

Reddy, Shri B. N.

Sen, Dr. Ranen

Shastri, Shri Ramavatar

MR. SPEAKER: The result* of the division is:

Ayes: 99; Noes; 14.

The motion was adopted.

MR. SPEAKER: We now adjourn to meet again at 14.45 hours. 13.40 hrs.

The Lok Sabha adjourned for Lunch till Forty-five Minutes past Fourteen of the Clock.

The Lok Sabha re-assembled, after Lunch at Forty-eight Minutes past Fifteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

COAL MINES (NATIONALISATION)
AMENDMENT BILL

MR. DEPUTY SPEAKER: We take up the Coal Mines (Nationalisation) Amendment Bill.

THE MINISTER OF ENERGY (SHRI K. C. PANT): I beg to move:

"That the Bill further to amend the Coal Mines (Nationalisation) Act, 1973, be taken into consideration."

Sir, as the House knows, the coal mines in the country were nationalized in two phases. Firstly, the coking coal mines were nationalized in 1971 after taking over their management in the first place; and later, the management of non-coking coal mines was taken over; and that too, was followed by the nationalization of non-coking coal mines. And the intention behind these steps was that coal mines should be owned and managed by the public sector, except that the State Governments could also run the coal mines through their corporations. The Central Government could set up its cor-

porations for managing the coal mines; and the private sector steel plants could also own their coal mines. And it was this broad provision or set of provisions under which the coal mines industry has been functioning in the last few years. Sir, before the coking and non-coking mines were nationalized, all the available records were scrutinized, to determine the number of coal mines.

According to the records which were available with the State Government as well as with the Central Government, in all 925, mines were nationalized, that is, 214 coking coal mines and 711 non-coking coal mines. Subsequently, a number of cases came to light mainly in Bihar in which there were private individuals holding leases of coal mines, and these individuals started operating these mines and extracting coal without proper authorisation. And ultimately we found that in Bihar alone about 450 lease holders were identified. We did not know if this was the total number.

I had a discussion with the Government of Bihar. I tried to ascertain how many cases of private leases escaped notice at the time of nationalisation because this is a problem which I have inherited. I was not aware of the facts at that time. I tried to check the records and history of nationalisation as to how many cases were left out. I found that there were mines with private parties which escaped being identified when the Central Government took over mines at the time of nationalisation. I also found that there were leases granted, by *ex-zamindars* or *rajahs*, *ex-rajahs* before the commencement of the Mines and Mineral Regulation and Development Act 1957, of which full records were not available in the records of the State Government. So, naturally, the details not being available with the State Government, these also got left out. Then there were idle or dormant leases covering closed or aban-

*The following Members also recorded their votes for AYES:— Sarvashri Shankarrao Savant and Tarkeshwar Pandey.

[Shri K. C. Pant]

doned mines which may be reopened. Finally, there were leases for coal endorsed on fire clay. In many cases, there were many mines under one lease, and in some cases, there were several leases for one mine.

Therefore, there was no proper correlation between the number of mines and the number of leases in all cases. And we found that in many of these cases, unauthorised mining, as I said, had been started; unscientific mining was going on; safety standards were not observed and slaughter mining was resorted to. This was not only desirable from the point of view of the safety of the workers, but from the long term point of view of the development of the coal mine. This was very undesirable because if there was a lot of coal and later on, it was decided to go deeper, if the upper seams are not scientifically worked, it is more difficult to work the lower seams. Therefore, the unscientific working of upper seams would certainly create a problem later on also for the scientific working of coal deposits as a whole.

All these things came to our notice and we made enquiries. We were told that welfare measures have not been provided for the workers and where the illegal coal mining was being done near the nationalised coal mines; the cases of theft also came to light through the collusion of some officers there or the workers there or even otherwise. In this way, the coal of nationalised mines found its way to the private lease-holders; they sold this coal and they made profit that way also. Of late, we have found that the number of such illegal operations was increasing.

Those friends who are familiar with the working of coal mines and who come from coal mines area know that for proper scientific working of coal mines, you have to have the geological data; you have to have mine plans; you have to know the size of the coal reserves, the quantity of coal that can

be mined; the quality of coal etc. For this, the detailed exploration has to be undertaken. It is only after all this is done can the experts decide whether it will be economically viable and technically feasible—technical feasibility comes first and then economic viability—to mine the coal in that particular area. No scientific exploration of coal is possible from these areas until all the facts are known, until investigation is done. The nationalised sector cannot step in unless all this information is gathered.

We were faced with this problem. We discussed it with the Bihar Government and considered various alternatives, whether to use the Coal Mines (Taking Over of Management) Act, 1973 or to use the Mines and Minerals (Regulation and Development) Act, 1957. But for the reasons which I just mentioned, we finally decided that it would be best to amend the Coal Mines (Nationalisation) Act, 1973, in such a way that all privately-held leases would be terminated except, of course, those which I mentioned earlier, that is, held by private sector steel companies.

We have provided that Central Government or Government Company or Corporation can take mining leases where necessary after the exploration has been made, the investigation is carried out and the facts which I mentioned have been ascertained in order to make it possible for them to come to a judgment whether technical feasibility and economic viability standards are met.

It has also been provided that where Central Government or public sector undertakings are not interested in mining in a certain area, where they feel that they cannot undertake scientific mining subject to certain conditions which are stated in the Act, it is possible to give a sub-lease to private parties also or the Corporation of the State Government.

Mr. Deputy-Speaker, Sir, you are in the Chair and, if I may be permit-

ted to make a reference to Meghalaya, there are certain very small-scale coal mining operations in Meghalaya and it is the desire of the Meghalaya Government that they should not be disturbed. We have no intention of disturbing them. How that is to be done will be worked out in consultation with the Meghalaya Government.

15.00 hrs.

Therefore, in order to carry out the intention of our decision, namely, to terminate privately held leases, an Ordinance was promulgated by the President on 29th April 1976 and I think the House will appreciate that in a matter like this it was better not to delay the coming into effect of the decision— that there should be no time-lag between the announcement of the decision and its taking effect. Therefore, since the Lok Sabha was in session but the Rajya Sabha was not in session, we decided it would be best for the President to promulgate this Ordinance and, also, that we should come up before the House as quickly as possible with a Bill. So we introduced the Bill on 7th May 1976 and I am grateful that the House has been given the opportunity so quickly to consider this measure.

With these words, I request the House that the Bill further to amend the Coal Mines Nationalisation Act, 1976 (No. 57 of 1976) be taken into consideration.

MR. DEPUTY-SPEAKER. Motion moved:

“That the Bill further to amend the Coal Mines (Nationalisation) Act, 1973, be taken into consideration.”

SHRI SAMAR MUKHERJEE (Howrah): I support the object of this Bill, but with certain criticisms. My first point is, why was there so much delay on the part of Government in acting in this matter? The information given just now by the Minister that so many

private leases came to their knowledge only after such a long period is also surprising. This shows how the vested interests are strongly at work both in the State Government and in the Central Government. Even after the Chasnala tragedy, when the whole attention of the people was concentrated on this problem of safety, security and conditions in the coal-mines etc., this Bill is coming only in May while the incident took place in December. However, I still support this Bill and its objective.

Another criticism of mine is that this measure taken through this Bill is half-hearted. In the Statement of Objects and Reasons it has been stated:

“No scientific exploitation of these deposits could be undertaken in the nationalised sector without these details. It was, therefore, considered that it would not be appropriate either to nationalise these unauthorisedly worked mines after taking them over under the Coal Mines (Taking Over of Management) Act, 1973 or to get the connected mining leases prematurely terminated and regranted to Government companies under the Mine and Minerals (Regulation and Development) Act, 1957.”

The meaning of this is not clear to me. It must be explained why you could not undertake full responsibility and why there cannot be nationalisation. There is, moreover, a provision for sub-lease again and there is no guarantee that, in the form of sub-lease, some persons will not get leases and exploit these coal-mines for their profit and to the detriment of security laws and conservation and other factors. So, my point is that Government should come out with such an Act or Bill whereby full responsibility will be undertaken by the Government; because, scientific exploration can be done only by the Government.

There is another provision in this Bill that, in the meantime, they are

[Shri Samar Mukherjee]

prepared even to give leases to private persons. That should be stopped.

Another point to which I want to draw the attention of the hon. Minister is that nothing has been said about the welfare or the future of the workers, though one of the reasons for bringing forward this Bill, as mentioned in the Statement of Objects and Reasons, is that those people were exploiting these coal mines paying very low wages and by not providing any safety and welfare measures. So, what is going to be the future of those workers who are working in these mines under the private lease-holders. Nothing has been said here about that.

Much criticism has been made on the floor of this House regarding safety measures; not only the private lease-holders, private owners, but the Government also, the existing Government corporation or semi-government corporation are completely callous regarding safety measures. As you know, in Chasnala, there was the second tragedy. In fact, after the first tragedy in Chasnala, there have been many mine accidents. I have got one report from Madhya Pradesh, Bistrampur colliery; on this occasion, I want to draw the attention of the Minister to this report which I have received from the General Secretary of the Union affiliated to CITU. He has stated:

"On 27th April, 1976, Tuesday, the weekly rest day of Bistrampur colliery, two shifts, II and III, were declared as production shifts as Kunda Incline, a part of Bistrampur colliery; the second shift begins at 4.00 p.m. At about 6.30 p.m. in the depillaring section, an accident (roof-fall) took place taking away the life of two workers, Sarvashri Sobit Ram, Timber setter mazdoor Cat-II and R. S. Mishra, casual labour...."

MR. DEPUTY-SPEAKER: This Bill has nothing to do with safety. It is only to stop mining by certain people....

SHRI SAMAR MUKHERJEE: Please go through the Bill, Sir. They have been callous in respect of safety measures....

MR. DEPUTY-SPEAKER: That is why, they want to stop it. But the question of safety in the mines, whether in Chasnala or any other mine, is a much bigger question. It has nothing to do with this Bill.

SHRI SAMAR MUKHERJEE: One of the reasons for the termination of these leases is that they have been callous on the question of safety of the workers....

MR. DEPUTY-SPEAKER: They will not be able to operate these mines any more. About safety, it is a bigger question. It applies to every mine.

SHRI SAMAR MUKHERJEE: That is why I am drawing the attention of the hon. Minister to this.

MR. DEPUTY-SPEAKER: That is enlarging the scope. It is not very relevant to the Bill.

SHRI SAMAR MUKHERJEE: My suggestion is that Government should bring forward a comprehensive Bill covering the safety aspect, scientific exploration and the interest of the workers. My criticism is that this is a half-hearted Bill. That is why, I am drawing his attention to this. This question of safety is not only related to the private lease-holders....

MR. DEPUTY-SPEAKER: That is exactly why I say that it is a bigger question.

SHRI SAMAR MUKHERJEE: Another point to which I want to draw his attention is this. In the *Illustrated Weekly* one special article has appeared. Because of their interest to cut coal as much as possible, they are dis-

regarding all safety rules. The question of fire is also mentioned here in this article in the *Illustrated Weekly*; it has been pointed out that the future of the Jharia town....

MR. DEPUTY-SPEAKER: Is it relevant to this Bill? Please tell me honestly.

SHRI SAMAR MUKHERJEE: You have no idea about collieries. Fire is spreading from below. These private lease holders are using these mines in such a way that fire takes place inside.

MR. DEPUTY-SPEAKER: You are a senior Member and Deputy Leader of an important group. If you really want to enlarge the question into the safety of Jharia and other mines, that is another question.

SHRI SAMAR MUKHERJEE: My point is that because of the callousness on the part of these owners, Government must take all comprehensive measures, otherwise the entire town is now threatened and it will go down. Fire is spreading there from below. Government must make provision for the workers' safety, security of their jobs and other amenities.

MR. DEPUTY-SPEAKER: There you have a valid point.

SHRI SAMAR MUKHERJEE: With this criticism, I support this Bill.

श्री राम सिंह भाई (इंदौर) : उपाध्यक्ष महोदय, इस बिल का मैं हृदय से समर्थन करता हूँ और माननीय मंत्री महोदय को सुबारकवाद देता हूँ कि उन्होंने अनुभव के आधार पर इसमें अतिशीघ्रता की है ।

सवाल सिर्फ कोल माइन्स का ही नहीं है, मैं इस निल को लेकर यह निवेदन करना चाहूंगा कि जितनी भी देश में माइन्स हैं, सब का ही राष्ट्रीयकरण किया जाना चाहिये । क्योंकि हरेक क्षेत्र में जो प्राइवेट सैक्टर वाले

हैं वह कन्ट्रैक्ट के आधार पर इन्हें ले लेते हैं और मनमानी खुदाई कर रहे हैं । इससे बेहद नेशनल-ल स हो रहा है । मैं आपके द्वारा, मंत्री जी के द्वारा ग्राइम-मिनिस्टर तक और भारत सरकार तक देश की इस आवाज को पहुंचाना चाहता हूँ कि इस नेशनल-ल स को बचाने के लिये चाहे किसी भी प्रकार की खद जें हों, उनका राष्ट्रीयकरण किया जाना चाहिये और इस देश की दौलत को जो अनाप-शनाप बेहरमी के साथ ये लोग खोद रहे हैं, उस पर बंदिश लगानी चाहिये ।

बिहरा का जिक्र किया गया है, लेकिन अन्य राज्यों में भी खदानों में ऐसे ही खुदाई हो रही है । सन् 1973 में जब राष्ट्रीयकरण का बिल आया था, तो मैंने निवेदन किया था कि यह बड़ी अच्छी बात है, लेकिन इसके राष्ट्रीयकरण करने के बाद इसके आधुनिकीकरण और वैज्ञानिकीकरण का बहुत ध्यान रखना चाहिये ।

मेरा कहना यह है कि एम्प्लायमेंट किसी काम में भी कितनी ही दें, चाहे घर घर में करघा लगाकर बैठे, मिलों को बन्द कर दें, उसमें लोग मरने वाले नहीं हैं, लेकिन जहां कोयले की खदान का सवाल आता है, अन्डरग्राउंड में बहुत कम आदमियों को भेजना चाहिये, ऊपर चाहे कितनी को ही रखें । क्योंकि अन्डरग्राउंड में हमेशा खतरा रहता है । अज कोयले की खुदाई बेहरमी के साथ की जा रही है, वैज्ञानिक ढंग से नहीं की जा रही है । आप जिन खदानों का राष्ट्रीयकरण करने जा रहे हैं, उनमें एक खतरा यह भी पैदा हो गया है कि कोयला निकालने के बाद उनकी भराई कैसे की है । कोयला निकालना आसान है, लेकिन उसके बाद उस जगह को भरते जाना बड़ा कठिन काम है ।

MR. DEPUTY-SPEAKER: Government fully agrees with you and that

[Mr. Deputy-Speaker]

is why, they have come forward with this Bill.

श्री राज सिंह भाई : भैया कहना यह है कि यह बीमारी दोहराई नहीं जाये। आप इसका राष्ट्रीयकरण कर रहे हैं, यह अच्छी बात है, लेकिन इसके बाद यह बटनार्प न चर्टे, इस तरह ध्यान देना चाहिये, यह सुझाव तो हमें देना ही होगा। वरना हम यह कह कर बैठ सकते हैं कि सरकार ने राष्ट्रीयकरण कर के अच्छा काम किया है। प्रावश्यकता इस बात की है कि राष्ट्रीयकरण का उपयोग देशहित, जनहित और श्रमिकों के हित में किया जाये।

इस विषयक के उद्देश्यों में कहा गया है कि कोयला-खदानों की खुदाई इतनी बेरहमी और सर्वज्ञानिक ढंग से की गई है कि कुर्बतनाथों का खतरा पैदा हो गया है, और इसी कारण राष्ट्रीयकरण करने की जरूरत हुई है। हम इस राष्ट्रीयकरण का स्वागत करते हैं और हम इस सम्बन्ध में मजदूरों से सहयोग देने के लिए कहने को तैयार हैं।

लेकिन राष्ट्रीयकरण करने के बाद सरकार इन खानों को ऐसे ही तो छोड़ने वाली नहीं है, वह खुदाई का काम जारी रखेगी। इस बारे में इस बात का ध्यान रखना चाहिए कि जिन ठेकेदारों ने खुदाई की, उन्होंने भराई कैसे की है। भराई के लिए रेत और पानी एक खास हिसाब से डाला जाता है। बसने-सा में क्या हुआ? रेत और पानी एक हिसाब से डालने के बजाय कचरा ला ला कर भर दिया गया। कचरा डालने से यह झूलत होती है कि जब बरसात का पानी गिरता है, तो कचरा बैठ जाता है और बहाव पानी बर जाता है और दूसरी जगह खुदाई होने पर यह बहक हो कर बहाव भर जाता है। इस लिए सरकार को इस बात का ध्यान रखना चाहिए कि खुदाई

वैज्ञानिक ढंग से हो, ताकि कुर्बतनाथों की जगह न रहे।

MR. DEPUTY-SPEAKER: This is a larger question.

श्री राज सिंह भाई : मैं बैठ जाता हूँ। मुझे ज्यादा बोलने का मौक़ नहीं है। लेकिन बुरा कि यह मौक़ा जमा है, इस लिए मैं ये सुझाव देना चाहता था। मैं इस बिल का समर्थन करता हूँ।

SHRI SAMAR MUKHERJEE: There is no other item today. So, there should be no objection to his taking a little more time.

MR. DEPUTY-SPEAKER: There may not be any other item, but it is my duty to point out the scope of the Bill. How the mines should be worked, what improvements should be made and how the workers should be better taken care of—they are all important questions, but these are bigger questions which should be discussed at some other appropriate time. This is only to stop certain private mine operators. That is all.

SHRI SAMAR MUKHERJEE: Why these mines are being taken over—he is speaking on that. His point is quite relevant.

MR. DEPUTY-SPEAKER: No, no.

Dr. Ranen Sen.

DR. RANEN SEN (Barasat): This amending Bill reminds me of that famous English maxim—'Better late than never.' In 1973 coal-mine nationalisation took place and it took nearly 4 years for the Government to wake up and bring forward this Bill. In the meantime, at least for the last one year, this subject was being discussed in the newspapers. Even before the emergency the newspapers started discussing these things and

How is it that Mr. Pant says that more than 400 such unauthorised mining units were found out by the Government very late? Therefore, certain critics or cynics say that there were people sitting higher up and who were involved in this misleading of the Government when the nationalisation Bill was passed in 1973. How would the Government reply to such critics or cynics if they say that some State Governments at least with some of the higher officials of the Ministry of Steel and Mines were involved in hiding certain facts? Otherwise, one could understand a dozen or a couple of dozens of mines not attracting the notice of the authorities of the Steel and Mines Ministry, but here the number of mines is more than 400 and that too mostly located in the State of Bihar, from where our friend comes. Therefore, it does not go to the credit of either the Ministry of Steel and Mines or the Bihar Government.

Last year, there was a discussion in the newspapers and some trade unions brought to the notice of the Bihar Government that certain illegal operations are going on in Bihar. For twenty to thirty years together, there has been burning under the earth in quite a number of mines. This has been so not only in Dhanbad but in Lodhana area too. I had been there in 1944 and some trade union workers working in the collieries took me there. The country became independent in 1947. Later on, the Government of India realised all this. But what happened?

In the past, I had discussed about the Chasnala disaster. I had pointed out that the President of Burdwan District Congress Committee had given in the Press that coal had been extracted by the colliery owners but they have not filled up the vaccum and, therefore, there is a danger to Uti Barakar areas and Dhanbad and other surrounding areas. May I know whether the Ministry will now again

wake up after six months or a year and think something to do something in cases of subsidence of soil and fire which has been burning for the last 20 years, as per my personal knowledge. This is a sad commentary on the functions of the Ministry of Energy and Mines and the Bihar Government and the people who are connected with mines.

The second point in regard to (b) which I want to make is that this Bill somehow or the other seeks to legalise the illegal mines. Section 2(a) (ii) states:

“(ii) a person to whom a sub-lease referred to in the proviso to clause (c), has been granted by any such Government, company or corporation, or

(iii) a company engaged in the production of iron and steel.”

Some people are doing mining work illegally. They have been asked to hand over those mines. The Central Government or the State Government may take over all those 400 odd mines and then grant a sub-lease to any person or a group of persons.

MR. DEPUTY-SPEAKER: Proviso is there. You read the proviso.

DR. RANEN SEN: What is the necessity of the proviso?

“Provided that the Government, company or corporation to whom a lease for winning or mining coal has been granted may grant a sub-lease to any person.....”

MR. DEPUTY-SPEAKER: Please read out the whole thing.

DR. RANEN SEN: It says:

“On such terms and conditions as may be specified in the instrument granting the sub-lease, if the Government, company or corporation is satisfied that—

[Dr. Ranen Sen]

(i) the reserves of coal in the area are in isolated small pockets or are not sufficient for scientific and economical development in a coordinated and integrated manner; and

(ii) the coal produced by the sub-lease will not be required to be transported by rail."

I ask: why? Before bringing this Bill the Government should have gone into this thing thoroughly. I want to know this. Has any assessment been made whether the reserves of coal are in isolated pockets where no scientific extraction can be made?

MR. DEPUTY-SPEAKER: Every coal in Bihar can be transported by rail.

DR. RANEN SEN: If siding is there, then, I quite agree with you. If the Government should have known the position, then they should have brought a Bill and said, these are illegal mining and ask them: You please enter into lease with us or enter into agreement with us. That sort of thing would have made the whole thing quite easy. Instead of that the Government comes with this whole amendment Bill. It does not find out whether there are any such isolated pockets or not. It is stated here:

'Where a mining lease stands terminated under sub-section (3)' etc. etc.

Then what happens? It is stated:

'a prospecting licence or a mining lease in respect of the whole or part of the land covered by the mining lease which stands so terminated.

These are some of the points I think which are really very undesirable. The mining lease might be handed over to the same person or any person who will be the highest bidder in

this respect and he will be given these mines to be operated. I do not think it is a very happy position in regard to mining. Sir, very many things have happened in the mining areas. In spite of those things Government has not taken enough precautions to see that these things are terminated and the Government should have taken over these coal mines long before or a cooperative or any other agency could have been formed with these isolated pockets of coal mines.

श्री नूलबन्द डागा (पार्ली) : उपाध्यक्ष महोदय, 1-5-1972 के दिन पहले पहल कोकिंग कोल माइन्स का राष्ट्रीयकरण किया गया और 1-5-1973 को, यानी एक साल बाद नान-कोकिंग कोल माइन्स का राष्ट्रीयकरण हुआ। उसके बाद कोयले का काफी उत्पादन हुआ और काफी प्रगति हुई। जब कमी आदमी आगे बढ़ता है तो बहुत सी बातें ध्यान में आती हैं। आज मैं आपको धन्यवाद देता हूँ कि एक जो कमी थी वह भी पूरी हुई। लेकिन मैं एक बात कहना चाहता हूँ कि इतने साल तक हम कहाँ थे। सभी लोगों ने बिहार सरकार की कनजोरी बतला दी। तो बिहार सरकार ने जिन लोगों को प्राइवेट खान दी थी उन्होंने उनको एक्सप्लायट किया और कितना ही शोषण किया लेकिन क्या हमने उन लोगों के खिलाफ कोई कदम उठाया? आज क्या हम उनको कोई मुआविजा देंगे या बिना मुआविजे के ही उनसे ले लिया जायेगा? आप कह रहे हैं कि साइंटिफिक तरीके से उन्होंने नहीं किया। हम कंसल्टेटिव कमेटी में बात करते थे कि माइन्स एक्ट को बदल दिया जाये और राज्य सरकारों के अधिकार में उन खानों को रखा जाये। कई बार राज्य सरकारें उन लोगों को लीज दे देती है जिनसे थोड़ा सा लाभ उठाने के लिये काफी ज्यादा नुकसान कर दिया जाता है। सब से पहले एस्टीमेट्स कमेटी ने इस और आप का ध्यान आकर्षित किया था। उन्होंने कहा था:—

"Coal mines have to be reorganised and restructured and are to be worked on modern scientific lines by paying special regard to conservation and safety of mines and welfare of the workers."

इस सम्बन्ध में आप का ध्यान 1972 में अर्कित किया गया था, आज चार साल हो गये, बतल इधे क्या हुआ ? जिन लोगों ने लीज लेनी थीं उन्होंने लीज ले ली, कोयला साइन्टिफिक तरीके से नहीं निकाला, काफी नुकसान हुआ, अब आप बतल इधे—क्या उनको मुआवाजा देगे या उन से नुकसान वसूल करेंगे ?

एक बात मैं जरूर कहना चाहता हूँ—शायद आप उस को समझ सकें। नेशनलाइजेशन के बाद रेलवे को जो कोयला मिलता है, वह खराब मिलता है, ऐसा क्यों है ? इस का क्या कारण है ?

MR. DEPUTY-SPEAKER: This Bill has nothing to do with the quality of coal supplied to Railways.

श्री मूल चन्द डागा : मैं इतना ही कहना चाहता हूँ। बाकी यह जो काम हुआ है, अच्छा हुआ है।

श्री रामावतार शास्त्री (पटना) : उपाध्यक्ष जी, जिन उद्देश्यों की चर्चा इस विधेयक में की गई है, उन उद्देश्यों से किसी का मतभेद नहीं हो सकता और मंत्री जी ने अपने भाषण में ठीक ही कहा है कि इन्होंने उद्देश्यों को ध्यान में रख कर बिहार में जो 400 से अधिक अनधिकृत खानें मुख्य रूप से काम कर रही हैं, उन्हीं को सरकार अपने हाथ में लेना चाहती है। उपाध्यक्ष जी, आप जानते हैं मैं बिहार से आता हूँ, जिन जिलों में कोयले की खानें हैं, जैसे धनबाद, झरिया, हजारीबाग, गिरिडीह, संथाल परगना,

इन्हीं जिलों में ये अनधिकृत रूप से काम करने वाली खानें केन्द्रित हैं। कुछ महीने पहले या कुछ साल पहले जब मैंने संथाल परगना की अनधिकृत खानों को सरकार द्वारा अपने हाथ में लेने का प्रश्न उठाया था, तो सरकार की तरफ से यह जवाब दिया गया था कि उस जिले में कोई ऐसी खान नहीं है। ऐसा जवाब देने में या तो बिहार सरकार ने भारत सरकार को अंधकार में रखा या जानबूझ कर वे लोग उस तरह की खानों को बिहार में चलने देना चाहते थे ताकि खान-चलाने वाले भालिकों को, जो चाहे कांग्रेस के मंत्री हों या मंत्रियों से सम्बन्धित हों, उन को फायदा होता रहे। वे लोग ज्यादा से ज्यादा मुनाफा उठाते रहे और देश का बहुमूल्य धन जो कोयले के रूप में था, उसे बर्बाद करते रहे। यह छिपी हुई बात नहीं है कि जब वहां कोयले का राष्ट्रीयकरण नहीं हुआ था तो वहां के बड़े बड़े कांग्रेसी नेता, जो मंत्री भी बन गये थे, वे उन खानों से सम्बन्धित थे, 30-32 लाख रुपया रायल्टी के रूप में खा गये थे। इन सब बातों को देखते हुए क्या इस बात का सन्देह नहीं किया जा सकता, कि अभी भी "अगर-भगर" वाला जो यह विधेयक लाया गया है, इस के पीछे भी उन्हीं लोगों का हाथ है ? यद्यपि मंत्री जी ने कहा है कि बिहार सरकार के लोगों से इन की बात हुई है। लेकिन मेरी जानकारी यह है कि बिहार सरकार अभी भी दिल से राजी नहीं हुई है। उनके अन्दर अभी भी कुछ ऐसे लोग हैं जो चाहते हैं कि अनधिकृत रूप से कोयला खानें चलती रहें और उन के लगुए-भगुए फायदा उठाते रहें.....

श्री कृष्ण चन्द्र पंत : बिहार सरकार का दिल कहां पर है ?

श्री रामावतार शास्त्री : वह तो आप जानते होंगे क्योंकि आपने उन से बात की है।

[श्री रामावतार शास्त्री]

श्री मूलबन्ध डाया : ये-मनुए-मनुए क्या होते हैं ?

श्री रामावतार शास्त्री : मनुए-मनुए के मायने हैं—उन के चाटुकार, उन के पीछे चलने वाले क्रायदा उठाने वाले और उन से इन को क्रायदा भी होता था । तो बिहार की बात धरर धान जातिदेवा तो धाप को मालूम हो जायगा क्योंकि धाप शीघ्र ही पी० यू० सी० के चेररनेन होने वाले हैं । तो ऐसे लोगों की ताकत को तोड़ा जाय । इस से हर धावमी को प्रसन्नता हुई और मैं भी प्रसन्न हूँ कि धाप ऐसे लोगों की ताकत को तोड़ना चाहते हैं । लेकिन ठीक ने तोड़िये फिर कोई बच न जाय ।

कुछ व्यक्तियों को फिर धाप बेंचे धगर धाप जकरत रुझें, और जो दो शतों को पूरा करेगा धाप ऐसे निजी लोगों को भी खान से कोयला निकालने के लिये धालादी देने धगर वे खाने छुट्टपट फ़ीलो हुई हैं, जहाँ वैज्ञानिक तरीके से कोयला निकालना सम्भव न हो और जो रेल से नहीं बल्कि ट्रक से कोयला ढोयेंगे । तो ऐसे व्यक्तियों की धाप दे सकते हैं, इस को चर्चा धाप ने बिल में की है । फिर मैं कहना चाहता हूँ कि इस के नाम पर फिर बड़ी खोप धायेंगे और उसको बर्बाद करेंगे । इसलिये धाप किसी व्यक्ति को देने का विचार छोड़ दीजिए । बिहार धरकार को दीजिये या उस की कम्पनी को दीजिये । लेकिन किसी निजी व्यक्ति को कोयला खान नहीं दी जानी चाहिये । नहीं तो फिर कुछ दिनों के बाद धाप स्वयं बहसूच करेंगे कि धरकार ने गलती की ।

धाप ने वृक्ष-कानून में की कुछ निजी इस्पात कारखानों के मालिकों के लिये कोयला खान छोड़ दी है । उधे समय भी हमें यह बात समझ में नहीं आनी थी, और बड़ी बात फिर इस में भी है कि उन को छोड़ कर । टाटा की खाने चल रही हैं । उसके धाप इजनी मोहब्बत क्यों ? क्या टाटा धरकार से—कोकिम कोल या बूसरा कोयला नहीं खरीद सकता है ? खरीद सकता है, उसके पास पैसे की कमी नहीं है क्या वह धरकार से धरकारी कोयला खानों का कोयला नहीं खरीद सकता है जो उस के प्रति इतनी गलतता है ? ऐसे लोगों के साथ कोई समता नहीं होनी चाहिये । बड़े पूजीपतियों को धाप ने बिल विधेयक पास कर के बूचरे तरीके से सुविधायें दी हैं, और यह सुविधा भी दे रही हैं । यह बल्य होना चाहिये और उन खानों का भी राष्ट्रीयकरण होना चाहिये ।

तीसरी बात मुझे यह कहनी है कि मजदूरों के बारे में धाप चुप है । माननीय मुखर्जी से कहा कि उन का क्या होगा जो काम कर रहे हैं । उन को लूटा है निजी कारखानेदारों ने, जिसका कि जिक्र धाप ने धपने उद्देश्य में की किया है कि मजदूरों के साथ बहुत ज्यादती की गई है, उन्हें रतूलियतें नहीं दी गई । तो धाप क्या देना चाहते हैं । उन्होंने तो मजदूरों के साथ कोई प्रलाई नहीं की, ऐसे मालिकों को जेल में भेजा जाना चाहिये । लेकिन धरकार उनके लिये क्या करना चाहती है इस बात को तो धापको बिल में कहना चाहिये था ? तो धाप उन तमाम मजदूरों और कर्मचररों को उसी समय से जब से वे उन खानों में काम करते हैं, उन की तब से भौकरी मान कर धपनी खानों में रखियें, और धगर धाप खान किसी को देने वाले हैं तो वे मजदूरों को न निकालें, उन को रीक्योर्टी धाक रबिस का प्रबन्ध होना चाहिये तथा धरकारी खानों में जो रतूलियतें मजदूरों को मिलती हैं वही तमाम सुविधायें ऐसे मजदूरों को भी मिलनी चाहिये जिन खानों को धाप निजी

कोयलों को लेना चाहते हैं। यह बात जकर आप बिल में की जिस सभी मजदूरों का विभाज्य आप हासिल कर सकेंगे और जो आप का सर्वोत्तम है मजदूरों को मदद करना, वह भी पूरा कर सकेंगे।

मिज्जी कोयला खानों जो बिहार में हैं उन को आप लेना चाहते हैं। लेकिन आप की राष्ट्रीयकृत कोयला खानों में क्या हो रहा है? इस को भी जरा देखिये कि क्या गड़बड़ हो रही है।

यह अन्तिम बात कह कर मैं समाप्त कर रहा हूँ। मेरे पास यह एक टेलोग्राम है, जिस को मैं पढ़ कर सुना रहा हूँ।

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मैं ने इट तरफ इसलिये ध्यान दिलाया कि इस तरह की बातें इन कोलमाइन्स में न चलें। अखबारों में जो इस तरह की बातें आती हैं उनकी इन्वायरी करा कर आप क्रौरन एक्शन लीजिए ताकि मजदूरों को कठिनाइयां हूर हो सकें।

इन शब्दों के साथ मैं इस विधेयक का समापन करता हूँ।

सरकार स्वर्णसिंह सोनी (उपसोदपुर) : डिप्टी स्पीकर साहब, मैं इस कोलमाइन्स नेशनलाइजेशन एम्बेडेड बिल का स्वागत करता हूँ।

यह बड़ी अच्छी बात है कि मिनिस्टर साहब इस बिल को जल्दी से लाए हैं। यह और भी अच्छा होता अगर इस बिल को पहले लाया जाता। जब यह नेशनलाइजेशन हुआ था, दो तीन साल, पहले, उस वकत कुमारमंगलम साहब स्टील मिनिस्ट्री में थे। उस वकत मैं ने अपनी स्पीच में कहा था कि आप इस तरह की कोलमाइन्स को क्यों छोड़ रहे हैं, इन को भी ले लीजिए, नहीं तो बाद में दिक्कत होगी और इन को फिर लेना पड़ेगा।

सवाल यह है कि अन्तम बेराज्ज काम दो किस्म का होता है। एक तो यह है कि जिन लोगों की लीज हैं वे अगलावेराइज वे में काम करते हैं और कोयला निकालते हैं और दूसरा अगलावेराइज काम यह है कि लोय कोटी छिपे काम करते हैं। उन को न लाइसेंस की जरूरत है और न लीज की जरूरत है, सीधे जाते हैं, काम करते हैं और कोयला निकाल ले जाते हैं। आप ने अफसरों के साथ मिल कर यह काम हो रहा है।

डिप्टी स्पीकर साहब, एक बात और मैं आप के माध्यम से मिनिस्टर साहब को कहना चाहता हूँ। जिस दिन यह आर्डिनेंस निकाला गया था, उस के तुरन्त बाद अन्तवाद के माइन्स कलकत्ता हाई कोर्ट में इज्जन्कशन के लिए चले गये और उन्होंने इज्जन्कशन ले लिया। अब इनको यह मुश्किल हो रही है कि जिन लोगों ने इज्जन्कशन ले लिया है, उन की माइन्स को कैसे नेशनलाइज करेंगे। इसलिए मेरा कहना यह है कि जब तक कचहरियों को इस में से नहीं निकालते हैं, तब तक ये लोय आप को काम नहीं करने देगे। इस के लिये आप प्रबन्ध लीजिए।

दूसरी बात यह है कि जो कोलमाइन्स में बोरी हो रही है, उस के बारे में आप सोचिये। आप के नेशनलाइजेशन करते हुये लोय आप के अफसरों से मिल कर बोरी कर रहे हैं और

[सरदार स्वर्णसिंह सोखी]

अभी भी अनअथेराइज्ड माइनिंग हो रही है । यह आप के बिहार में हजारी बाग में और धनवाद में हो रही है और आप इस को रोक नहीं सकते आप के अफसरों के साथ मिल कर वे जो आप निकला हुआ कोयला है, उस को भी ले जा रहे हैं । इस तरह की चीजों को आप तब तक नहीं रोक सकते हैं जब तक कि आप कड़े से कड़ा कंट्रोल न करे । ये बहुत सी बातें हैं जो कि बिल के अन्दर नहीं आती हैं और मैं उन को कहने लग जाऊँ तो डिप्टी स्पीकर साहब मुझे रोक दगें । मैं सिर्फ इतना ही कहता हूँ कि जितनी जल्दी हो सके आप के जितने आफिसर्स हैं जो कि इस तरह का काम करते हैं, उन के आप कान खींचिये कि वे ठीक से काम क्यों नहीं कर रहे हैं । नेशनल इजेशन तो आप ने कर दिया, आप थोड़ा इस तरफ भी ध्यान दीजिए । जो इस बिल के आवजेक्ट्स हैं, वे तभी पूरे हो सकते हैं और अच्छे नतीजे तभी निकल सकते हैं जबकि आपका डिपार्टमेंट अच्छी तरह से काम करे ।

एक चीज और मैं कहना चाहता हूँ । मैं शास्त्री जी की इस बात से सहमत नहीं हूँ कि बिहार सरकार ने दिल से इस चीज को नहीं किया है । ये जो ऐसा कहते हैं, गलत कहते हैं । बिहार सरकार ने पिछले साल कहा था और खुद मैं ने मिनिस्टर साहब को लिखा था कि आप महरबानी कर के अनअथेराइज्ड कोल-माइंस को ले लीजिए और मैं ने दो, तीन बार सवाल भी इस बारे में किये थे और मिनिस्टर साहब को पता है । इसलिए बिहार सरकार इस बारे में कहती रही है कि जल्दी से जल्दी इन का नेशनल इजेशन किया जाए । मैं तो यह कहूँगा कि अभी भी जितनी कोल-माइंस हैं वे नेशनल इजेशन वाली लिस्ट में नहीं आई हैं और मिनिस्टर साहब को अभी फिर से इस का सर्वे कराना चाहिये आप को पता चलेगा कि अभी भी अनअथे राइज्ड कोल माइंस काम कर रही हैं । इस तरफ मिनिस्टर साहब ध्यान दें ।

इन शब्दों के साथ मैं फिर इस बिल का स्वागत करता हूँ ।

श्री एम० राम गोपाल रेडडी (निजामाबाद) : उपाध्यक्ष जी, हमारे पंत जी का हमेशा काम करने का यह तरीका रहा है कि वे सही समय पर सही कदम उठाते हैं ।

सब से पहली बात तो मैं यह कहना चाहता हूँ कि कोलमाइन्स जो चोरी वगैरह करने हैं, उन को कड़ी से कड़ी और सख्त से सख्त सजा दी जाए । कितने लोगों ने चोरी की है और कितनों पर मुकदम दायर हुए हैं, यह नहीं बताया गया है । यह भी कहा जा रहा है कि आप के जो आफिसर्स हैं उन के साथ मिल कर इस किस्म की चोरी होनी है, मैं यह जानना चाहूँगा कि क्या ऐसे आफिसर्स पकड़े गये हैं । किसी घर में चोरी होनी है तो यह जरूरी नहीं है कि घर का ही कोई अदमी चोरों के साथ मिला हो । घर में लोगों के रहने के बावजूद भी चोरी हो जाती है । इस वास्ते में मंत्री जी से यह चहंगा कि वे इन बातों के बारे में तफसील से बताएं ।

वस मुझे इतना ही कहना था ।

श्री सत्याचरण बेसर (दमका) : उपाध्यक्ष महोदय, इस विधेयक का समर्थन करते हुए मैं कुछ सुझाव देना चाहता हूँ । बिहार में ये जो कोयला खाने ली जा रही हैं, उनमें जो आदिवासी काम कर रहे हैं और जो कोयला निकाल रहे हैं उनमें उन्हीं अदिवासीयों को न लेकर बाहर से दूसरे लोगों को लाया जा रहा है । यह नहीं होना चाहिए । जो अदिवासी वहाँ काम करते रहे हैं उन्हीं लोगों को खानों में लगाया जाय । मैं मंत्री महोदय से निवेदन करना चाहता हूँ कि वे इस चीज को देखे ।

दूसरी बात यह है कि जो कोयला खाने वहाँ पर ली जायगी उनको या तो कोयला कारपोरेशन चलाये । अगर वह नहीं चलाना

व है तो उसे तो कोल मैनिंग बोर्ड पर चलाया जाये। कोलमैनिंग करते समय इस बात का ध्यान रखा जाये कि उसमें जानों के अधिक कोल शामिल न हो जाय। अगर वे कोल शामिल हो गये तो जानों को वही पुरानी शायद हो जायेगी। इस कोलमैनिंग में आप ने कोल कोलों को जोर न उनके किसी पार्ट-पटीयों का अन्य रिस्पोन्सिबल को शामिल कीजिए जो कि कोलमैनिंगी या अन्य लोग हैं जन्दी को इस कोलमैनिंग में शामिल कीजिए। कोई अन्य व्यक्तिगत रूप से लेना व है तो उसे भी वे विजिये लेकिन वह पुराना मोनर नहीं होना चाहिए।

इन सबों के साथ मैं इस विधेयक का समर्थन करता हूँ।

श्री एम. देव सिंह (महाशय बंध) :
उपस्थित महोदय, मेरा सुझाव है कि प्राइवेट कोल पर राज्य सरकार को जो देने की बात है उसमें कोल पोल्स बॉर्ड कोलमैनिंगी को भी ध्यान दिया जाय। अगर वह लेना चाहे तो उसे ही दीजिए।

SHRI K. C. PANT: Sir I am very grateful to the hon. members who have participated in the debate and I have been happy to note that each one of them lent his support to the bill. They made certain suggestions and some criticism but so far as the main objective of the Bill is concerned, there has been support from all sections of the House.

Shri Samar Mukharjee raised the question as to why we did not take recourse to the Coal Mines (Taking over of Management) Act, 1953 or the Mines and Minerals (Regulation and Development) Act, 1957. He also said there has been a lot of delay and action should have been taken earlier. So far as the Mines and Minerals (Regulation and Development) Act, 1957 is concerned, the Central Gov-

ernment has in fact taken action under this Act in the case of 54 leases and directed the Bihar Government for premature termination of these 54 leases held by private individuals. These leases were regranted to Bharat Coking Coal Ltd., a Government company. So, this was done in certain specific cases, but these were mines which were either not worked or not worked in a large way.

Under the provisions of this particular Act, it is necessary that if the mining leases are terminated, then the Government has to take over those mines, even though they are not scientifically worked. And they have also taken over the workers who were employed by the private lease holders. Now, in those cases where the mining operations were not significant or not large, there was not great difficulty and the Bharat Coking Coal Ltd. took over those mines. We will investigate, we will explore and come to a judgment whether to go ahead for mining or not. But there was no reason to continue with these old leases and so, they were terminated and the Government company took them over. But in other cases, there was also the risk of bogus muster rolls, and all those people were taken over in the coal industry with the result that the nationalised coal mining industry was over-loaded right from the beginning so far as number of workers was concerned. It has been one of the problems of the nationalised coal mining industry as to how to absorb the surpluses. Naturally, we did not want to retrench anybody. But the question of gradual increase of production and in the last two years, rapid increase of production has enabled us to absorb a fairly large number of the excessive manpower. But, even so, there are today surpluses which have been identified and so, the question of adding to those surpluses in any large way, would not be in the interest of the public sector coal mining industry. I think, the House will agree that we will have to take such precaution that we do not take on

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rolls large number of persons who were engaged by the private lease holders. In some cases, they asked the workers to come and work for them and showing them this carrot that if you work with us extra hours and work at night and so on and so forth, then tomorrow the Government will take over the mine and you will have security of service and you will be on the rolls of the Government company and so on. Therefore, it was important to see that this did not take place.

SHRI SAMAR MUKHERJEE: You are throwing them out.

SHRI K. C. PANT: No, we are not throwing them out. They are not our employees. If you like, we will give them back to the same people. They are not our employees. This is the correct position which I have placed before the House.

The other Bill is Coal Mines (Take over of Management) Act. This is the other act under which we could have acted. There, I have explained very briefly in the Objects and Reasons as to why we did not take recourse to this Act. If Samar Babu wants a fuller explanation, I can tell him that if action is taken under this provision, the Central Government will have to give an amount to the owners of the mines even though they are being worked unauthorisedly and also workers employed by those people will have to be taken over. But under the present law, we will have to pay no amount. I think, Mr. Daga and some other hon. Members asked this question. We thought, that would meet the end of justice in this case and it would be the right law to depend upon.

SHRI DINEN BHATTACHARYYA (Serampore): They are already armed with a law.

SHRI K. C. PANT: Anyway, you should be happy sometimes. Even if

you were unhappy earlier, today is the day to be happy.

The other question was raised about accidents, fire, and so on. You rightly pointed out that this is beyond the scope of this Bill and I think, I should not involve myself in any argument on this question. But we have in the past in this House discussed the matter of safety. Without going into the subject matter, I can say that we are fully conscious of the need of safety and the public sector companies are taking all necessary measures to ensure safety.

Now, Sir, the other question that was raised, was by Dr. Ranen Sen, with regard to the fact that the exploration and assessment of the deposits had not been made before the bill was introduced. I explained at some length that one did not have the records fully. One did not know exactly the area covered by the mines and it is for these reasons that we terminated all the leases. We have at a stroke terminated all privately-held leases, so that even though there may be some privately-held leases of which we are not aware—there may be more than 450—by this bill we automatically terminate these leases. That is why we took recourse to it. Suppose we had first explored the deposits, found out their quantity and quality, the nature of deposits etc., and the economic viability while the private lease-holders were working those mines, it would not have been possible. That is why we terminated the privately-held leases. Now the public sector companies will do that. It is only after they have done it, can they decide about the desirability of working those particular mines. If they find that there are certain mines which come within the provisions— which the Deputy Speaker was good enough to bring to the notice of the House— i.e. provided

- (1) the reserves of coal in the area are in isolated small pocket or are not sufficient

for scientific and economical development in a co-ordinated and integrated manner, and

- (ii) the coal produced by the sub-lessee will not be required to be transported by rail."

i.e. provided these two conditions are satisfied, the sub-lease can be given to any person in any area on such terms and conditions as may be specified.

SHRI DINEN BHATTACHARYYA:
Who will decide this?

SHRI K. C. PANT: Naturally, whichever is the proper authority, will decide it; but before we decide it, the public sector company must decide whether it wants it or not. But we have to ensure that the public sector does not suffer. We have to ensure that the public sector is able to work its coal mines in an integrated manner; and suppose the public sector coal company feels that it is necessary for it to work a certain mine, they will certainly have the first priority—and subject to these two conditions. There may be mines in the country which are in isolated pockets. Shri Ram Singh Bhai referred to it. I got a letter from an MP from Madhya Pradesh, suggesting that we should allow small, isolated coal mines to be exploited by a private party. We did not do it. But it is quite possible that the overheads of the public sector coal company are such that it may not be able to find it worthwhile to mine coal in isolated areas. The conditions are specified. We have said that if these conditions are satisfied, even a private lease-holder will be allowed to work it. Suppose we leave out this condition and also leave out the possibility of any private lease-holder being allowed to work it; a situation will arise in certain cases; i.e. where after the public sector companies have investigated these deposits and have formed a judgement, they find that they are not interested in working the mines, in certain cases, number of workers have been

16.00 hrs.

employed and I do not say today that all the workers can be taken back or can be employed. I am in no position to make that statement until the exploration has been made, until in a proper and scientific way the public sector companies are able to say that they need so many persons for these mines. Till then, I am not in a position to say anything. But even at that stage, suppose we close the doors to any other kind of mining, then these workers cannot find employment in coal mines anywhere.

So, this is an additional consideration why we have kept this proviso and why we have limited the application of this proviso only in certain cases. Then there is a case of Meghalaya which I mentioned. There also, we do not interfere with the coal mining which is practically on a cottage scale in certain areas.

(Interruptions)

There was another point which was made by Dr. Ranen Sen and Mr. Ram Bhai. The point was about illegal mining. Now, I would like to differentiate between termination of leases which cover those cases where some leases were given to some parties and illegal mining where no leases have been granted at all. Where no leases have been granted, it is theft of coal. Where no leases of any kind have been granted, where no authorisation has been given if somebody goes there and starts mining the coal, it is pure and simple theft and it should be stopped by the law and order authority of the State concerned; they should not hesitate at all to take any action that they want to take. It is only in these cases where some lease has been granted that we have had to bring forward this law to stop it. One does not need to bring forward any law to stop illegal mining where no authorisation has been given. Obviously, that is not correct and right and that must be stopped. It must be stopped by the organs of the State. There was a suggestion, not a suggestion but perhaps an innuendo by

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Shastriji that the Bihar Government did not support this measure with its heart. Whatever that might mean, I think, that was not fair. I think it was not at all fair, and the Bihar Government, in this matter, has been forthcoming, has been ready to accept this measure fully. I have discussed it with the Chief Minister and the Chief Minister has readily agreed to it. I think, Shastriji will bear witness to the fact that after the proclamation of this particular ordinance, this kind of illegal mining has stopped in Bihar more or less.

(Interruptions)

My report is that is has more or less stopped. My report is that the State Government has acted promptly in this matter. My report is that the police and the authority went there and very quickly the whole thing was stopped. I hope that he will bear me out in this. If this is a fact, it shows that the Bihar Government has also acted promptly to give effect to the objectives of this Bill.

Then there was a suggestion that the Bihar Government might be allowed to work as a sub-lessee. That is certainly not excluded. It is for the Bihar Government to consider whether any of their corporations would like to come as a sub-lessee. They also come into the picture after the public sector Coal India Limited has surveyed and explored these deposits and found them to be not worthy for it to mine. After this, the question will arise, and at that stage, I certainly do not exclude the Bihar Government coming in.

Finally, a suggestion was made by Mr. Reddy that there should be a penal provision. There are penal provisions in this Bill. I need not read them out here because you have read the Bill. They have been provided.

Lastly, there was some reference to officers. While I do not exclude the possibility of officers being mixed up in pilferage of coal in certain places—in fact, I said so in my opening remarks—I think, it is very unfair to make a general remark of this kind. Our officers in the coal mining industry have been working day and night to increase production and to increase productivity. If I may say so, the manner in which the production has gone up in the last two years by 20 million tonnes and the manner in which the productivity has gone up, it is certainly something which has strengthened the economic fibre of this country and it has changed entirely the picture of coal industry for all the consumers in this country. Therefore, I think, one should not be uncharitable. One should certainly point out to individual cases where the people may have erred. But, by and large, the officers who are working in this industry deserve commendation and encouragement of this House rather than otherwise.

MR. DEPUTY-SPEAKER: The question is:

“That the Bill further to amend the Coal Mines (Nationalisation) Act, 1973, be taken into consideration.”

The motion was adopted.

MR. DEPUTY SPEAKER: We now take up clause-by-clause consideration of the Bill.

*New Clause 1A.**

The first one is an addition of a New Clause.

Amendment No. 2—1A (New).

Amendment made:

Page 1,—

after line 4, insert—

*In view of amendment No. 2, inserting new clause 1A, having been adopted by the House, new clause 1A was renumbered as clause 2 and the existing clauses 2, 3 and 4 renumbered as 3, 4 and 5 respectively, as patent error under the direction of the Speaker.

Insertion of
new section
1A.

1A. In the Coal Mines (Nationalisation) Act, 26 of 1973 (hereinafter referred to as the Principal Act) after section 1, the following section shall be inserted, namely:-

“Declaration as to expediency of Union control.

1A. (1) It is hereby declared that it is expedient in the public interest that the Union should take under its control the regulation and development of coal mines to the extent hereinafter provided in sub-sections (3) and (4) of section 3 and sub-section (2) of section 30.

(2) The declaration contained in sub-section (1) is in addition to, and not in derogation of, the declaration contained in section 2 of the Mines and Minerals (Regulation and Development) Act, 1957. (2) 67 of 1957. (Shri K. C. Pant).

MR. DEPUTY SPEAKER: The question is:

“That New Clause 1A stand part of the Bill.”

The motion was adopted.

New Clause 1A was added to the Bill.
Clause 2 (Amendment of Section 3)

SHRI K. C. PANT: I beg to move:—
Page 1,—

for lines 5-7, substitute—

“2. In section 3 of the principal Act, after sub-section (2), the following sub-sections shall be inserted, namely:—”. (3)

Page 1, line 8,—

after “commencement of” insert
“section 3 of”. (12)

SHRI RAMAVATAR SHASTRI: I beg to move:—

Page 1, line 16,—

for “company” substitute “Government company”. (3)

Page 2,—

omit lines 1 and 2. (6)

Page 2, line 5,—

for “company” substitute “Government company”. (7)

Page 2, line 12,—

for “company” substitute “Government company” (8)

Page 2, line 14,—

for “company” substitute “Government company”. (8)

MR. DEPUTY-SPEAKER: First I will put Government Amendment Nos. 3 and 12, moved by Shri K. C. Pant to clause 2 to the vote of the House.

The question is:

Page 1,—

for lines 5-7, substitute—

“2. In section 3 of the principal Act, after sub-section (2), the following sub-sections shall be inserted, namely:—”. (3)

Page 1, line 8,—

after “commencement of” insert:
“section 3 of”. (12)

The motion was adopted.

MR. DEPUTY-SPEAKER: Now, I put the Amendment Nos. 5 to 9 moved by Shri Ramavatar Shastri to Clause 2 to the vote of the House.

Amendments Nos. 5 to 9 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That Clause 2, as amended stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 3 (Amendment of section 30)

SHRI RAMAVATAR SHASTRI: I beg to move:—

Page 2, line 40,—

for "may extend to" substitute—
"should not be less than". (10)

Page 2, lines 40 and 41,—

for "may extend to" substitute—
"should not be less than" (11)

MR. DEPUTY-SPEAKER: I put Amendment No. 10 and 11 moved by the Ram Avtar Shastri to Clause 3 to the vote of the House.

"Short title and commencement.

1. (1) This Act may be called the Coal Mines (Nationalisation) Amendment Act, 1976.

(2) Sections 2 and 3 of this Act shall be deemed to have come into force on the 29th day of April, 1976.

Amendments Nos. 10 and 11 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That Clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 (Repeal and Saving)

Amendment made:

Page 2,—

for lines 42—47, substitute—

"4. The Coal Mines (Nationalisation) Amendment Ordinance, 1976, (ordinance 3 of 1976) is hereby repealed". (4)

(Shri K. C. Pant)

MR. DEPUTY-SPEAKER: The question is:

"That clause 4, as amended, stand part of the Bill."

The motion was adopted

Clause 4, as amended was added to the Bill.

Clause 1 (Short title)

Amendment made:

Page 1,—

for lines 3-4, substitute—

C. Pant)

MR. DEPUTY-SPEAKER: The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Enacting Formula and the Title were added to the Bill.

SHRI K. C. PANT: I beg to move:

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

MR. DEPUTY-SPEAKER: The question is:

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

The motion was adopted.

16 12 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, May 18, 1976/Vaisakha 28, 1898 (Saka).