all the time, keep on employing more and more people and keep on adding also more and more machinery!—Then, how to achieve all this? Could you tell me the miracle? As I told you other day, output man shift is the real test. Output man shift in China is three times more than in India. And the wage that they get is 4 times less than what our workers get in India. 24 Rupees per person for producing 3 times more. And our man gets 90 Rs. per person per shift for producing less than one tonne. What are we talking of? I am not finding fault with anybody. All that I am saying is this. As a nation you must think of productivity, of our responsibility to the people whose money we are utilising. By all means produce well and earn well and from that, utilise for welfare also. That is what we want.

18.00 hrs.

In spite of all this, as far as welfare activities are concerned we are devoting the maximum that we can do and I can assure the hon. Members about this. Damodar ji has raised a very pertinent point. Uptill now there was this Advisory Council. 'Workers' representatives were there. They were consulted. I assure you that in the scheme that we have—after this repeal the entire thing will be taken over by the companies—we will also bring in this element of co-opting the representatives of employees so that we can have the benefit of their coope-

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ration in the management of welfare activities.

(Interruptions)

[Translation]

SHRI GIRDHARI LAL VYAS (Bhilwara): How the staff of the welfare fund is going to be accommodated?

SHRI VASANT SATHE: I had just requested you not to disturb me while I am speaking. You may ask when I have finished.

SHRI GIRDHARI LAL VYAS: I thought you have finished.

SHRI VASANT SATHE: No, let me finish first.

AN HON. MEMBER: Please, tell me in Hindi.

SHRI VASANT SATHE: All the staff working there would be accommodated in the company with an option either to go into Government service or C.G.S. Nobody will be deprived of his job. All the current projects would continue.

[English]

As I was saying, again, don't miss the basic thing. Don't miss that. Otherwise you miss the whole bus!

MR. DEPUTY-SPEAKER: He is always missing the bus. That is the problem.

SHRI VASANT SATHE: That is the trouble. Sir, regarding the participation of labour, so many hon. Members have spoken. And Mr. Basudeb Acharia and Geetaji asked, why you are not accepting that demand of elections by secret ballot. Now the question which arises is this, after all the parleys that we have had. They are saying that the INTUC is opposing the secret ballot. Now, the INTUC has come round and they are saying, we

will accept secret ballot. Representations, in our most democratic style or fashion, must be by the workers of the workers. They must elect their representatives from among the workers if election is to held. But CITU union says, No, no. This we will not accept. We will not accept that workers' representatives must be elected from among the workers. No. They say, workers will vote and will elect outsiders. How can this be accepted? This is the whole crux. I have presented it very squarely. You please try to persuade the CITU representatives. There can be easily an agreement on this issue of participation. They have discussed it. They have come very close. What was suggested was, if you want that the trade union should represent, let only the unionised people, those who believe in unionism only vote for whichever union they want and let respective unions give their own list and that total lists will form the electorate and they will elect the union according to their choice. That is not acceptable. I am willing to accept that also. If you want that all workers must vote and elect their own representatives, then let them elect the workers as their representatives. We are willing to accept either of the formulae, and now it is for them to decide. I want to take everybody into confidence. The participation is not a thing that can be imposed. Therefore, if the representatives of the CITU will agree to either of these formulae, I think, we can find a solution and once we find a solution, once we get proper representatives of employees in the management, many a problem, that today plague the coal sector, I feel, can be resolved.

With these words, I once again thank all the Members who have participated in the debate for their valuable advice and suggestions, and I request that the Bill be passed.

MR. DEPUTY SPEAKER: Now the question is:

'That the Bill to repeal the Coal Mines Labour Welfare Fund Act, 1947 and to provide for certain matters incidental thereto, be taken

into consideration."

*The motion was adopted.*

MR. DEPUTY SPEAKER : The House will now take up clause-by-clause consideration of the Bill.

The question is :

"That clauses 2 to 8 stand part of Bill."

*The motion was adopted.*

*Clauses 2 to 8 were added to the Bill.*

MR. DEPUTY SPEAKER : The question is :

'That clause I, the Enacting Formula and the title stand part of the Bill.'

*The motion was adopted.*

*Clause I, the Enacting Formula and the title were added to the Bill.*

SHRI VASANT SATHE : I beg to move :

"That the Bill be passed."

MR. DEPUTY SPEAKER : Motion moved :

"That the Bill be passed."

He wants to ask one clarification. Don't make any speech.

SHRI SRIBALLAV PANIGRAHI (Deogarh) : Sir, in fact, I am grateful to you for giving me an opportunity. Really, I missed the bus because I was absent from the proceedings of the House when this Bill was being discussed here. I was away in connection with some meeting, some matters relating to coal industry working etc. There was a meeting and I was busy there.

Anyway, the Minister has clearly explained the circumstances under which he has come up with this Bill before the House. When such an Act is being repealed, it might be in a limited manner that the organisation was doing social welfare

work. Now the Minister's responsibility has been to that extent increased. The Coal India and the other nationalised coal organisations responsibility has also been increased in a limited sphere. This organisation was doing the work of the order of fourteen-point-some crores. Anyway that was involving the workers. An element of participation of workers was there.

I am happy and I congratulate the Minister that he has conceded and he has readily agreed here that in the new set up also, the workers' representatives will be taken, and due attention will be paid to their opinion. This should be ensured well in time. Much time should not be left and as quickly as possible, the representatives of labour should be associated with these bodies so that work will go on effectively.

I would pointedly bring it to the notice of the hon. Minister with the request that only last week he was kind enough to make a declaration that by the turn of the century, the problem of housing and the problem of drinking water will be solved totally in the coal field. That means every coal miner will be provided with a living house and also drinking water problem will not be there.

While welcoming this announcement, I would like to add that yesterday only in this House there was a question answer. Hon. Minister Shri Abdul Ghafoor, speaking about drinking water said that our national objective is to provide drinking water to the entire population of the country by 1990-91. Of course, in real terms the performance will be to the tune of 85% in rural areas. When in unorganised sector, in the rural area, this will be the performance, why not in an organised area like coal field, coal workers, it should not be cent percent. Drinking water facility should be provided by the turn, not of the century, but of the Seventh Five Year Plan. This is my request.

MR. DEPUTY SPEAKER : I cannot allow more. The hon. Minister will reply.

[Translation]



**SHRI DAMODAR PANDEY (Hazari-  
bagh) :** Mr. Deputy Speaker, Sir, I want a clarification here. He mentioned about a basis and K. K. Roy Committee also recommended that instead of that a fresh beginning should be made. But I want to know whether there was any representative of workers in the K.K. Roy Committee? If not, what could be the reasons thereof? Similarly, we expect that we will have a welfare board in future but one cannot say for sure that it will not be controlled by a person in the democratic set up, whose order we will have to carry out? Since it is an important question and we feel concerned about our future, therefore I want to know from the hon. Minister what would be the basis in future?

**SHRI VASANT SATHE :** Mr. Deputy Speaker, Sir, I am obliged to both the hon. Members for their suggestions. First of all I want to inform them that since the Committee was a one-man-committee, therefore the question of taking other representatives does not arise. Secondly, I have always requested the hon. Members that they should come to a conclusion themselves and I do not want them to wriggle out of this responsibility. When I talk of the participation of the workers, it also includes the responsibility of all the workers of the country and their representatives. They have a responsibility towards their country and they should shoulder it. The entire coal-sector is their and they have been given as much public money as they demanded. Now, it is their responsibility to run it and make it economically viable by increasing production. Then from the profits they might utilize as much amount as they like on the worker's welfare. This is the only basis we want. When it is adopted by the entire country, the shape of public sector will undergo a radical change.

[English]

**MR. DEPUTY SPEAKER :** The question is :

“That the Bill be passed.”

*The motion was adopted.*

18.15 hrs.

**STATEMENT RE STEPS TO CON-  
TAIN AIDS**

[English]

**THE MINISTER OF HEALTH AND  
FAMILY WELFARE (SHRIMATI MOH-  
SINA KIDWAI) :** The House would be aware that we had earlier informed the House in response to a question from a member that no authentic case of AIDS had so far been reported from our country. The nation-wide surveillance studies for AIDS disease and AIDS virus infection initiated by the Indian Council of Medical Research has revealed that while it is still true that authentic cases of AIDS disease have not yet been found in India, evidence has just now been obtained of the presence of AIDS virus infection in 6 females in Tamil Nadu who have been known to have promiscuous heterosexual behaviour. The situation is under close and constant surveillance. The Indian Council of Medical Research has already established AIDS Surveillance Centres in 7 places in the country—Pune, Vellore, New Delhi, Delhi, Srinagar, Madras and Calcutta. The number of Surveillance Centres is proposed to be immediately increased to cover all parts of the country adequately, eventually leading to the establishment of one centre in each State. A separate cell is being established in the Directorate General of Health Services which will work in close liaison with a Cell in the ICMR which is already functioning. An intensive educational campaign about the nature of AIDS infection, how it is transmitted and what measures should be taken to prevent the spread of infection is being mounted. The medical profession in the country both in public and private sector is being mobilised along with the public through a nation-wide educational campaign. Scientific institutions have been identified and are already engaged in work leading to the identification of the virus in precise terms, its relationship to related AIDS viruses prevalent in other parts of the world. The required number of test kits are being made available to the Surveillance Centres. At the same time the 6 cases identified as carrying the infection are being attended to with the cooperation of the State Government to ensure that the infection