

12.41½ hrs.

COMMITTEE ON ABSENCE OF  
MEMBERS FROM THE SITTINGS OF  
THE HOUSE

MINUTES

SHRI S. C. SAMANTA (Tamluk): I beg to lay on the Table Minutes of the Eleventh sitting of the Committee on Absence of Members from the Sittings of the House held during the current session.

12.42 hrs.

PUBLIC ACCOUNTS COMMITTEE

NINETY-SIXTH REPORT

SHRI JYOTIRMOY BOSU (Diamond Harbour): I beg to present the Ninety-sixth Report of the Public Accounts Committee on Excesses over Voted Grants and Charged Appropriations as disclosed in the Appropriation Accounts (Civil), (Posts and Telegraphs), (Railways) and (Defence Services) for 1971-72 and action taken by Government on the recommendations contained in their Forty-ninth Report.

12.43 hrs.

COMMITTEE OF PRIVILEGES

FIFTH REPORT

DR. HENRY AUSTIN (Ernakulam): I beg to present the Fifth Report of the Committee of Privileges.

(Interruptions)

MR. SPEAKER: Mr. Dinesh Bhattacharya, I am not allowing you. Nothing will go on record.

12.44 hrs.

COKING AND NON-COKING COAL  
MINES (NATIONALISATION)  
AMENDMENT BILL

Clauses 2 and 3—(Amendment of section 4 of Act 36 of 1972 & Amendment of section 5)

MR. SPEAKER: We now take up Clause-by-clause consideration of the Coking and Non-coking Coal Mines (Nationalisation) Amendment Bill.

We take up Clauses 2 and 3. There are no amendments to Clauses 2 and 3.

May I tell you that it was introduced yesterday and the consideration motion was passed yesterday? Now, we are on clauses.

श्री रामाबतार शारणी (पटना) .  
मैं ने भी नाम भेजा है ।

प्रध्यक्ष महोदय . मैंने नाम नहीं भेजा है ।

Why don't you send in advance? I must receive the names in advance. You cannot send it during the discussion. How can I know it?

श्री रामाबतार शारणी प्रध्यक्ष जी,  
मैंने कल ही भेज रखा है अपना नाम ।

MR. SPEAKER: You defy everything. You do not send the names in advance but you get up during discussion. Anyway, I shall put the clauses to the vote. You can speak on clauses.

SHRI SOMNATH CHATTERJEE (Burdwan): I gave my name yesterday. But, I was never called.

MR. SPEAKER: You will kindly sit down. Let me be sure. Where is the list? I am trying to look into it. Let me see as to who are the members who have given their names. This list has just now come to me in time. Shri Chatterjee.

SHRI SOMNATH CHATTERJEE: Mr. Speaker, Sir, so far as this Bill is concerned, we welcome it. It is a step forward, but still, I say this is a half-hearted measure.

MR. SPEAKER: Mr. Chatterjee, wait a minute. I have verified from the record that the consideration motion was passed yesterday. The only alternative is this. I shall put the clauses to the vote now. This is purely a technical thing. I shall give you all the chance to speak on clauses. The consideration motion was already passed. So, I shall put Clauses 2 and 3 together. I shall put Clause 4 separately because, there are amendments on it. But, there are no amendments on any other clause. You can speak on Clause 4. Those who have given their names and any other Member who wants to speak, they can do so. But, let us not go out of the procedure.

SHRI SOMNATH CHATTERJEE: Then, I shall speak on Clause 4. I have already given my amendment.

MR. SPEAKER Now, the question is:

"That Clauses 2 and 3 stand part of the Bill"

*The motion was adopted.*

*Clauses 2 and 3 were added to the Bill.*

*Clause 4—(Insertion of new section 124)*

MR. SPEAKER: I come to Clause 4. On Clause 4 any Member can speak. Are you all moving your amendments? Dr. Laxminarayan Pandeya is not here.

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 3,—

*after line 19, insert—*

"12B. At every mine, colliery and also at Board of Directors' level there shall be elected representatives of the workmen who in addition to jointly working after the management of the nationalised mines will help the management to scrutinise the workers' claims on previous owners on account of wages, provident fund, gratuity, earned leave wages or any other such claims before referring to the Commissioner". (1).

SHRI SOMNATH CHATTERJEE: I beg to move:

'Page 3,—

*after line 3, insert—*

"(4A) In case the amount paid to the Commissioner under section 21 is less than the total amount of arrears referred to in sub-section (1), then the Central Government shall pay, within one month from the date of determination under sub-section (4), the amount of difference to the Commissioner and shall be entitled to recover the same from the owner of the coking coal mine or group of coking coal mines or coke oven plant, as the case may be, as if it were an arrear of land-revenue". (2)

'Page 3, line 5,—

*after '(4)' insert—*

"and paid to him under sub-section (4A)". (3).

'Page 3, line 11,—

*add at the end—*

"subject to the provisions of sub-section (4A)". (4).

MR. SPEAKER: Dr. Pandeya is not here

SHRI R. V. BADE (Khargone): Can I move the amendment on his behalf?

MR. SPEAKER: How can you move that?

श्री धार० बी० बड़े : मैं माननीय लक्ष्मीनारायण पांडेय के मशौधन पर बोलना चाहता हूँ ।

सम्बन्ध नहीं रखता : आप कैसे बोल सकते हैं जब तक आप का नाम नहीं है ।

SHRI SOMNATH CHATTERJEE: Mr. Speaker, Sir, Clause 4 seeks to provide for payment of the dues of the workers in preference to other dues. But, Sir, a

[Somnath Chatterji]

similar amendment had been brought by us when the main Bill was discussed. But, at that time, we could not persuade the Government to accept it. Now the Government has done some re-thinking and they have accepted a part of our amendments. We are happy about it. But as I was saying, this is a half-hearted measure.

So far as the working of the collieries is concerned, I would like to impress upon the hon. Minister that things are not happening there as they should happen after nationalisation. One should remember that the proposal for nationalisation has been supported really by the workers. The employers have not co-operated. The owners have not co-operated with Government, and recently it has come to be known that a huge amount of machinery worth Rs. 2 crores was removed and was found at places like Asansol, Kalipahari and so on. These machines belonging to the mines could have been removed only with the complicity of the owners and some of the high-ups in the management. This was found out with the help and assistance of the workers who are very keen that the assets of these nationalised coal mines should not be squandered away or dealt with in a manner which would be detrimental to public interest.

But what are the workers getting in return. One of the grounds which had been mentioned in the statements of Objects and Reasons for the introduction of the Nationalisation Bill was that the previous managements were indulging in unscientific mining slaughter-mining and they were not looking to the interests of the workers, and they were not implementing the wage board recommendations and the awards and agreements entered into with the tribunals and so on.

But the most shocking thing that is happening is that the new management that has come up after nationalisation is not taking back the retrenched employees in favour of whom there are tribunal decisions. The decisions under the Payment of Wages Act are not being implemented.

What will happen to these workers? Will these workers have to run after the old management for the purpose of getting their dues, in respect of which there are already decisions of tribunals and already decisions by the wage board competent authority or the competent authority under the Payment of Wages Act. Again, so far as the pending cases with the tribunal are concerned, what would happen I would like the hon. Minister to answer these questions, because these are agitating the minds of the workers very much in their day-to-day affairs.

I know that in the parent Act, there are provisions under which awards or agreements or decisions made prior to nationalisation will not be applicable. Although we had pressed for this, the late Mr. Mohan Kumaramangalam was not in a position to accept our amendment. But what about the cases pending with the tribunal? What would happen to them? What about the agreements already entered into? Would Government honour those agreements or not? Again, in some of the collieries the recommendations of the wage boards were not implemented. Are Government going to implement them in those collieries?

The present Bill is going to meet only some of the demands of the workers.

Let the hon. Minister kindly consider what will happen. Now, the proposal is that the dues of the employees in respect of certain heads like provident fund, arrears of wages etc. will be quantified and will be deducted from the amount payable to the owners by way of compensation under the main Act. Precisely here we have put forward an amendment that they should be paid first, and if there is any shortfall, Government should make good that shortfall and try to realise the amount from the owners. So, the question is whether Government should pay it to the workers and realise it from the colliery owners themselves or whether the workers should run after the colliery owners and try to recover their dues. We have already submitted and we still make this submission that so far as the workers' dues are concerned, their legitimate dues

such as arrears of wages, provident fund, gratuity etc., in regard to which there cannot be any complaint or grievance, they should not have to run after the colliery owners, but on the other hand, it will be much easier for Government to take recourse to certain proceedings against the owners to recover the dues rather than ask the workers to run after the owners.

The amount of compensation given to the non-coking coal mine-owners amounted to Rs. 30 crores. It is generally estimated that about Rs. 10 crores are outstanding so far as workers are concerned. What is the difficulty in realising this amount and paying it to the workers? If in respect of any particular colliery or group of collieries their entitlement by way of compensation is not sufficient to meet the dues or the wages in respect of the colliery workers from that particular colliery or group of collieries, Government should pay that amount and recover it from the colliery-owners themselves. To that effect, we have given our amendments.

There are many collieries like the Nimcha colliery, Khas Kajora colliery and Selected Amritnagar colliery where the workers are not getting back their jobs although there are vacancies and fresh appointments are being made of workers. Those who have been retrenched could not go there for diverse reasons, mainly the law and order situation created there. They are not being taken back into the collieries.

Then, I and some other MPs have also written to the Minister about seven or eight employees of the Indian Mining Association. No doubt, this was an association of the colliery owners. No doubt, this association has no function. We are not happy with the functioning in the past of this association. But we are not asking for employment of the big officers. These are seven or eight clerks, typists, stenographers etc., who were working in the IMA as ordinary employees. They were not concerned with the formulation of policy. Because this Association has no work because of nationalisation of collieries, these employees have lost their jobs. We have been appealing to Government on behalf

of these employees to give jobs to these eight people. Why should they suffer as a result of nationalisation for no fault of theirs? Some of them have worked for 20 and 30 years. The minimum period of their service is 9 years. Therefore, Government should consider their cases as well.

With regard to the negotiations that are going on with the colliery workers, sometimes representatives of the trade unions, in most cases those of the CITU, are not called for discussion. When the Minister goes there, he is good enough to call all the recognised trade unions for discussion. But some of the officers, when they discuss matters with the employees, do not call the CITU representatives for the discussion.

So far as the production and distribution of coal is concerned, time is short and I cannot go into details. But I will say this about distribution. The hon. Minister should look into this closely and carefully. Today in West Bengal there is a shortage of coal. There is a good deal of shortage in regard to supply to Calcutta. The price of domestic coal has gone up by leaps and bounds. Ordinary people who are not getting coal are greatly suffering. What steps are being taken to remedy this situation? If as a result of nationalisation we find that the ordinary people are suffering, what will happen? The ordinary people will lose their faith in it.

Therefore, kindly look into the proper management of it. We want nationalisation to succeed fully. Do not allow these bureaucratic overlords to control the business or management of these essential commodities of everyday life of the common man. I would therefore request him to pay particular attention to distribution apart from production also for the purpose of seeing that there is proper price control, that the price is not allowed to go out of control.

13.00 hrs.

Sir, I would request the hon. Minister to consider favourably the amendment that I have given, because the Government can easily afford to pay this, and the

[Shri Somnath Chatterjee]  
Government can afford to realise this from the previous owners whom they are doing away with the compensation and who are enjoying this money. Therefore, I request the hon. Minister to consider this amendment favourably.

MR. SPEAKER: Do you want to have the lunch-hour?

SEVERAL HON. MEMBERS: Yes.

MR. SPEAKER: Yes, Mr. Raj Bahadur wanted to make a statement.

13.01 hrs.

STATEMENT RE: STOPPAGE OF PASSENGER SHIPPING SERVICES ON THE KONKAN COAST

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR): Sir, I have to make a statement regarding stoppage of passenger shipping services on the Konkan Coast.

MR. SPEAKER: You can lay it on the Table.

PROF. MADHU DANDAVATE (Rajapur): He may be allowed to read it.

MR. SPEAKER: This is lunch-time. He may lay it on the Table.

SHRI RAJ BAHADUR: I lay the statement on the Table.

Statement

1. The present operators M/s. Chowgule Steamships Ltd. had represented to the Government for an increase of about 42 per cent in passenger fares. In support of their demand for an increase in fares, they had stated that there had been all round increases in operative expenses and that they had already incurred the following losses:—

1968-69	— Rs. 10.37 lakhs
1969-70	— Rs. 13.45 lakhs
1970-71	— Rs. 13.32 lakhs
1971-72	— Rs. 15.32 lakhs

2. The request of the company for an increase in fares was referred for consideration to a Committee consisting of Director General of Shipping as Chairman, Chief Surveyor to the Government of India, a representative of the Shipping Company, a representative of the user public, namely, Shri V. G. Prabhugaonkar, M.L.A., Maharashtra and Senior Deputy Director General of Shipping. The Committee examined the entire question in detail and recommended an increase of 20 per cent in the passenger fares as against the increase of about 42 per cent demanded by the company. However, the representative of user public, Shri Prabhugaonkar, signed the report subject to a note of dissent suggesting taking over of the service by Government.

3. A copy of the report of Bhave Committee was forwarded to the Government of Maharashtra. The matter was also discussed by me with the Chief Minister and the concerned Minister of Maharashtra. They strongly expressed themselves about the unsatisfactory nature of services provided by the present operator and stressed in particular the following grievances and complaints of the user public in regard to the present service:—

- (a) irregularity and unpunctuality; and
- (b) the arbitrary manner in which the services are run.

4. They have further communicated that in their opinion, if a fare rise is given to the present operators, "there will be tremendous resentment among the people of the entire coast. The travelling public it is apprehended, will put up a stiff resistance and it would create a difficult problem for this Government." The Chief Minister of Maharashtra has reiterated that the public sector shipping companies should take over this service and they should resume regular services to the ports of Janjira, Shriwardhan, Harnai, Dabhol, Malwan, Palshet, Tirvi, Ranpar and Achra which are not being served now by the present operator